



City of Tigard  
**Tigard Business Meeting – Agenda**

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**TIGARD CITY COUNCIL**

**MEETING DATE AND TIME:** June 24, 2014 - 6:30 p.m. Study Session; 7:30 p.m. 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

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**VIEW LIVE VIDEO STREAMING ONLINE:**

<http://live.tigard-or.gov>

**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.



City of Tigard

## Tigard Business Meeting – Agenda

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### TIGARD CITY COUNCIL

**MEETING DATE AND TIME:** June 24, 2014 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

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

6:30 PM

- STUDY SESSION

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss labor negotiations and real property negotiations, under ORS 192.660(2) (d) and (e). 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.

7:30 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. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
  - A. Follow-up to Previous Citizen Communication
  - B. Tigard Area Chamber of Commerce
  - C. Citizen Communication – Sign Up Sheet
3. RESOLUTION HONORING CITY RECORDER CATHERINE WHEATLEY FOR 26 YEARS OF SERVICE
4. DISCUSS PROPOSED CHANGES TO TMC 7.70 SECONDHAND DEALERS AND TRANSIENT MERCHANTS

5. REVISED RESOLUTION ACCEPTING THE WATER MASTER PLAN UPDATE FOR RIVER TERRACE - RESOLUTION
6. NON AGENDA ITEMS
7. COUNCIL LIAISON REPORTS
8. 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.
9. ADJOURNMENT

**AIS-1796**

**3.**

**Business Meeting**

**Meeting Date:** 06/24/2014

**Length (in minutes):** 5 Minutes

**Agenda Title:** Resolution Honoring City Recorder Catherine Wheatley for 26 Years of Service

**Prepared For:** Joanne Bengtson, City Management

**Submitted By:** Joanne Bengtson, City Management

**Item Type:** Resolution

**Meeting Type:** Council  
Business  
Mtg -  
Study Sess.

**Public Hearing:** No

**Publication Date:**

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**Information**

**ISSUE**

Should Council honor City Recorder Catherine Wheatley, retiring July 1, after 26 years of service?

**STAFF RECOMMENDATION / ACTION REQUEST**

Celebrate Cathy's retirement from the city and her service to City Council.

**KEY FACTS AND INFORMATION SUMMARY**

Cathy Wheatley will retire on July 1, 2014 and has served as Tigard's City Recorder since September 1, 1988.

Mrs. Wheatley has served the City Council through the election or appointment of seven Mayors and nearly 25 City Councilors, passing ballot measures that created a new library, funded major park & open space acquisition and reshaped the city's boundaries.

With every task and all her years of service, Cathy's performance has enhanced the city's reputation and set a high standard with the public, City Council and fellow employees.

**OTHER ALTERNATIVES**

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

n/a

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**Attachments**

Resolution



**CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 14-**

**A RESOLUTION THANKING CATHERINE WHEATLEY FOR 26 YEARS OF SERVICE  
TO THE CITY OF TIGARD AS ITS CITY RECORDER**

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WHEREAS, Catherine L. Wheatley, CMC will retire on July 1, 2014, contributing 26 years of outstanding service to the City of Tigard, Oregon as its City Recorder; and

WHEREAS, Mrs. Wheatley has earned the admiration and respect of her fellow employees and administrators for her dedication, professionalism, sense of humor and hard work in the way she has carried out her responsibilities as Tigard's City Recorder since September 1, 1988; and

WHEREAS, Mrs. Wheatley has been a skilled and effective administrator in both the City Records and City Recorder and Election divisions and has provided fast and reliable service, without discrimination, to all people contacting the city in person, by telephone and email; and

WHEREAS, Mrs. Wheatley played a leadership role in the Oregon Association of Municipal Recorders and the International Institute of Municipal Clerks, earning her Certified Municipal Clerk certification, signifying excellence in leadership, communication, training and professional growth; and

WHEREAS, Mrs. Wheatley has helped guide City Council through huge population growth, election issues and an ever-increasing level of complex issues and nuanced communication while forging mutually respectful relationships with residents, elected officials, other cities and their staff; and

WHEREAS, Mrs. Wheatley has admirably represented the City of Tigard in many state and local municipal organizations, committees and events; and

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

SECTION 1:           The City of Tigard Council and staff members hereby commend Mrs. Catherine Wheatley for her meritorious and dedicated service to the city.

SECTION 2:           The City of Tigard Council and staff members congratulate her upon the occasion of her retirement from the City of Tigard, and extend their warmest wishes for her enjoyment and continued prosperity in the years of relaxation and freedom from taking meeting minutes.

SECTION 3:           This resolution is effective immediately upon passage.

PASSED:             This \_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
John L. Cook, Mayor  
City of Tigard

ATTEST:

\_\_\_\_\_  
Carol A. Krager, Deputy City Recorder

**AIS-1780**

**4.**

**Business Meeting**

**Meeting Date:** 06/24/2014

**Length (in minutes):** 10 Minutes

**Agenda Title:** Discuss Proposed Changes to TMC 7.70 Secondhand Dealers and Transient Merchants

**Prepared For:** Alan Orr, Police

**Submitted By:** Julia Jewett, Police

**Item Type:** Ordinance

**Meeting Type:** Council Business Mtg - Study Sess.

**Public Hearing:** No

**Publication Date:**

**Information**

**ISSUE**

Staff will update council on proposed changes to the Tigard Municipal Code Section 770: Secondhand Dealers and Transient Merchants. Changes will clarify procedures and update definitions, bringing Tigard's code up to date. Staff is planning to bring an ordinance to council for consideration and approval on July 8, 2014.

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff recommends that the TMC Section 7.70 Secondhand Dealers and Transient Merchants be revised.

**KEY FACTS AND INFORMATION SUMMARY**

Staff recommends the following revisions to the Secondhand Dealers and Transient Merchants TMC 7.70 for the following reasons:

- Several nearby jurisdictions have made revisions to their code in recent years and some of the proposed changes will more closely align Tigard with current best practice.
- Some of the definitions in the code were unclear, so care was taken to clarify them. One will add a protection to cover a part of the market that was previously overlooked. Another makes a change to current best practice used in other jurisdictions.
- Changes in the code will provide tools for law enforcement to be more efficient in the recovery of stolen items which occasionally show up in Secondhand Dealer businesses.
- Changes will allow for dealers to become more competitive with businesses in other jurisdictions by allowing a shorter hold period for items they buy, if they follow some of the proposed changes. Dealers will be required to enter into a regional database. A

provision was added for those current businesses defined as occasional dealers to be exempted from this.

- Protections for Tigard Dealers are proposed to guarantee they will be listed crime victims when property is seized from them. This places them in line for restitution from the courts.

All of the regular secondhand dealers were given copies of the proposed code and a summary of changes. All of them were either in support or neutral on the changes proposed. No negative feedback was heard from any dealer in the city on the proposed changes.

## **OTHER ALTERNATIVES**

N/A

## **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

## **DATES OF PREVIOUS COUNCIL CONSIDERATION**

N/A

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### **Attachments**

Exhibit A

TMC 7.70

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## TIGARD MUNICIPAL CODE

### Chapter 7.70 SECONDHAND DEALERS AND TRANSIENT MERCHANTS.\*

#### Sections:

- 7.70.010 Purpose.
- 7.70.020 Definitions.
- 7.70.030 Special License Secondhand Dealer License Required.
- 7.70.035 Minimum Standards.
- 7.70.040 Application for Special License Secondhand Dealer License.
- 7.70.045 Surety Bond Required.
- 7.70.050 Issuance and Renewal of Special Permit Secondhand Dealer License.
- 7.70.060 Special License Secondhand Dealer License Fees.
- 7.70.070 Subsequent Locations.
- 7.70.080 Reporting of Secondhand Dealer Transactions.
- 7.70.090 Regulated Property Sale Limitations.
- 7.70.100 Tagging Regulated Property for Identification.
- 7.70.110 Inspection of Property and Records.
- 7.70.120 Prohibited Acts.
- 7.70.130 Civil Penalties.
- 7.70.140 Revocation or Suspension of Permit Secondhand Dealer License.
- 7.70.150 Appeals.
- 7.70.155 Administrative Policies and Procedures.

\* Prior ordinance history: Ord. Nos. 02-05, 83-26.

#### 7.70.010 Purpose.

The purpose of adopting this Chapter is to regulate certain business activities that present an extraordinary risk of being used by criminals to dispose of stolen property. Despite the best

efforts of legitimate secondhand dealer businesses, this risk is present because these businesses process large volumes of goods and materials that are frequently the subject of theft. This Chapter is intended to reduce this type of criminal activity by providing timely police awareness of such property transactions and by regulating the conduct of persons engaged in this business activity. These regulations are necessary and the need for the regulations outweighs the regulatory effect that may result from their adoption. (Ord. 09-07 § 1).

#### 7.70.020 Definitions.

As used in this Chapter, unless the context requires otherwise:

1. "Acceptable identification" means either a current driver's license, a State of Oregon Identification Card issued by the Department of Motor Vehicles, or two current United States, state - or local government-issued identification cards, one of which has a photograph of the seller. Transactions which are accompanied by a thumbprint require only one current United States, state, or local government-issued identification card which has a photograph of the seller.

2. "Acquire" means to take or transfer any interest in personal property in a voluntary transaction, including but not limited to: sales; consignments; memoranda between a Dealer and a private party seller; leases; trade-ins; loans; and abandonments. "Acquire" also means to take or transfer any interest in precious metals, in a voluntary transaction, for the purpose of refinement. Any acquisition of regulated property by a Dealer will be presumed to be an acquisition on behalf of the Secondhand Dealer business. Notwithstanding the foregoing, "acquire" does not include:

a. Any loans made in compliance with state laws by persons licensed as

## TIGARD MUNICIPAL CODE

pawnbrokers by the State of Oregon; or

b. Memoranda between a Secondhand Dealer and a person engaged in the business of selling regulated property.

3. "Business Location" means any physical location where the Dealer conducts business.

4. "Chief of Police" means the Chief of the Tigard Police Department or his/her designee.

5. "Criminal arrests or a conviction" refers to any offense defined by the statutes of the State of Oregon or ordinances of the City of Tigard, unless otherwise specified. Any arrest or conviction for conduct other than that denoted by the statutes of the State of Oregon or ordinances of the City of Tigard, as specified herein, will be considered to be equivalent to one of such offenses if the elements of such offense for which the person was arrested or convicted would have constituted one of the above offenses under the applicable Oregon statutes or City of Tigard ordinance provisions.

6. "Dealer" or "Secondhand Dealer"

a. Means any:

(1) Sole Proprietorship, partnership, limited partnership, family limited partnership, joint venture, association, cooperative, trust, estate, corporation, personal holding company, limited liability company, limited liability partnership or any other form of organization for doing business and that either:

(i) Acquires regulated property at or from business locations within the City of Tigard, or on behalf of such a business regardless of where the acquisition occurs, or

(ii) Offers for sale regulated property.

(2) Pawnbroker licensed under the Oregon Pawnbroker's Act, ORS 726.020, 726.990.

b. Dealers that acquire or offer for sale not more than 50 items of regulated property in any one-year period will be categorized as an "Occasional Secondhand Dealer." The term "Dealer" in this Chapter and all regulations herein refer to Secondhand Dealers, Occasional Secondhand Dealers and Pawnbrokers unless specifically stated otherwise.

c. "Dealer" does not include:

(1) A business whose acquisitions of regulated property consist exclusively of donated items and/or purchases from 501(C)3 organizations; or

(2) A person whose only business transactions with regulated property in the City of Tigard consist of the sale of personal property acquired for household or other personal use; or

(3) A person whose only business transactions with regulated property in the City of Tigard consist of a display space, booth, or table maintained for displaying or selling merchandise at any trade show, convention, festival, fair, circus, market, flea market, swap meet or similar event for less than 14 days in any calendar year.

7. "Held Property" means any regulated property that cannot be sold, dismantled or otherwise disposed of for a prescribed period of time as more specifically enumerated in Section 7.70.090.

8. "Investment purposes" means the purchase of personal property by businesses and the retention of that property in the same form as purchased, for resale to persons who are purchasing the property primarily as an

## TIGARD MUNICIPAL CODE

investment.

9. "Medication" means any substance or preparation, prescription or over-the-counter, used in treating or caring for ailments and/or conditions in humans or animals.

10. "New" means anything conspicuously not used.

11. "Pawnbroker" means any business required by Oregon Revised Statute 726.040 to hold an Oregon pawnbroker's license. Pawnbrokers are required by Chapter 7.70 to have a Secondhand Dealer Permit. As a Dealer, all transactions occurring within their business (loans, buys, or consignments) are subject to all requirements within this Chapter unless otherwise stated.

12. "Person" means a natural person.

13. "Principal" means any person who will be directly engaged or employed in the management or operation of the Secondhand Dealer business, including any owners and any shareholders with a five percent or greater interest in the company.

14. "Receive" means to take property into the inventory, possession, or control of a Dealer.

15. A "Registered Business" must be:

a. Registered with the Secretary of State Corporate Division or its equivalent in the state where the business is located; and

b. In compliance with the City of Tigard business license registration requirements.

16. "Regulated property" means property of a type that has been determined by the Chief of Police to be property that is frequently the subject

of theft, including new items as defined in this section as well as used items such as precious metals, precious gems, watches, sterling silver, electronic equipment, photography equipment, tools, musical instruments and cases, firearms, sporting equipment, and household appliances. In order to enhance the Police Department's ability to reduce property crimes and recover stolen goods, a list of regulated property may be included in the Administrative Policies and Procedures, ~~Section 4~~, and shall be updated ~~by June 30th of each year~~ by the Chief of Police. A copy will be kept on file in the Police Department.

~~1617.~~ "Remanufactured" means that an item has been altered to the degree that the main components are no longer identifiable as the original item.

~~1718.~~ "Seller" means any person who:

a. Offers items of regulated property in exchange for money or other property; or as collateral for a loan; or

b. Donates or abandons items of regulated property.

~~1819.~~ "Trade Show" means an event open to the public, held in a venue other than a Dealer's business location, at which vendors of a specific type of merchandise may exhibit, buy, sell, or trade items that may include regulated property.

Events commonly known as flea markets or swap-meets, in which goods of many types are exhibited, sold or traded, are not considered trade shows for the purpose of this Chapter.

~~1920.~~ "Transaction Report" means the record of the information required by Section 7.70.080, transmitted to the Tigard Police Department by the means required in Section 7.70.080.

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2021. “Transient Merchant” means any person:

a. Engaged in the business of purchasing or acquiring regulated property from business locations within the City of Tigard;

b. Engaged as an itinerant or temporary business under the provisions of the Tigard Municipal Code, Chapter 5.04; and

c. Engaged in the business of purchasing such regulated property from any person not representing a business which is required to be issued a business license or special certificate under Chapter 5.04 of the Tigard Municipal Code, and who appears with such articles at the Dealer’s place of business.

2122. “Used” means anything that has been put into action or service.

2223. “PPDS” (Portland Police Data System) means the computerized record keeping system the Tigard Police Department utilizes to manage data, including, but not limited to, Secondhand Dealers’ transaction reports, and includes the RegJIN record keeping system. (Ord. 09-07 § 1).

24. “RAPID” (Northwest Regional Automated Information Database) means the computerized, web-based record keeping system the Tigard Police Department utilizes to manage data pertaining to Secondhand Dealers’ transaction reports.

**7.70.030** ~~Special License—Secondhand Dealer License~~ **Required.**

1. No person or business shall engage in, conduct or carry on a secondhand dealer business in the City of Tigard without a valid Secondhand Dealer ~~Special License~~ issued by the City of Tigard. A ~~special license—Secondhand Dealer~~

~~License~~ shall be required in addition to a business license or special certificate required by Chapter 5.04 of the Tigard Municipal Code, or any other City license or permit.

2. Dealers that acquire or offer for sale not more than 50 items of regulated property in any one-year period are categorized as an “Occasional Secondhand Dealer.” Upon acquiring or offering for sale more than 50 items of regulated property during any one-year period, an Occasional Secondhand Dealer shall apply for and obtain a ~~Regular~~ Secondhand Dealer ~~Special License~~ and comply with all the regulations of a secondhand dealer before acquiring any more items of regulated property.

3. Any person or business that advertises or otherwise holds him/herself out to be acquiring or offering for sale regulated property within the City of Tigard will be presumed to be operating as a Dealer subject to the terms of Chapter 7.70.

4. The sale of regulated property at events commonly known as “garage sales,” “yard sales,” or “estate sales” is exempt from these regulations if all of the following are present:

a. No sale exceeds a period of 72 consecutive hours; and

b. No more than four sales are held at the same location in any 12-month period. (Ord. 09-07 § 1).

### **7.70.035** **Minimum Standards.**

1. No person or business may operate as a Dealer within the City of Tigard unless the person or business maintains a fixed physical business location.

2. Dealers shall comply with all applicable federal, state and local regulations. (Ord. 09-07 § 1).

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### 7.70.040 Application for ~~Special License~~ Secondhand Dealer License.

1. An applicant for a ~~Special License~~ Secondhand Dealer License shall complete and submit an application (including required personal history forms) that sets forth the following information:

a. The name, address, telephone number, birth date and principle occupation of all owners and any person who will be directly engaged or employed in the management or operation of the business or the proposed business;

b. The name, address and telephone number of the business or proposed business and a description of the exact nature of the business to be operated;

c. The Web address of any and all Web pages used to acquire or offer for sale regulated property on behalf of the Dealer, and any and all Internet auction account names used to acquire or offer for sale regulated property on behalf of the Dealer;

d. Written proof that all principals are at least 18 years of age;

e. Each principal's business occupation or employment for the three years immediately preceding the date of application;

f. The business license and permit history of the applicant in operating a business identical to or similar to those regulated by Chapter 7.70;

g. A brief summary of the applicant's business history in any jurisdiction including:

(1) The business license or permit

history of the applicant, and

(2) Whether the applicant or any principal has ever had any business-related license or permit revoked or suspended, the reasons therefor, and the business activity or occupation of the applicant or principal subsequent to the suspension or revocation;

h. Whether the applicant will be a sole proprietorship, partnership, limited partnership, family limited partnership, joint venture, association, cooperative, trust, estate, corporation, personal holding company, limited liability company, limited liability partnership or any other form of organization for doing business.

(1) If a partnership, the application must set forth the names, birth dates, addresses, telephone numbers, and principle occupations, along with all other information required of any individual applicant, of each partner, whether general, limited, or silent, and the respective ownership shares owned by each.

(2) If a corporation, or limited liability company, the application must set forth the corporate or company name, copies of the articles of incorporation or organization and the corporate by-laws or operating agreement, and the names, addresses, birth dates, telephone numbers, and principle occupations, along with all other information required of any individual applicant, of every officer, director, members or managers, and shareholder (owning more than five percent of the outstanding shares) and the number of shares held by each;

i. If the applicant does not own the business premises, a true and complete copy of the executed lease (and the legal description of the premises to be permitted) must be attached to the application;

j. All arrests or convictions of each

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principal enumerated in Subsection 1 of this Section;

k. Upon request, principals and employees shall submit to the Tigard Police Department the following information: fingerprints, passport-size photographs, and a copy of the signature initials to be used by persons on transaction report forms. Principals and employees must submit new photos if requested to do so by the Tigard Police Department;

1. Any other information that the Chief of Police may reasonably feel is necessary to accomplish the goals of this Chapter.

2. The Secondhand Dealer shall notify the Chief of Police of any changes in the information required in Subsection 1 of this Section within 10 business days.

3. New employees of Dealers shall complete and submit the personal history form as required in Subsection 1 of this Section. Employees may not acquire regulated property until all required information has been reviewed and approved by the Tigard Police Department. The criteria used to review a new employee will be the same as those used in the review of an initial application in Chapter 7.70.

4. The personal and business information contained in the application forms required pursuant to Section 7.70.040 are subject to the requirements of the Oregon Public Records Law, ORS 192.410 et seq. (Ord. 09-07 § 1).

### 7.70.045 Surety Bond Required.

No person shall engage in business as a transient merchant until such merchant has filed with the City Recorder of the City a ~~\$~~10,000 dollar bond, with a surety company licensed to do business in the State of Oregon as surety, for the benefit of any person damaged by false,

fraudulent, or misleading representations of the transient merchant in the conduct of his/her business. (Ord. 09-07 § 1).

### 7.70.050 Issuance and Renewal of ~~Special-Permit~~Secondhand Dealer License.

1. Upon the filing of an application for a ~~Secondhand-Dealer-Special-License-Secondhand Dealer License~~ and payment of the required fee, the Chief of Police shall conduct an investigation of the applicant and all principals and employees listed according to the requirements in Section 7.70.040. The Chief of Police shall issue the ~~permit-license~~ within 90 days of receiving the application if no cause for denial exists.

2. Except as provided in Section 7.70.050 the Chief of Police shall deny an application for a Secondhand Dealer Special License if any of the following apply:

a. The applicant, or any person who will be directly engaged in the management or operation of the business, or any person who owns a five percent or more interest in the business, has previously owned or operated a business regulated by Chapter 7.70, and

(1) The license or permit for the business has been revoked for cause that would be grounds for revocation pursuant to Chapter 7.70, or

(2) The business has been found to constitute a public nuisance and abatement has been ordered;

b. Any person listed on the initial application or renewal application has been convicted of one or more of the offenses listed below or has violated any section of Chapter 7.70. The offenses include:

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(1) Any felony.

(2) Any misdemeanor or violation involving either bribery, controlled substances, deception, dishonesty, forgery, fraud, or theft, or any attempt or conspiracy to commit any of the listed offenses;

c. The Chief of Police finds by a preponderance of the evidence that the applicant or any principal or employee has committed any offense relating to fraud, theft or any attempt or conspiracy to commit theft, or any offense listed in Section 7.70.120;

d. The Chief of Police finds by a preponderance of the evidence that the applicant or any principal or employee who will be involved in the business has violated any law where the elements of such law are equivalent to the provisions of Chapter 7.70;

e. Any statement in the application is false or any required information is withheld; or

f. The Chief of Police finds by a preponderance of the evidence that the applicant, or any person who will be directly engaged or employed in the management or operation of the business, or any person who owns a five percent or more interest in the business, has previously owned or operated a business regulated by Chapter 7.70 or any laws or statutes equivalent to the provisions of Chapter 7.70, and the business has violated applicable state, federal or local requirements, including permitting requirements.

3. Notwithstanding Section 7.70.050, the Chief of Police may grant a permit after consulting with the City Council despite the presence of one or more of the enumerated factors if the applicant establishes to the Chief of Police's reasonable satisfaction that:

a. The behavior evidenced by such

factor is not likely to recur; or

b. The behavior evidenced by such factor is remote in time; or

c. The behavior evidenced by such factor occurred under circumstances that diminish the seriousness of the factor as it relates to the purpose of Chapter 7.70.

4. ~~Secondhand Dealer Special Licenses~~ Secondhand Dealer Licenses are valid for one year and expire at 12:00 a.m. on January 15th of each year. The ~~permits—licenses~~ are nontransferable and are valid only for a single business location. When the business location is to be changed, the ~~permit—license~~ holder shall provide the address of the new location in writing to the Chief of Police for approval at least 14 days prior to the change.

5. ~~Secondhand Dealer Special Licenses~~ Secondhand Dealer Licenses must be displayed at the business location in a manner readily visible to patrons.

6. Upon denial of an application for a ~~Secondhand Dealers Special License~~ Secondhand Dealer License, the Chief of Police shall give the applicant written notice of the denial.

a. Service of the notice will be accomplished by mailing the notice to the applicant by certified mail, return receipt requested.

b. Mailing of the notice will be prima facie evidence of receipt of the notice.

c. The denial will be effective the date the notice is sent.

7. Denial of a ~~permit—license~~ may be appealed by filing written notice of an appeal within 10 days of the date of denial in accordance

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with Section 7.70.150. (Ord. 09-07 § 1).

### 7.70.060 ~~Special License Secondhand Dealer License Fees.~~

Every Dealer shall complete and submit all required forms to the Chief of Police and pay a non-refundable fee as set forth by the City of Tigard Master Fees and Charges Schedule. (Ord. 09-07 § 1).

### 7.70.070 Subsequent Locations.

1. Dealers must file an application for a ~~permit-license~~ for a subsequent or additional business location with the Tigard Police Department and pay a non-refundable fee as set forth in the City of Tigard Master Fees and Charges Schedule; provided the information required for the subsequent or additional business location is identical to that provided in the application for the prior location with the exception of that required by Section 7.70.040.

2. ~~Secondhand Dealer Special Licenses Secondhand Dealer Licenses~~ issued for subsequent or additional business locations will be subject to all the requirements of this Chapter, and the term of the ~~permit-license~~ issued for a subsequent or additional location will expire on the same date as the initial permit. (Ord. 09-07 § 1).

### 7.70.080 Reporting of Secondhand Dealer Transactions.

1. Dealers shall provide to the Tigard Police Department all required information as set forth by the Tigard Police Department for each regulated property transaction (not including sales). The Chief of Police may designate the format for the transfer of this information and may direct that it be communicated to the Criminal Investigations Unit by means of mail, the Internet, or other computer media.

a. In any such case that the Chief directs that the information be transmitted via computer media, the Chief may also direct the system that will be utilized in order to ensure conformity among all Secondhand Dealers. All secondhand dealers shall enter their transactions into RAPID, Tigard's designated reporting system. Occasional secondhand dealers may request an exemption from using RAPID, allowing them to, as an alternative, submit their transactions on transaction report (SDR) forms. The request must be made in writing to the Chief of Police.

b. If, after establishing the format and requirements for the transmission of computerized reports of transactions, the Chief of Police alters the required format, Dealers will be given at least 60 days to comply with the new format requirements. If unable to implement the reporting system before the deadline, a Dealer must submit a written request for additional time to the Chief of Police before the deadline.

c. Pawnbrokers are required to report only new transactions. Loan renewals do not need to be reported.

### 2. The following apply to Occasional Secondhand Dealers:

a. Occasional secondhand dealers may request an exemption from using RAPID. The exemption will, allow Occasional Secondhand Dealers, as an alternative, submit their transactions on a transaction report (SDR) form created by the Chief of Polices. The request for this exemption must be made in writing to the Chief of Police.

b. The Tigard Police Department will provide all Occasional Secondhand Dealers with transaction report forms at cost until 60 days after such time that the Chief of Police directs a change

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in the reporting method. The Chief of Police may specify the format of the transaction report form. The Chief of Police may require that the transaction report form include any information relating to the regulations of this Chapter. Dealers may utilize their own forms, in lieu of those supplied by the Tigard Police Department, if the Chief of Police has approved such forms. The Declaration of Proof of Ownership will be considered to be included in references in this Chapter to the transaction report form, as appropriate. (Ord. 09-07 § 1).

### 7.70.090 Regulated Property Sale Limitations.

1. Regulated property is subject to the following limitations:

a. Holding Period. Regulated property acquired by any Secondhand Dealer must be held for a period of 30 full days from the date of acquisition. Pawnbroker loan transactions are exempt from the 30-day hold requirements of Section 7.70.090 because of the redeemable nature of the loans and the holding requirements in ORS 726. However, if the loan is converted to a buy by the pawnbroker within 30 days from the date of the pawn transaction, the difference between the original date of the pawn and the buy will count toward the 30-day hold requirement. All other provisions of Section 7.70.090 remain in effect.

b. The following sections apply to the hold period:

(1) The hold period for items may be reduced from 30 days to 20 days if the item either displays a complete legible serial number; or is an item of jewelry; or is precious metal scrap. The Dealer must:

i Report the acquisition into RAPID on the same day the

acquisition occurs; and

ii Include a description in the RAPID entry of the degree of detail for the type of item as required in the Administrative Policies and Procedures and Tigard Municipal Code 7.70; and

iii Include a digital photograph of sufficient size and focus to identify the item and distinguish it from similar items and that clearly shows any legible serial number on the item in the RAPID entry; and

iv Comply with all remaining requirements in the Administrative Policies and Procedures.

(2) A Dealer may be required to reinstate a 30-day hold period if an examination of RAPID entries reveals a pattern of insufficient item descriptions or insufficient photographs.

cb. Requirements of Held Property. All held property must remain in the same form as when received, must not be sold, dismantled or otherwise disposed of, and must be kept separate and apart from all other property during the holding period to prevent theft or accidental sale and to allow for identification and examination by the Tigard Police Department. Held property must be kept at the business location where it was acquired (including hotels or temporary event locations) during this holding period so that it can be inspected during normal business hours (as provided in Section 7.70.110). Held property, other than property on Police Hold, may be held in a place within public view, as long as the other requirements of Section 7.70.090, Subsection 1.b,

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are met.

de. Held property requirements do not apply if:

(1) The property is received from a Secondhand Dealer regulated by the City of Tigard who has already satisfied the holding requirements of this Chapter and the Dealer records the original transaction report number on the transaction report completed for the new transaction; or

(2) If a customer, who originally purchased property from a Secondhand Dealer, returns it to that Dealer with the original receipt.

2. Notwithstanding Section 7.70.090, the Chief of Police may determine that certain types of transactions pose a reduced risk of being an outlet for the sale of stolen property and therefore may modify the hold period and/or reporting requirements for those types of transactions. Those transactions and the modified requirements are described in Section 7.70.120.

3. Upon reasonable belief that an item of regulated property is the subject of a crime, any peace officer may provide notice to any Dealer that a specifically described item of regulated property must be held in a separate Police Hold area for a period not to exceed 30 days from the date of notification, and is subject to the requirements of Section 7.70.090, Subsection 1.b, above. The hold may be extended an additional 30 days upon notice provided to the Dealer that additional time is needed to determine whether a specific item of regulated property is the subject of a crime. The Dealer shall comply with the hold notice and notify the Tigard Police Department Criminal Investigations Unit of the hold notice no later than five calendar days from the day the notice was received, either by telephone, fax, e-mail or in person. A Dealer must notify the Criminal Investigations Unit of his/her intent to

dispose of any item of regulated property under Police Hold at least 10 days prior to doing so.

a. A Police Hold area must meet the following criteria:

(1) Located out of public view and access, and

(2) Marked "Police Hold," and

(3) Contain only items that have been put on Police Hold.

b. Dealers may maintain up to three Police Hold areas as necessary for the safe storage of high value items, physically large items, and general merchandise put on Police Hold.

c. If it is not possible or practical to move an item to or store an item in the Police Hold area, a Dealer may submit a written request to the Chief of Police for approval to keep the item with other held property. Approval may be granted with the understanding that the item will be clearly marked as being on Police Hold and kept from public view and access.

4. Upon probable cause that an item of property is the subject of a crime, the Chief of Police may take physical custody of the item or provide written notice to any Dealer to hold such property for a period of time as determined by the Chief of Police or any Tigard police officer, not to exceed the statute of limitations for the crime being investigated. Any property placed on hold pursuant to this subsection is subject to the requirements found in Section 7.70.090, Subsection 1.b, and will be maintained in the Police Hold area unless seized or released by the Ppolice. Seizure of property will be carried out in accordance with Oregon Revised Statutes.

5. Items held or seized under TMC 7.70.090, Section 4, may not be released to

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anyone other than the Dealer unless the property is released to:

a. Another law enforcement agency that has provided documentation to the satisfaction of the Chief of Police of the stolen status of the property; or

b. A person who reported the property as stolen when all of the following are present; and:

(1) A stolen property report has been filed with a law enforcement agency where making an untruthful report is a violation of the law, and

(2) A notice has been delivered to the Dealer holding the property or from whom the property was seized.

(i) The notice required by this subsection will state that the property is being released to the person who has filed the stolen property report.

(ii) The notice required by this subsection will be sent electronically with a request for acknowledgement, or delivered in person to the Dealer at the email or physical address shown on the Dealer's permit application or most recent permit renewal application, and to the pawnor/seller at the address shown in the transaction report required by TMC 7.70. The Chief of Police may release property to the owner after the notice required by this subsection has been delivered; proof of receipt of the notice is not required.

(iii) The failure of any person to receive the notice required in this subsection will not invalidate or otherwise affect the proceedings of this subsection.

65. If a Dealer acquires regulated property with serial numbers, personalized inscriptions or

initials, or other identifying marks which have been destroyed or are illegible due to obvious normal use, the Dealer shall continue to hold the property at the business location for a period of 90 full days after acquisition. The Dealer must notify the Tigard Police Department by writing "90 day hold" next to the item on the transaction report or by an electronic means approved by the Tigard Police Department. The held property must conform to all the requirements found in Section 7.70.090, Subsection 1.b.

76. If a Dealer receives information that leads to an objectively reasonable basis to believe that any property already at his/her business location has been previously lost or stolen, he/she must report that belief to the Tigard Police Department by day's end. The notice must include the transaction report number and any additional information regarding the name of the owner, if known.

87. If a peace officer employed by an agency other than Tigard seizes any property from a Dealer, the Dealer must notify the Tigard Police Department of the seizure no later than five calendar days from the day the seizure occurs. The Dealer must provide the name of the agency, the name of the peace officer, the number of the receipt left for the seizure, and the seized property information. Notification to the Tigard Police Department may be given by telephone, fax, email, or in person. (Ord. 09-07 § 1).

### **7.70.100 Tagging Regulated Property for Identification.**

Dealers shall affix a tag to every item of regulated property, which must contain a unique, legible number. That unique number must either be the same as the transaction report number for that item or be referenced to the transaction report required by the Tigard Police Department. After the holding period has expired, the transaction number must remain identifiable on the property

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until the sale of the property.

1. After the applicable holding period has expired, hand tools, or items that are sold with other like items and have no identifiable numbers or markings need not remain tagged.

2. After the applicable holding period has expired, items that are remanufactured need not remain tagged. (Ord. 09-07 § 1).

### **7.70.110 Inspection of Property and Records.**

Upon presentation of official identification, a Dealer shall allow any representative of the Tigard Police Department to enter the business location to ensure compliance with the provisions of Chapter 7.70. The inspection will be for the limited purpose of inspecting the business location, regulated property, and related records as provided in this Chapter. Except by mutual agreement with the Dealer or by court order, any inspection under this Section may occur only during the Dealer's normal business hours. (Ord. 09-07 § 1).

### **7.70.120 Prohibited Acts.**

1. It is unlawful for any person regulated by Chapter 7.70:

a. To receive any property from any person:

(1) Known to the principal, employee or Dealer to be prohibited from selling by a court order,

(2) Under the age of 18 years unless the person's parent or guardian completes the applicable information on the Declaration of Proof of Ownership,

(3) About whom the principal,

employee or Dealer has been given notice by law enforcement as having been convicted of burglary, robbery, theft or possession of or receiving stolen property within the past 10 years whether the person is acting in his/her own behalf or as the agent of another who meets the above criteria;

b. To receive property prohibited by this Chapter, including:

(1) Medications,

(2) Gift cards, in-store credit cards, or activated phone cards,

(3) Property with serial numbers, personalized inscriptions or initials or other identifying marks that appear to have been intentionally altered or rendered illegible;

c. To receive property that a reasonable person under similar circumstances would believe is more likely than not stolen. Determination regarding whether or not an item is found to be stolen will not be used as a factor to determine whether a Dealer has violated this subsection.

2. Any violation of Chapter 7.70 is punishable, upon conviction, by a fine of not more than \$500.00 and a jail sentence of up to six months. (Ord. 09-07 § 1).

### **7.70.130 Civil Penalties.**

1. The Chief of Police may assess civil penalties in an amount up to \$500.00 for each violation of Chapter 7.70.

2. Procedure.

a. The Chief of Police having made a determination to seek civil penalties as provided by this Section, shall give the Dealer written

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notice of the determination.

b. Service of the notice will be accomplished by mailing the notice by regular and certified mail, return receipt requested or by personal service by any sworn member of the Tigard Police Department.

c. Mailing of the notice will be prima facie evidence of receipt of the notice.

d. The civil penalty will be due ~~40-30~~ days from the date of the notice unless such civil penalty is appealed in accordance with Section 7.70.150. (Ord. 09-07 § 1).

### 7.70.140 **Revocation or Suspension of Permit Secondhand Dealer License.**

1. Along with the other regulatory enforcement authority granted under this Chapter, the Chief of Police may, after consulting with the City Council, revoke or suspend any permit license issued pursuant to this Chapter under the following conditions:

a. For any cause that would be grounds for denial of a permit; ~~or~~

b. Upon finding that any violation of the provisions of this Chapter, federal, state or other local law has been committed and the violation is connected with the operation of the permitted business location so that the person in charge of the business location knew, or should reasonably have known, that violations or offenses were permitted to occur at the location by the Dealer or any principal or employee engaged or employed in the management or operation of the business location; ~~or~~

c. A lawful inspection has been refused; ~~or~~

d. If payment of civil penalties has not been received by the City of Tigard within 10 business days after the penalty becomes final; or

e. If any statement contained in the application for the permit is false.

2. The Chief of Police, upon revocation or suspension of any permit issued pursuant to this Chapter, shall give the Dealer written notice of the revocation or suspension.

a. Service of the notice will be accomplished by mailing the notice by regular and certified mail, return receipt requested.

b. Mailing of the notice by regular mail will be prima facie evidence of receipt of the notice.

3. Revocation will be effective and final 10 days after the giving of notice unless the revocation is appealed in accordance with Section 7.70.150

4. Suspension will be effective immediately upon the giving of notice, for the period of time set in the notice not to exceed 30 days. (Ord. 09-07 § 1).

### 7.70.150 **Appeals.**

1. Any Dealer or person whose initial application or renewal application for a ~~Special License-Secondhand Dealer License~~ has been denied, or whose license has been revoked or suspended, or who has been directed to pay a civil penalty by the Chief of Police, may appeal the action of the Chief of Police to the Civil Infractions Hearing Officer in accordance with Chapter 1.17 of the Tigard Municipal Code.

2. The filing of a notice of appeal of revocation or suspension of a ~~permit~~license, or of a civil penalty imposed by the Chief of Police

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under this Chapter, will stay the effective date of the action until the Civil Infractions Hearing Officer has issued an opinion. (Ord. 09-07 § 1).

### 7.70.155 Administrative Policies and Procedures.

1. ~~The City Council shall grant the Chief of Police the authority to~~ may, by rule, implement the requirements and specifications of this chapter ~~change, modify or adjust the Definition of Regulated Property list (Administrative Policies and Procedures, Section I), Completion of Secondhand Dealers Report (Administrative Policies and Procedures, Section II), or other sections specified in this Chapter.~~ Administrative Policies and Procedures stemming from this Chapter, Sections I and II, will be maintained by the Tigard Police Department and copies will be provided to all Dealers.

~~2. The Chief of Police shall make available and publish a new Regulated Property List (Administrative Policies and Procedures, Section I) and Completion of Secondhand Dealers Report (Administrative Policies and Procedures, Section II) by June 30th of each year. If no modifications are made to Administrative Policies and Procedures, Sections I and II, from the previous year, the previous year's Administrative Policies and Procedures, Sections I and II, will remain in effect. (Ord. 09-07 § 1). ■~~

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## Chapter 7.70 SECONDHAND DEALERS AND TRANSIENT MERCHANTS.\*

### Sections:

- 7.70.010 Purpose.
- 7.70.020 Definitions.
- 7.70.030 Special License Required.
- 7.70.035 Minimum Standards.
- 7.70.040 Application for Special License.
- 7.70.045 Surety Bond Required.
- 7.70.050 Issuance and Renewal of Special Permit.
- 7.70.060 Special License Fees.
- 7.70.070 Subsequent Locations.
- 7.70.080 Reporting of Secondhand Dealer Transactions.
- 7.70.090 Regulated Property Sale Limitations.
- 7.70.100 Tagging Regulated Property for Identification.
- 7.70.110 Inspection of Property and Records.
- 7.70.120 Prohibited Acts.
- 7.70.130 Civil Penalties.
- 7.70.140 Revocation or Suspension of Permit.
- 7.70.150 Appeals.
- 7.70.155 Administrative Policies and Procedures.

\* Prior ordinance history: Ord. Nos. 02-05, 83-26.

### 7.70.010 Purpose.

The purpose of adopting this Chapter is to regulate certain business activities that present an extraordinary risk of being used by criminals to dispose of stolen property. Despite the best efforts of legitimate secondhand dealer businesses, this risk is present because these businesses process large volumes of goods and materials that are frequently the subject of theft. This Chapter is intended to reduce this type of

criminal activity by providing timely police awareness of such property transactions and by regulating the conduct of persons engaged in this business activity. These regulations are necessary and the need for the regulations outweighs the regulatory effect that may result from their adoption. (Ord. 09-07 § 1).

### 7.70.020 Definitions.

As used in this Chapter, unless the context requires otherwise:

1. "Acceptable identification" means either a current driver's license, a State of Oregon Identification Card issued by the Department of Motor Vehicles, or two current United States, state- or local government-issued identification cards, one of which has a photograph of the seller.

2. "Acquire" means to take or transfer any interest in personal property in a voluntary transaction, including but not limited to: sales; consignments; memoranda between a Dealer and a private party seller; leases; trade-ins; loans; and abandonments. Any acquisition of regulated property by a Dealer will be presumed to be an acquisition on behalf of the Secondhand Dealer business. Notwithstanding the foregoing, "acquire" does not include:

a. Any loans made in compliance with state laws by persons licensed as pawnbrokers by the State of Oregon; or

b. Memoranda between a Secondhand Dealer and a person engaged in the business of selling regulated property.

3. "Business Location" means any physical location where the Dealer conducts business.

4. "Chief of Police" means the Chief of the Tigard Police Department or his/her designee.

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5. “Criminal arrests or a conviction” refers to any offense defined by the statutes of the State of Oregon or ordinances of the City of Tigard, unless otherwise specified. Any arrest or conviction for conduct other than that denoted by the statutes of the State of Oregon or ordinances of the City of Tigard, as specified herein, will be considered to be equivalent to one of such offenses if the elements of such offense for which the person was arrested or convicted would have constituted one of the above offenses under the applicable Oregon statutes or City of Tigard ordinance provisions.

6. “Dealer” or “Secondhand Dealer”

a. Means any:

(1) Sole Proprietorship, partnership, limited partnership, family limited partnership, joint venture, association, cooperative, trust, estate, corporation, personal holding company, limited liability company, limited liability partnership or any other form of organization for doing business and that either:

(i) Acquires regulated property at or from business locations within the City of Tigard, or on behalf of such a business regardless of where the acquisition occurs, or

(ii) Offers for sale regulated property.

(2) Pawnbroker licensed under the Oregon Pawnbroker’s Act, ORS 726.020, 726.990.

b. Dealers that acquire or offer for sale not more than 50 items of regulated property in any one-year period will be categorized as an “Occasional Secondhand Dealer.” The term “Dealer” in this Chapter and all regulations herein refer to Secondhand Dealers, Occasional Secondhand Dealers and Pawnbrokers unless

specifically stated otherwise.

c. “Dealer” does not include:

(1) A business whose acquisitions of regulated property consist exclusively of donated items and/or purchases from 501(C)3 organizations; or

(2) A person whose only business transactions with regulated property in the City of Tigard consist of the sale of personal property acquired for household or other personal use; or

(3) A person whose only business transactions with regulated property in the City of Tigard consist of a display space, booth, or table maintained for displaying or selling merchandise at any trade show, convention, festival, fair, circus, market, flea market, swap meet or similar event for less than 14 days in any calendar year.

7. “Held Property” means any regulated property that cannot be sold, dismantled or otherwise disposed of for a prescribed period of time as more specifically enumerated in Section 7.70.090.

8. “Investment purposes” means the purchase of personal property by businesses and the retention of that property in the same form as purchased, for resale to persons who are purchasing the property primarily as an investment.

9. “Medication” means any substance or preparation, prescription or over-the-counter, used in treating or caring for ailments and/or conditions in humans or animals.

10. “New” means anything conspicuously not used.

11. “Pawnbroker” means any business required by Oregon Revised Statute 726.040 to

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hold an Oregon pawnbroker's license. Pawnbrokers are required by Chapter 7.70 to have a Secondhand Dealer Permit. As a Dealer, all transactions occurring within their business (loans, buys, or consignments) are subject to all requirements within this Chapter unless otherwise stated.

12. "Person" means a natural person.

13. "Principal" means any person who will be directly engaged or employed in the management or operation of the Secondhand Dealer business, including any owners and any shareholders with a five percent or greater interest in the company.

14. "Receive" means to take property into the inventory, possession, or control of a Dealer.

15. "Regulated property" means property of a type that has been determined by the Chief of Police to be property that is frequently the subject of theft, including new items as defined in this section as well as used items such as precious metals, precious gems, watches, sterling silver, electronic equipment, photography equipment, tools, musical instruments and cases, firearms, sporting equipment, and household appliances. In order to enhance the Police Department's ability to reduce property crimes and recover stolen goods, a list of regulated property is included in the Administrative Policies and Procedures, Section I, and shall be updated by June 30th of each year by the Chief of Police. A copy will be kept on file in the Police Department.

16. "Remanufactured" means that an item has been altered to the degree that the main components are no longer identifiable as the original item.

17. "Seller" means any person who:

a. Offers items of regulated property

in exchange for money or other property; or as collateral for a loan; or

b. Donates or abandons items of regulated property.

18. "Trade Show" means an event open to the public, held in a venue other than a Dealer's business location, at which vendors of a specific type of merchandise may exhibit, buy, sell, or trade items that may include regulated property.

Events commonly known as flea markets or swap meets, in which goods of many types are exhibited, sold or traded, are not considered trade shows for the purpose of this Chapter.

19. "Transaction Report" means the record of the information required by Section 7.70.080, transmitted to the Tigard Police Department by the means required in Section 7.70.080.

20. "Transient Merchant" means any person:

a. Engaged in the business of purchasing or acquiring regulated property from business locations within the City of Tigard;

b. Engaged as an itinerant or temporary business under the provisions of the Tigard Municipal Code, Chapter 5.04; and

c. Engaged in the business of purchasing such regulated property from any person not representing a business which is required to be issued a business license or special certificate under Chapter 5.04 of the Tigard Municipal Code, and who appears with such articles at the Dealer's place of business.

21. "Used" means anything that has been put into action or service.

22. "PPDS" (Portland Police Data System)

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means the computerized record keeping system the Tigard Police Department utilizes to manage data, including, but not limited to, Secondhand Dealers' transaction reports. (Ord. 09-07 § 1).

## **7.70.030 Special License Required.**

1. No person or business shall engage in, conduct or carry on a secondhand dealer business in the City of Tigard without a valid Secondhand Dealer Special License issued by the City of Tigard. A special license shall be required in addition to a business license or special certificate required by Chapter 5.04 of the Tigard Municipal Code, or any other City license or permit.

2. Upon acquiring or offering for sale more than 50 items of regulated property during any one-year period, an Occasional Secondhand Dealer shall apply for and obtain a Secondhand Dealer Special License before acquiring any more items of regulated property.

3. Any person or business that advertises or otherwise holds him/herself out to be acquiring or offering for sale regulated property within the City of Tigard will be presumed to be operating as a Dealer subject to the terms of Chapter 7.70.

4. The sale of regulated property at events commonly known as "garage sales," "yard sales," or "estate sales" is exempt from these regulations if all of the following are present:

- a. No sale exceeds a period of 72 consecutive hours; and
- b. No more than four sales are held at the same location in any 12-month period. (Ord. 09-07 § 1).

## **7.70.035 Minimum Standards.**

1. No person or business may operate as a Dealer within the City of Tigard unless the person

or business maintains a fixed physical business location.

2. Dealers shall comply with all applicable federal, state and local regulations. (Ord. 09-07 § 1).

## **7.70.040 Application for Special License.**

1. An applicant for a Secondhand Dealer Special License shall complete and submit an application (including required personal history forms) that sets forth the following information:

a. The name, address, telephone number, birth date and principle occupation of all owners and any person who will be directly engaged or employed in the management or operation of the business or the proposed business;

b. The name, address and telephone number of the business or proposed business and a description of the exact nature of the business to be operated;

c. The Web address of any and all Web pages used to acquire or offer for sale regulated property on behalf of the Dealer, and any and all Internet auction account names used to acquire or offer for sale regulated property on behalf of the Dealer;

d. Written proof that all principals are at least 18 years of age;

e. Each principal's business occupation or employment for the three years immediately preceding the date of application;

f. The business license and permit history of the applicant in operating a business identical to or similar to those regulated by Chapter 7.70;

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g. A brief summary of the applicant's business history in any jurisdiction including:

(1) The business license or permit history of the applicant, and

(2) Whether the applicant or any principal has ever had any business-related license or permit revoked or suspended, the reasons therefor, and the business activity or occupation of the applicant or principal subsequent to the suspension or revocation;

h. Whether the applicant will be a sole proprietorship, partnership, limited partnership, family limited partnership, joint venture, association, cooperative, trust, estate, corporation, personal holding company, limited liability company, limited liability partnership or any other form of organization for doing business.

(1) If a partnership, the application must set forth the names, birth dates, addresses, telephone numbers, and principle occupations, along with all other information required of any individual applicant, of each partner, whether general, limited, or silent, and the respective ownership shares owned by each.

(2) If a corporation, or limited liability company, the application must set forth the corporate or company name, copies of the articles of incorporation or organization and the corporate by-laws or operating agreement, and the names, addresses, birth dates, telephone numbers, and principle occupations, along with all other information required of any individual applicant, of every officer, director, members or managers, and shareholder (owning more than five percent of the outstanding shares) and the number of shares held by each;

i. If the applicant does not own the business premises, a true and complete copy of the executed lease (and the legal description of the

premises to be permitted) must be attached to the application;

j. All arrests or convictions of each principal enumerated in Subsection 1 of this Section;

k. Upon request, principals and employees shall submit to the Tigard Police Department the following information: fingerprints, passport-size photographs, and a copy of the signature initials to be used by persons on transaction report forms. Principals and employees must submit new photos if requested to do so by the Tigard Police Department;

l. Any other information that the Chief of Police may reasonably feel is necessary to accomplish the goals of this Chapter.

2. The Secondhand Dealer shall notify the Chief of Police of any changes in the information required in Subsection 1 of this Section within 10 business days.

3. New employees of Dealers shall complete and submit the personal history form as required in Subsection 1 of this Section. Employees may not acquire regulated property until all required information has been reviewed and approved by the Tigard Police Department. The criteria used to review a new employee will be the same as those used in the review of an initial application in Chapter 7.70.

4. The personal and business information contained in the application forms required pursuant to Section 7.70.040 are subject to the requirements of the Oregon Public Records Law, ORS 192.410 et seq. (Ord. 09-07 § 1).

## **7.70.045 Surety Bond Required.**

No person shall engage in business as a transient merchant until such merchant has filed

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with the City Recorder of the City a 10,000 dollar bond, with a surety company licensed to do business in the State of Oregon as surety, for the benefit of any person damaged by false, fraudulent, or misleading representations of the transient merchant in the conduct of his/her business. (Ord. 09-07 § 1).

## **7.70.050 Issuance and Renewal of Special Permit.**

1. Upon the filing of an application for a Secondhand Dealer Special License and payment of the required fee, the Chief of Police shall conduct an investigation of the applicant and all principals and employees listed according to the requirements in Section 7.70.040. The Chief of Police shall issue the permit within 90 days of receiving the application if no cause for denial exists.

2. Except as provided in Section 7.70.050 the Chief of Police shall deny an application for a Secondhand Dealer Special License if any of the following apply:

a. The applicant, or any person who will be directly engaged in the management or operation of the business, or any person who owns a five percent or more interest in the business, has previously owned or operated a business regulated by Chapter 7.70, and

(1) The license or permit for the business has been revoked for cause that would be grounds for revocation pursuant to Chapter 7.70, or

(2) The business has been found to constitute a public nuisance and abatement has been ordered;

b. Any person listed on the initial application or renewal application has been convicted of one or more of the offenses listed

below or has violated any section of Chapter 7.70. The offenses include:

(1) Any felony.

(2) Any misdemeanor or violation involving either bribery, controlled substances, deception, dishonesty, forgery, fraud, or theft, or any attempt or conspiracy to commit any of the listed offenses;

c. The Chief of Police finds by a preponderance of the evidence that the applicant or any principal or employee has committed any offense relating to fraud, theft or any attempt or conspiracy to commit theft, or any offense listed in Section 7.70.120;

d. The Chief of Police finds by a preponderance of the evidence that the applicant or any principal or employee who will be involved in the business has violated any law where the elements of such law are equivalent to the provisions of Chapter 7.70;

e. Any statement in the application is false or any required information is withheld; or

f. The Chief of Police finds by a preponderance of the evidence that the applicant, or any person who will be directly engaged or employed in the management or operation of the business, or any person who owns a five percent or more interest in the business, has previously owned or operated a business regulated by Chapter 7.70 or any laws or statutes equivalent to the provisions of Chapter 7.70, and the business has violated applicable state, federal or local requirements, including permitting requirements.

3. Notwithstanding Section 7.70.050, the Chief of Police may grant a permit after consulting with the City Council despite the presence of one or more of the enumerated factors if the applicant establishes to the Chief of Police's

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reasonable satisfaction that:

a. The behavior evidenced by such factor is not likely to recur; or

b. The behavior evidenced by such factor is remote in time; or

c. The behavior evidenced by such factor occurred under circumstances that diminish the seriousness of the factor as it relates to the purpose of Chapter 7.70.

4. Secondhand Dealer Special Licenses are valid for one year and expire at 12:00 a.m. on January 15th of each year. The permits are nontransferable and are valid only for a single business location. When the business location is to be changed, the permit holder shall provide the address of the new location in writing to the Chief of Police for approval at least 14 days prior to the change.

5. Secondhand Dealer Special Licenses must be displayed at the business location in a manner readily visible to patrons.

6. Upon denial of an application for a Secondhand Dealers Special License, the Chief of Police shall give the applicant written notice of the denial.

a. Service of the notice will be accomplished by mailing the notice to the applicant by certified mail, return receipt requested.

b. Mailing of the notice will be prima facie evidence of receipt of the notice.

c. The denial will be effective the date the notice is sent.

7. Denial of a permit may be appealed by filing written notice of an appeal within 10 days

of the date of denial in accordance with Section 7.70.150. (Ord. 09-07 § 1).

## **7.70.060 Special License Fees.**

Every Dealer shall complete and submit all required forms to the Chief of Police and pay a non-refundable fee as set forth by the City of Tigard Master Fees and Charges Schedule. (Ord. 09-07 § 1).

## **7.70.070 Subsequent Locations.**

1. Dealers must file an application for a permit for a subsequent or additional business location with the Tigard Police Department and pay a non-refundable fee as set forth in the City of Tigard Master Fees and Charges Schedule; provided the information required for the subsequent or additional business location is identical to that provided in the application for the prior location with the exception of that required by Section 7.70.040.

2. Secondhand Dealer Special Licenses issued for subsequent or additional business locations will be subject to all the requirements of this Chapter, and the term of the permit issued for a subsequent or additional location will expire on the same date as the initial permit. (Ord. 09-07 § 1).

## **7.70.080 Reporting of Secondhand Dealer Transactions.**

1. Dealers shall provide to the Tigard Police Department all required information as set forth by the Tigard Police Department for each regulated property transaction (not including sales). The Chief of Police may designate the format for the transfer of this information and may direct that it be communicated to the Criminal Investigations Unit by means of mail, the Internet, or other computer media.

# TIGARD MUNICIPAL CODE

a. In any such case that the Chief directs that the information be transmitted via computer media, the Chief may also direct the system that will be utilized in order to ensure conformity among all Secondhand Dealers.

b. If, after establishing the format and requirements for the transmission of computerized reports of transactions, the Chief of Police alters the required format, Dealers will be given at least 60 days to comply with the new format requirements. If unable to implement the reporting system before the deadline, a Dealer must submit a written request for additional time to the Chief of Police before the deadline.

c. Pawnbrokers are required to report only new transactions. Loan renewals do not need to be reported.

2. The Tigard Police Department will provide all Secondhand Dealers with transaction report forms at cost until 60 days after such time that the Chief of Police directs a change in the reporting method. The Chief of Police may specify the format of the transaction report form. The Chief of Police may require that the transaction report form include any information relating to the regulations of this Chapter. Dealers may utilize their own forms, in lieu of those supplied by the Tigard Police Department, if the Chief of Police has approved such forms. The Declaration of Proof of Ownership will be considered to be included in references in this Chapter to the transaction report form, as appropriate. (Ord. 09-07 § 1).

## **7.70.090 Regulated Property Sale Limitations.**

1. Regulated property is subject to the following limitations:

a. Holding Period. Regulated property acquired by any Secondhand Dealer must be held

for a period of 30 full days from the date of acquisition. Pawnbroker loan transactions are exempt from the 30-day hold requirements of Section 7.70.090 because of the redeemable nature of the loans and the holding requirements in ORS 726. However, if the loan is converted to a buy by the pawnbroker within 30 days from the date of the pawn transaction, the difference between the original date of the pawn and the buy will count toward the 30-day hold requirement. All other provisions of Section 7.70.090 remain in effect.

b. Requirements of Held Property. All held property must remain in the same form as when received, must not be sold, dismantled or otherwise disposed of, and must be kept separate and apart from all other property during the holding period to prevent theft or accidental sale and to allow for identification and examination by the Tigard Police Department. Held property must be kept at the business location during this holding period so that it can be inspected during normal business hours (as provided in Section 7.70.110). Held property, other than property on Police Hold, may be held in a place within public view, as long as the other requirements of Section 7.70.090, Subsection 1.b, are met.

c. Held property requirements do not apply if:

(1) The property is received from a Secondhand Dealer regulated by the City of Tigard who has already satisfied the holding requirements of this Chapter and the Dealer records the original transaction report number on the transaction report completed for the new transaction; or

(2) If a customer, who originally purchased property from a Secondhand Dealer, returns it to that Dealer with the original receipt.

2. Notwithstanding Section 7.70.090, the

# TIGARD MUNICIPAL CODE

Chief of Police may determine that certain types of transactions pose a reduced risk of being an outlet for the sale of stolen property and therefore may modify the hold period and/or reporting requirements for those types of transactions. Those transactions and the modified requirements are described in Section 7.70.120.

3. Upon reasonable belief that an item of regulated property is the subject of a crime, any peace officer may provide notice to any Dealer that a specifically described item of regulated property must be held in a separate Police Hold area for a period not to exceed 30 days from the date of notification, and is subject to the requirements of Section 7.70.090, Subsection 1.b, above. The hold may be extended an additional 30 days upon notice provided to the Dealer that additional time is needed to determine whether a specific item of regulated property is the subject of a crime. The Dealer shall comply with the hold notice and notify the Tigard Police Department Criminal Investigations Unit of the hold notice no later than five calendar days from the day the notice was received, either by telephone, fax, e-mail or in person. A Dealer must notify the Criminal Investigations Unit of his/her intent to dispose of any item of regulated property under Police Hold at least 10 days prior to doing so.

a. A Police Hold area must meet the following criteria:

- (1) Located out of public view and access, and
- (2) Marked "Police Hold," and
- (3) Contain only items that have been put on Police Hold.

b. Dealers may maintain up to three Police Hold areas as necessary for the safe storage of high value items, physically large items, and general merchandise put on Police Hold.

c. If it is not possible or practical to move an item to or store an item in the Police Hold area, a Dealer may submit a written request to the Chief of Police or his/her designee for approval to keep the item with other held property. Approval may be granted with the understanding that the item will be clearly marked as being on Police Hold and kept from public view and access.

4. Upon probable cause that an item of property is the subject of a crime, the Chief of Police or his/her designee may take physical custody of the item or provide written notice to any Dealer to hold such property for a period of time as determined by the Chief of Police, not to exceed the statute of limitations for the crime being investigated. Any property placed on hold pursuant to this subsection is subject to the requirements found in Section 7.70.090, Subsection 1.b, and will be maintained in the Police Hold area unless seized or released by the Police. Seizure of property will be carried out in accordance with Oregon Revised Statutes.

5. If a Dealer acquires regulated property with serial numbers, personalized inscriptions or initials, or other identifying marks which have been destroyed or are illegible due to obvious normal use, the Dealer shall continue to hold the property at the business location for a period of 90 full days after acquisition. The Dealer must notify the Tigard Police Department by writing "90 day hold" next to the item on the transaction report or by an electronic means approved by the Tigard Police Department. The held property must conform to all the requirements found in Section 7.70.090, Subsection 1.b.

6. If a Dealer receives information that leads to an objectively reasonable basis to believe that any property already at his/her business location has been previously lost or stolen, he/she must report that belief to the Tigard Police Department by day's end. The notice must

# TIGARD MUNICIPAL CODE

include the transaction report number and any additional information regarding the name of the owner, if known.

7. If a peace officer seizes any property from a Dealer, the Dealer must notify the Tigard Police Department of the seizure no later than five calendar days from the day the seizure occurs. The Dealer must provide the name of the agency, the name of the peace officer, the number of the receipt left for the seizure, and the seized property information. Notification to the Tigard Police Department may be given by telephone, fax, email, or in person. (Ord. 09-07 § 1).

## **7.70.100 Tagging Regulated Property for Identification.**

Dealers shall affix a tag to every item of regulated property, which must contain a unique, legible number. That unique number must either be the same as the transaction report number for that item or be referenced to the transaction report required by the Tigard Police Department. After the holding period has expired, the transaction number must remain identifiable on the property until the sale of the property.

1. After the applicable holding period has expired, hand tools, or items that are sold with other like items and have no identifiable numbers or markings need not remain tagged.

2. After the applicable holding period has expired, items that are remanufactured need not remain tagged. (Ord. 09-07 § 1).

## **7.70.110 Inspection of Property and Records.**

Upon presentation of official identification, a Dealer shall allow any representative of the Tigard Police Department to enter the business location to ensure compliance with the provisions of Chapter 7.70. The inspection will be for the

limited purpose of inspecting the business location, regulated property, and related records as provided in this Chapter. Except by mutual agreement with the Dealer or by court order, any inspection under this Section may occur only during the Dealer's normal business hours. (Ord. 09-07 § 1).

## **7.70.120 Prohibited Acts.**

1. It is unlawful for any person regulated by Chapter 7.70:

a. To receive any property from any person:

(1) Known to the principal, employee or Dealer to be prohibited from selling by a court order,

(2) Under the age of 18 years unless the person's parent or guardian completes the applicable information on the Declaration of Proof of Ownership,

(3) About whom the principal, employee or Dealer has been given notice by law enforcement as having been convicted of burglary, robbery, theft or possession of or receiving stolen property within the past 10 years whether the person is acting in his/her own behalf or as the agent of another who meets the above criteria;

b. To receive property prohibited by this Chapter, including:

(1) Medications,

(2) Gift cards, in-store credit cards, or activated phone cards,

(3) Property with serial numbers, personalized inscriptions or initials or other identifying marks that appear to have been

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intentionally altered or rendered illegible;

c. To receive property that a reasonable person under similar circumstances would believe is more likely than not stolen. Determination regarding whether or not an item is found to be stolen will not be used as a factor to determine whether a Dealer has violated this subsection.

2. Any violation of Chapter 7.70 is punishable, upon conviction, by a fine of not more than \$500.00 and a jail sentence of up to six months. (Ord. 09-07 § 1).

## **7.70.130 Civil Penalties.**

1. The Chief of Police may assess civil penalties in an amount up to \$500.00 for each violation of Chapter 7.70.

2. Procedure.

a. The Chief of Police, having made a determination to seek civil penalties as provided by this Section, shall give the Dealer written notice of the determination.

b. Service of the notice will be accomplished by mailing the notice by regular and certified mail, return receipt requested.

c. Mailing of the notice will be prima facie evidence of receipt of the notice.

d. The civil penalty will be due 10 days from the date of the notice unless such civil penalty is appealed in accordance with Section 7.70.150. (Ord. 09-07 § 1).

## **7.70.140 Revocation or Suspension of Permit.**

1. Along with the other regulatory enforcement authority granted under this Chapter,

the Chief of Police may, after consulting with the City Council, revoke or suspend any permit issued pursuant to this Chapter:

a. For any cause that would be grounds for denial of a permit; or

b. Upon finding that any violation of the provisions of this Chapter, federal, state or other local law has been committed and the violation is connected with the operation of the permitted business location so that the person in charge of the business location knew, or should reasonably have known, that violations or offenses were permitted to occur at the location by the Dealer or any principal or employee engaged or employed in the management or operation of the business location; or

c. A lawful inspection has been refused; or

d. If payment of civil penalties has not been received by the City of Tigard within 10 business days after the penalty becomes final; or

e. If any statement contained in the application for the permit is false.

2. The Chief of Police, upon revocation or suspension of any permit issued pursuant to this Chapter, shall give the Dealer written notice of the revocation or suspension.

a. Service of the notice will be accomplished by mailing the notice by regular and certified mail, return receipt requested.

b. Mailing of the notice by regular mail will be prima facie evidence of receipt of the notice.

3. Revocation will be effective and final 10 days after the giving of notice unless the revocation is appealed in accordance with Section

# TIGARD MUNICIPAL CODE

7.70.150

4. Suspension will be effective immediately upon the giving of notice, for the period of time set in the notice not to exceed 30 days. (Ord. 09-07 § 1).

## **7.70.150 Appeals.**

1. Any Dealer or person whose initial application or renewal application for a Secondhand Dealer Special License has been denied, or whose license has been revoked or suspended, or who has been directed to pay a civil penalty by the Chief of Police, may appeal the action of the Chief of Police to the Civil Infractions Hearing Officer in accordance with Chapter 1.17 of the Tigard Municipal Code.

2. The filing of a notice of appeal of revocation or suspension of a permit, or of a civil penalty imposed by the Chief of Police under this Chapter, will stay the effective date of the action until the Civil Infractions Hearing Officer has issued an opinion. (Ord. 09-07 § 1).

## **7.70.155 Administrative Policies and Procedures.**

1. The City Council shall grant the Chief of Police the authority to change, modify or adjust the Definition of Regulated Property list (Administrative Policies and Procedures, Section I), Completion of Secondhand Dealers Report (Administrative Policies and Procedures, Section II), or other sections specified in this Chapter. Administrative Policies and Procedures, Sections I and II, will be maintained by the Tigard Police Department and copies will be provided to all Dealers.

2. The Chief of Police shall make available and publish a new Regulated Property List (Administrative Policies and Procedures, Section I) and Completion of Secondhand Dealers Report

(Administrative Policies and Procedures, Section II) by June 30th of each year. If no modifications are made to Administrative Policies and Procedures, Sections I and II, from the previous year, the previous year's Administrative Policies and Procedures, Sections I and II, will remain in effect. (Ord. 09-07 § 1). ■

**AIS-1822**

**5.**

**Business Meeting**

**Meeting Date:** 06/24/2014

**Length (in minutes):** Consent Item

**Agenda Title:** Resolution Accepting the Water Master Plan Update for River Terrace

**Submitted By:** Carol Krager, City Management

**Item Type:** Motion Requested Resolution

**Meeting Type:** Council Business Meeting - Main

**Public Hearing** No

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

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**Information**

**ISSUE**

Shall the City Council approve a revised resolution adding the Water System Master Plan Addendum for River Terrace to the city's Water System Master Plan?

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff recommends approval of the attached resolution.

**KEY FACTS AND INFORMATION SUMMARY**

As part of the River Terrace Community Plan, water system public facilities have been identified that will need to be built in order for River Terrace to be developed. These projects need to be added to the City of Tigard Water System Master Plan. By adding the projects to the Water System Master Plan, water system development charges can be used to fund portions of these projects.

In 2010, the City of Tigard updated its Water System Master Plan (WSMP). The WSMP addresses water supply capacity needs and guides water system infrastructure improvements in the Tigard Water Service Area. Since the adoption of the WSMP update in 2010, the West Bull Mountain Concept Plan was completed and adopted by Washington County and the city. The area now known as River Terrace (and formerly known as West Bull Mountain) was also annexed to the city. The attached master plan addendum updates the WSMP to accommodate water needs anticipated in River Terrace and contributes to the city's broader goal of completing the River Terrace Community Plan.

The 2010 WSMP update addressed River Terrace's overall water supply capacity needs, but did not address how water service would be delivered to this area. The attached water master plan addendum addresses this issue. A summary of capital improvement project recommendations and costs can be found on pages 8 and 9 of the addendum. The recommended improvements are also illustrated in Figure 7, which can be found on the very last page of the addendum. Two of the three pressure zones in the River Terrace area can be easily and

effectively served by the extension of existing distribution and transmission lines. In order to serve the remaining pressure zone (River Terrace 550) the city will need to provide more water storage in addition to new transmission lines. The recommendation is to construct a three million gallon storage reservoir on the city-owned Cach property, which was purchased for this purpose to meet existing storage deficiencies in this area.

On June 10, 2014, the City Council approved Resolution No. 14-24. Staff realized that the latest version of the resolution was not submitted for approval and desire to have a corrected resolution submitted for approval. A marked-up copy of the resolution is attached showing minor language revisions Exhibit A to the resolution did not change.

## **OTHER ALTERNATIVES**

Council could choose to not approve the revised resolution.

## **COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

Water System Master Plan

River Terrace Community Plan

## **DATES OF PREVIOUS CONSIDERATION**

Council approved the contract for the River Terrace Community Plan (which includes the Water System Master Plan update) on June 25, 2013.

The financing strategies team met with Council and presented an overview of the River Terrace funding strategy on January 21, 2014.

The water and sewer system master plan updates were presented to Council on May 20, 2014. Council approved a slightly different version of this resolution on June 10, 2014.

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### **Fiscal Impact**

**Cost:** \$17,573,500

**Budgeted (yes or no):** Partially

**Where Budgeted (department/program):** CIP

**Additional Fiscal Notes:**

The 2014 budget has appropriations to fund the Barrows/Scholls Ferry water line project (the "18-inch Transmission Main" identified in Table 3 of the Water System Addendum). The Capital Improvement Plan for fiscal years 2015 to 2019 has funding for design of the Cach Reservoir in fiscal year 2018. Cash reserves in the Water Fund would be used to pay for this project.

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### **Attachments**

Revised Resolution

Exhibit A

Water Resolution with tracked changes

Resolution No. 14-24

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CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 14-

A RESOLUTION TO AMEND THE WATER SYSTEM MASTER PLAN TO INCLUDE PROJECTS NECESSARY FOR THE DEVELOPMENT OF RIVER TERRACE

---

WHEREAS, the City of Tigard annexed the River Terrace area west of Bull Mountain in 2011 and 2012; and

WHEREAS, the City of Tigard has an existing Water System Master Plan that does not include the River Terrace area, and

WHEREAS, the City of Tigard has completed a Water System Master Plan Addendum specific to the River Terrace area, contributing to the city's broader goal of completing the River Terrace Community Plan and meeting state requirements for public facility planning, and

WHEREAS, water public facility projects have been identified as part of the Water System Master Plan Addendum, and

WHEREAS, these projects are appropriate and necessary additions to the City of Tigard Water System Master Plan, and

WHEREAS, the City of Tigard may desire to use water system development charges to fund part or all of these projects, and

WHEREAS, a comprehensive finance strategy for all public facility projects in River Terrace will be developed as part of the River Terrace Community Plan. This strategy will include a list of projects to complete in the near term and their respective funding sources.

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

SECTION 1: The River Terrace Water System Master Plan Addendum (Exhibit A) is hereby adopted as part of the City of Tigard Water System Master Plan.

SECTION 2: The projects identified in the River Terrace Water System Master Plan Addendum shall be eligible for funding from water system development charges (SDCs) collected in the Tigard Water Service Area as allowed under section 3.24.060 of the Tigard Municipal Code.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2014.

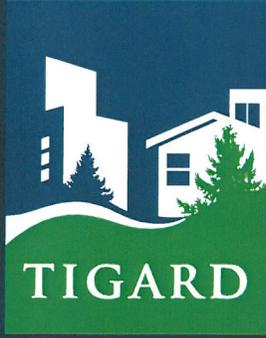
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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard



# Water System Master Plan Addendum

January 2014



## ACKNOWLEDGEMENTS

We would like to thank the many citizens, staff, and community groups who provided extensive input into the development of this Water Plan Addendum. Special thanks are due to the members of the River Terrace Technical Advisory Committee and Stakeholder Working Group.

## CITY STAFF

Susan Shanks, Project Manager and Senior Planner  
Tom McGuire, Assistant Community Development Director  
Rob Murchison, Senior Project Engineer  
Marissa Grass, Associate Planner  
Kenny Asher, Community Development Director  
Michael Stone, City Engineer  
Brian Rager, Interim Public Works Director  
John Goodrich, interim Assistant Public Works Director

Prepared by Murray, Smith & Associates, Inc.  
January 2014

Brian M. Ginter, P.E.  
Heidi A. Springer, P.E.

**MSA**



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## **SUMMARY OF RECOMMENDATIONS**

The focus of this Water System Master Plan Addendum is on providing water service to the River Terrace Community, which is a new area that the City of Tigard's 2010 Water System Master Plan addressed only for overall water supply capacity needs. The proposed changes do not affect the 2010 Water System Master Plan except for minor modification of the forecasted system-wide water demands.

The River Terrace Community is divided into the three pressure zones extending across the area, for the purposes of analysis, identified as the 410 Zone, 713 Zone and 550 Zone. Recommendations for the 410 Zone include construction of a transmission loop extending north to south across the River Terrace area, connecting to existing transmission piping at SW Barrows Road and at SW Beef Bend Road. Recommendations for the 550 Zone include new transmission, storage and pumping facilities. An analysis of water service recommendations and alternatives is provided in the following pages.

## I. INTRODUCTION

In 2010, the City of Tigard updated the community's Water System Master Plan, hereafter referred to as the Water Plan. The Water Plan is the document that guides water system infrastructure improvements in the city's water service area. It was presented to the Intergovernmental Water Board and the Tigard City Council in 2010.

Since the adoption of the Water Plan in 2010, the West Bull Mountain Concept Plan (WBMCP) was completed and adopted by Washington County and the city. The area now known as River Terrace (and formerly known as West Bull Mountain) was also annexed to the city. This addendum provides an update to the Water Plan specific to the River Terrace study area and contributes to the city's broader goal of completing a River Terrace Community Plan.

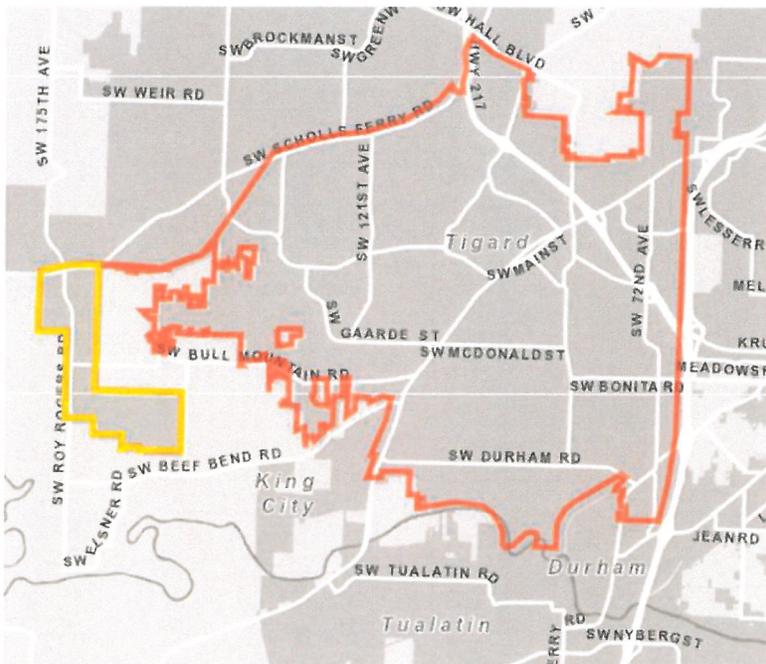


Figure 1 River Terrace Study Area (Outlined in Yellow)

The WBMCP Alternative Water Supplies analysis provides the basis for water system planning in River Terrace, which consists of transmission, pumping and storage improvements. This Water Plan Addendum refines the WBMCP by evaluating specific facility needs to provide service to the study area, identified in Figure 1, through improvements to the existing Tigard water system.

## II. BASIS OF PLANNING AND WATER DEMAND PROJECTIONS

This Water Plan Addendum follows the City of Tigard's 2010 Water System Master Plan and assumes 2.48 persons per dwelling unit. The City of Tigard projects 2,587 dwelling units within River Terrace for an estimated build-out population of 6,416 in 2035.

### *River Terrace Water Demands*

Projected water demands in million gallons per day (mgd) for the River Terrace Community are calculated for this addendum by multiplying projected River Terrace population at build-out by estimated per capita demands. Water facilities recommended to serve River Terrace are sized to meet ultimate capacity needs at build-out as discussed later in this addendum. Per capita water demands are as follows, consistent with the 2010 Water System Master Plan:

- Average Day Demand (ADD) = 110 gallons per capita per day (gpcd)
- Peak Day Demand (PDD) = 231 gpcd

The River Terrace water demand at build-out is allocated to the city's 410, 713 and 550 pressure zones according to the percentage of River Terrace land at elevations similar to those of existing Tigard water customers in these pressure zones. Proposed pressure zone boundaries within the River Terrace Community are illustrated on Figure 4. The distribution of River Terrace water demands by zone is as follows:

- 410 Zone = 50 percent
- 713 Zone = 10 percent
- 550 Zone = 40 percent

Forecasted River Terrace water demands at build-out are summarized in Table 1.

**Table 1**  
**River Terrace Projected Water Demand at Build-Out**

Pressure Zone	ADD (mgd)	PDD (mgd)
410	0.35	0.74
713	0.07	0.15
550	0.28	0.59
<b>TOTAL</b>	<b>0.70</b>	<b>1.48</b>

### III. SYSTEM ANALYSIS AND RIVER TERRACE WATER SYSTEM CAPACITY

In order to provide water service to the River Terrace Community, the city must evaluate necessary supply and storage capacity as well as transmission piping.

#### *Water Supply Capacity*

The city is currently developing a large, long-term supply source through the Lake Oswego-Tigard Water Partnership. The forecasted River Terrace build-out peak demand comprises an insignificant fraction of this supply source capacity. No additional supply facilities are anticipated to serve River Terrace.

#### *Storage Capacity*

The city's 2010 Water System Master Plan defined criteria for assessing adequate storage capacity in each of Tigard's pressure zones. Required storage capacity is divided into three major components – operational storage, fire flow storage and emergency storage – which are defined as follows:

- Operational Storage – 25 percent of PDD
- Fire Flow Storage – land use with highest fire flow requirement within the zone
  - Residential
    - Low Density = 1,500 gallons per minute (gpm) for 2 hours
    - Medium Density = 2,500 gpm for 2 hours
    - High Density = 3,000 gpm for 3 hours
  - Commercial and Industrial
    - 3,000 gpm for 3 hours
- Emergency Storage – 2 times ADD

Based on these criteria, adequate storage is available in the 410 and 713 pressure zones to serve the relatively small additional demands from River Terrace. Storage capacity assessment in the 550 Zone depends upon the selected River Terrace 550 water service alternative as discussed later in this memo.

#### **River Terrace Proposed Water System Facilities**

##### *410 Zone*

The Tigard 410 Zone serves a majority of existing Tigard customers. Large diameter transmission piping has been extended west with development of the Bull Mountain area in anticipation of the ultimate extension of the 410 Zone to serve the River Terrace area. It is recommended that existing 18-inch diameter piping on SW Roy Rogers Road at SW Scholls Ferry Road to the north and on SW Beef Bend Road near SW 150th Avenue to the south be extended as new 20-inch diameter pipe west into River Terrace. The existing 18-inch

diameter piping to the north was recently installed in SW Scholls Ferry Road to serve the River Terrace area.

Given the likelihood that the earliest development in the 410 Zone may not all occur near the north or south connections to existing 410 Zone transmission, provisions should be made for extending service into the 410 Zone areas in advance of major transmission piping in SW Roy Rogers Road. It is recommended that a new pressure reducing valve (PRV) station be constructed near the intersection of SW Bull Mountain Road and SW Roy Rogers Road to allow for interim service and for future supply redundancy to this area.

Conceptual level cost estimates for the recently installed 18-inch diameter transmission piping, the proposed 20-inch diameter transmission piping, and the proposed PRV station are presented later in this addendum. Cost estimates are based on an assumed transmission main alignment which generally follows SW Roy Rogers Road from existing transmission piping south to the proposed River Terrace rights-of-way shown on Figure 4. These proposed River Terrace rights-of-way will carry transmission piping west to SW 150th Avenue at SW Woodhue Street and south on SW 150th Avenue to existing transmission piping on SW Beef Bend Road.

### ***713 Zone***

A small area of the River Terrace Community northwest of SW 150th Avenue and SW Woodhue Street will be served by the Tigard 713 Zone as shown on Figure 4. It is recommended that this area be served by extending distribution mains from existing 8-inch and 12-inch diameter piping on SW 150th Avenue. No additional transmission piping or other facilities are anticipated to serve this area.

### ***550 Zone Service Alternatives***

The existing Tigard 550 pressure zone is divided into sub-zones 550A through 550H which form a partial ring at the base of Bull Mountain. Establishment of these sub-zones in the Tigard water system allowed customers at this elevation to be served as development occurred without constructing looped transmission piping all the way around Bull Mountain at this elevation. Large diameter transmission piping has been extended through each of these sub-zones to facilitate completion of a transmission loop around Bull Mountain with the development of the River Terrace Community. Due to incomplete transmission piping in some parts of the 550 sub-zones, completing this transmission loop may not be the most effective way to serve customers in River Terrace. Two facility alternatives were developed to provide service to the River Terrace portion of the 550 Zone. These alternatives are illustrated on Figures 5 and 6.

- **Alternative 1** – construct two missing 550 transmission connections near King City and complete transmission loop through River Terrace

- **Alternative 2** – construct 550 pump station and reservoir to deliver water from existing 410 Zone Menlor Reservoir and connect River Terrace transmission piping to existing 550 Zone transmission

For both Alternatives 1 and 2, approximately 8,000 lineal feet (LF) of 16-inch diameter mains would provide north-south transmission through the River Terrace 550 Zone. The alignment of this transmission piping would follow proposed rights-of-way through River Terrace with connections to existing 550 Zone piping at three locations: SW Venezia Terrace, SW Bull Mountain Road and SW 161st Avenue. This proposed 550 transmission piping is illustrated on Figure 6.

Alternative 1 would require additional transmission piping within River Terrace and between existing sub-zones 550A, 550G and 550H. Within River Terrace, transmission piping described in the previous paragraph would be extended approximately 4,000 LF south and west from SW 161st Avenue to connect to existing 12-inch piping at SW 150th Avenue and SW Woodhue Street. In order to complete 550 Zone transmission around the west side of Bull Mountain, sub-zone 550A must be connected with 550H east of SW Colyer Way and sub-zone 550H must be connected with 550G east of SW Peachtree Drive near King City. Both of these connections require potentially complex crossings of Clean Water Services (CWS) designated stream corridors outside of existing public right-of-way. In addition to construction feasibility issues, significant land acquisition would likely be required to facilitate construction of stream crossings.

Alternative 2 uses proposed River Terrace 550 Zone transmission piping to connect existing sub-zones 550A, 550B and 550C. The expanded West Bull Mountain 550 Zone would be supplied by a proposed reservoir on the city-owned Cach properties. A new pump station adjacent to the city's 410 Zone Menlor Reservoir would supply the proposed Cach Reservoir. Until the proposed pump station is completed, the reservoir could be filled by an existing temporary pump station at the Menlor site which was constructed for the city's Pump Station 10 expansion project. Alternative 2 would also require installation of transmission piping from the proposed Cach Reservoir site to connect to existing 550B piping on SW 158th Terrace at SW Baker Lane. Proposed transmission piping from 550B to the proposed reservoir site would require crossing a CWS designated stream corridor in the city-owned Cach Park Natural Area. Unlike Alternative 1, no property acquisition is anticipated to facilitate construction of this stream crossing.

*Recommendation: Alternative 2*

It is recommended that the River Terrace Community 550 Zone be served from a new reservoir and pump station as described in Alternative 2. Alternative 2 would provide adequate fire and emergency storage within the 550 Zone rather than relying on pressure reducing valves to provide supply from the 713 Zone reservoirs which have inadequate existing capacity to serve forecasted 550 Zone demands as presented in the 2010 Water Plan.

***Proposed 550 Zone Cach Reservoir Storage Capacity***

The proposed Cach Reservoir, required for recommended 550 Zone service Alternative 2, must be sized to provide adequate storage capacity for sub-zones 550A, 550B, 550C and the River Terrace 550 Zone area. Projected demands for sub-zones 550A through C in 2030 are taken from the 2010 Tigard Water System Master Plan. River Terrace 550 build-out demands are presented in Table 1 of this addendum.

Storage capacity criteria are consistent with the 2010 Water Plan as described earlier in this addendum. Required fire flow capacity is 3,000 gpm for 3 hours based on the proposed school in the River Terrace 550 Zone. It is recommended that the Cach Reservoir have an approximate capacity of 3.0 million gallons (MG) as summarized in Table 2.

**Table 2  
Proposed 550 Zone Cach Reservoir Capacity**

West Bull Mt 550 Zone	ADD (mgd)	PDD (mgd)	Required Storage (MG)			
			Operational	Fire	Emergency	TOTAL
550A	0.09	0.19	0.05		0.18	
550B	0.34	0.71	0.18		0.68	
550C	0.24	0.50	0.13		0.48	
River Terrace	0.28	0.59	0.15		0.56	
<b>TOTAL</b>	<b>0.95</b>	<b>1.99</b>	<b>0.51</b>	<b>0.54</b>	<b>1.9</b>	<b>2.95</b>

**Notes:**

1. Sub-zone 550A and 550C demands are taken from the 2010 Water System Master Plan demand tables for the year 2030.
2. Sub-zone 550B 2030 demands have been re-calculated for this Addendum to exclude land which is now part of the River Terrace Community.
3. Operational storage is estimated as 25 percent of PDD.
4. Fire storage is based on a required fire flow of 3,000 gpm for 3 hours due to the proposed school in the River Terrace 550 Zone.
5. Emergency storage is estimated as 2 times ADD.

***Proposed 550 Zone Pump Station Capacity***

The proposed 550 Zone pump station at the Menlor Reservoir site should have adequate firm capacity to supply PDD for the proposed West Bull Mountain 550 Zone. Firm capacity is defined as the total pump station capacity with the largest pump out of service. This criterion for pump station sizing is consistent with the city’s 2010 Water System Master Plan. As shown in Table 2, total PDD for the West Bull Mountain 550 Zone, a combination of 550A, B, C and River Terrace sub-zones, is 1.99 mgd or 1,382 gpm. It is recommended that the proposed 550 pump station on the Menlor site have an approximate firm capacity of 1,400 gpm.

The existing temporary pump station at the Menlor Reservoir site has a single pump with a 1,500 gpm design capacity. The temporary pump station is equipped with a variable frequency drive (VFD). Although this pump station is capable of supplying adequate flow to

the proposed Cach Reservoir it lacks the redundancy provided by multiple pumps, thus a permanent pump station is required to replace the existing station.

### ***Future Service to Urban Reserve Areas***

Water service to the Urban Reserve Area (URA), URA6C (North), URA 6C (Middle) and URA 6C (South) assumes that the recommended 410-foot pressure transmission piping for the River Terrace area is constructed. All three URA areas are at an elevation that can be served directly from the 410-foot pressure zone. Existing storage facilities and proposed transmission piping for the River Terrace area are adequate to extend the water distribution piping grid to these areas for water service. It is anticipated that looped 8-inch to 12-inch diameter piping will be adequate for residential development in these areas. Larger transmission piping may be required if high density residential, commercial or industrial development is planned in these areas.

## **IV. CAPITAL IMPROVEMENT PLAN**

### **Summary of Recommendations and Conceptual Level Costs**

It is recommended that water service be provided to the River Terrace Community by extending transmission and distribution mains from the City of Tigard's existing 410, 713 and 550 pressure zones. The 713 Zone includes only a small area of the River Terrace area that can be effectively served by extending existing distribution mains with no additional transmission required. Proposed piping would be placed in public rights-of-way to be dedicated as part of the River Terrace development. Proposed public rights-of-way are illustrated on Figure 4.

Adequate storage is available in the 410 and 713 Zones to serve proposed customers in River Terrace. It is recommended that a 3.0 MG storage reservoir be constructed to serve the River Terrace 550 Zone as part of a larger West Bull Mountain 550 Zone which would include the existing 550A, 550B and 550C sub-zones. This proposed 550 Zone reservoir would be constructed on the city-owned Cach properties. The reservoir would be filled through a new pump station with a firm capacity of 1,400 gpm located at the 410 Zone's Menlor Reservoir site. Until the proposed pump station is completed, the proposed Cach Reservoir may be filled from an existing temporary pump station on the Menlor site with a design capacity of 1,500 gpm. Service from the proposed Cach Reservoir would also require installation of transmission piping from the reservoir site to existing 550B piping on SW 158th Terrace at SW Baker Lane.

Conceptual level costs for proposed water facilities to serve the River Terrace Community are presented in Table 3. Cost estimates represent opinions of cost only, acknowledging that final costs of individual projects will vary depending on actual labor and material costs, market conditions for construction, regulatory factors, final project scope, project schedule and other factors. The American Association of Cost Engineers (AACE) classifies cost estimates depending on project definition, end usage and other factors. The cost estimates presented here are considered Class 4 with an end use being a study or feasibility evaluation

and an expected accuracy range of -30 percent to +50 percent. This range represents the potential variability of project costs and should not be applied directly to the estimates presented in Table 3. Estimated costs include approximate construction costs and an allowance for administrative, engineering and other project related costs. Unit costs for transmission piping are based on unit costs presented in the 2010 Tigard Water System Master Plan.

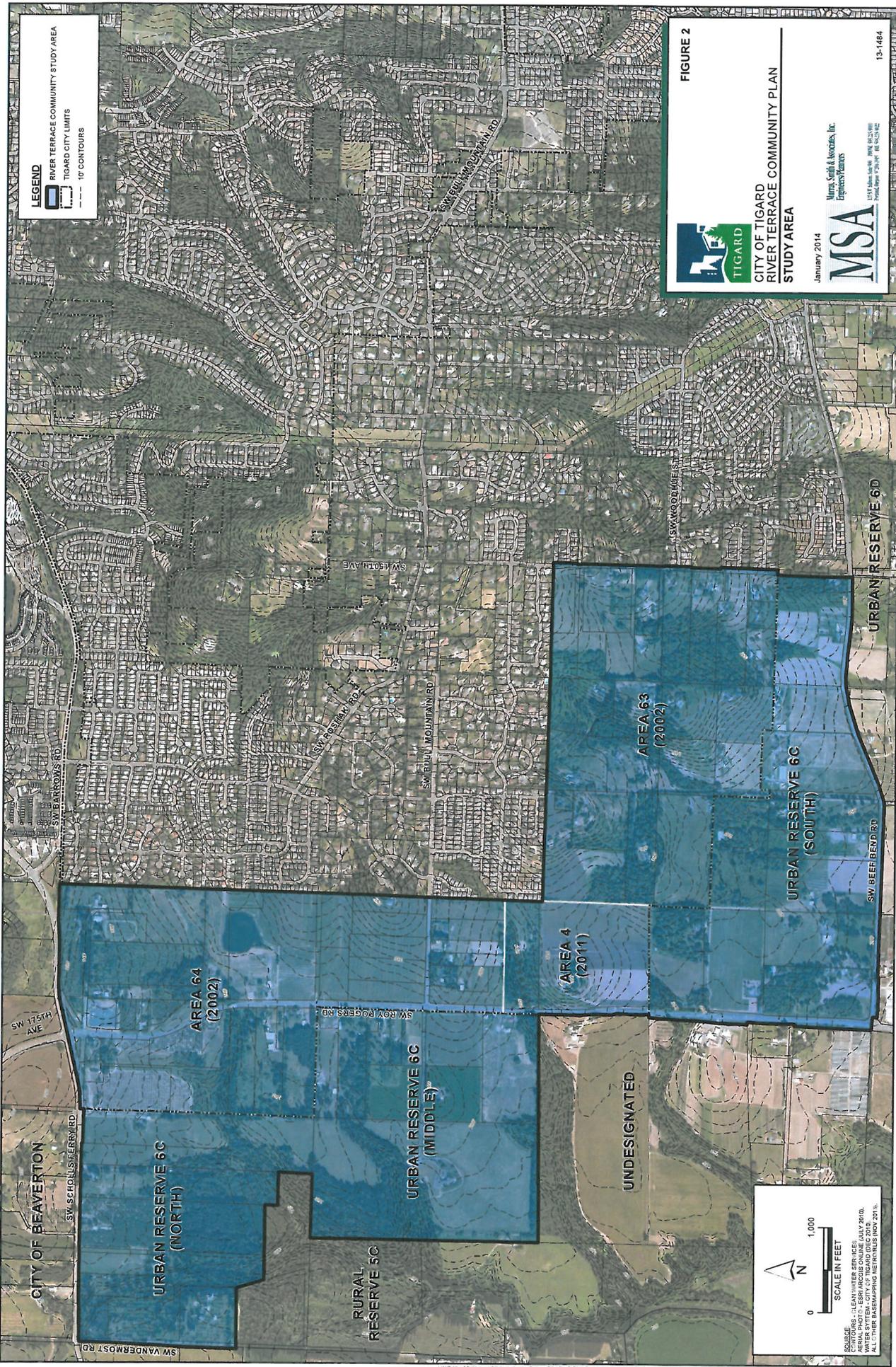
Since construction costs change periodically, an indexing method to adjust present estimates in the future is useful. The Engineering News-Record (ENR) Construction Cost Index (CCI) is a commonly used index for this purpose. For purposes of future cost estimate updating, the current ENR CCI for Seattle, Washington is 10135 (November 2013).

**Table 3  
River Terrace Proposed Water Facilities Conceptual Cost Estimates**

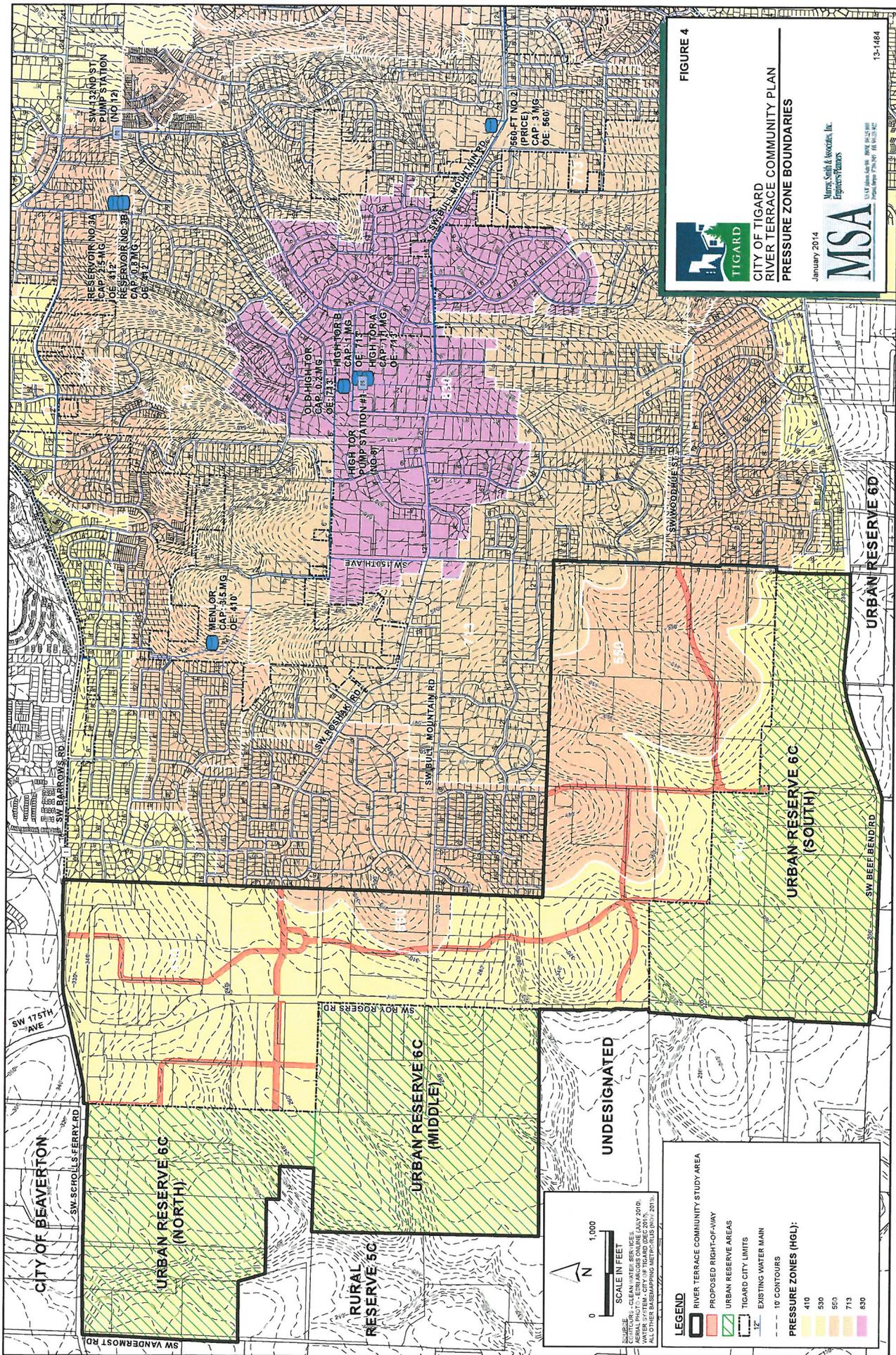
Proposed Facility	Qty	Unit	Unit Cost	Total Conceptual Cost
<b>410 Zone:</b>				
18-inch Transmission Main	2,500	LF	-	\$1,398,500 <sup>(1)</sup>
20-inch Transmission Mains	15,200	LF	\$400	\$6,080,000
550 Zone to 410 Zone PRV	1	LS	\$200,000	\$200,000
<b>713 Zone:</b>				
None	-	-	-	-
<b>550 Zone (Alternative 2):</b>				
16-inch Transmission Mains through River Terrace	8,000	LF	\$350	\$2,800,000
3.0 MG Cach Reservoir	1	LS	\$5,400,000	\$5,400,000
16-inch Transmission from Reservoir to 550B	1,700	LF	\$350	\$595,000
1,400 gpm (firm capacity) Pump Station	1	LS	\$1,100,000	\$1,100,000

Note:

1. This cost is the City of Tigard's budgeted amount for the installation of this pipe.







**FIGURE 4**

**CITY OF TIGARD**  
**RIVER TERRACE COMMUNITY PLAN**  
**PRESSURE ZONE BOUNDARIES**

January 2014

**MSA**  
 Mung, Smith & Associates, Inc.  
 Engineers/Planners

15-1484

**LEGEND**

- RIVER TERRACE COMMUNITY STUDY AREA
- PROPOSED RIGHT-OF-WAY
- URBAN RESERVE AREAS
- TIGARD CITY LIMITS
- EXISTING WATER MAIN
- 10' CONTOURS
- PRESSURE ZONES (HGL):

0 1,000  
 SCALE IN FEET

0 410 530 560 713 830

SW VANDERMOST RD  
 SW SCHOOLS FERRY RD  
 SW 175TH AVE  
 SW BARROWS RD  
 SW 132ND ST  
 PUMP STATION  
 RESERVOIR NO. 3A  
 CAP. 2.5 MG  
 OE. 412'  
 RESERVOIR NO. 3B  
 CAP. 0.8 MG  
 OE. 412'  
 MENLO CT  
 CAP. 0.5 MG  
 OE. 410'  
 SW 150TH AVE  
 SW BEECH BEND RD  
 SW 150TH AVE  
 SW 130TH AVE  
 SW 120TH AVE  
 SW 110TH AVE  
 SW 100TH AVE  
 SW 90TH AVE  
 SW 80TH AVE  
 SW 70TH AVE  
 SW 60TH AVE  
 SW 50TH AVE  
 SW 40TH AVE  
 SW 30TH AVE  
 SW 20TH AVE  
 SW 10TH AVE  
 SW 1ST AVE  
 SW 2ND AVE  
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 SW 4TH AVE  
 SW 5TH AVE  
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 SW 99TH AVE  
 SW 100TH AVE

G:\CDL\Projects\131484 - Tigard River Terrace\131484-GR-FIGURE 5 - ZONE ALTERNATIVE 1.mxd 4/21/2014 11:23:01 AM DKH

**FIGURE 5**



**CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
RIVER TERRACE 550-ZONE  
SERVICE ALTERNATIVE 1**

January 2014

Murray, Smith & Associates, Inc.  
Engineers/Planners



13-1484



0 1,200

SCALE IN FEET

SOURCE:  
SURVEYS - CLEAN WATER SERVICES  
AERIAL PHOTO - ESRI/AERGIS ONLINE (JULY 2010),  
WATER SYSTEM - CITY OF TIGARD (DEC 2010),  
ALL OTHER BASEMAPPING METRO/LUIS (NOV 2013).

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**CONSTRUCT  
550-ZONE  
TRANSMISSION**

**MENLOR  
RESERVOIR  
CAP: 3.5 MG  
OE: 410'**

SW ROY ROGERS RD

SW BULL MOUNTAIN RD

SW ROSYAK RD

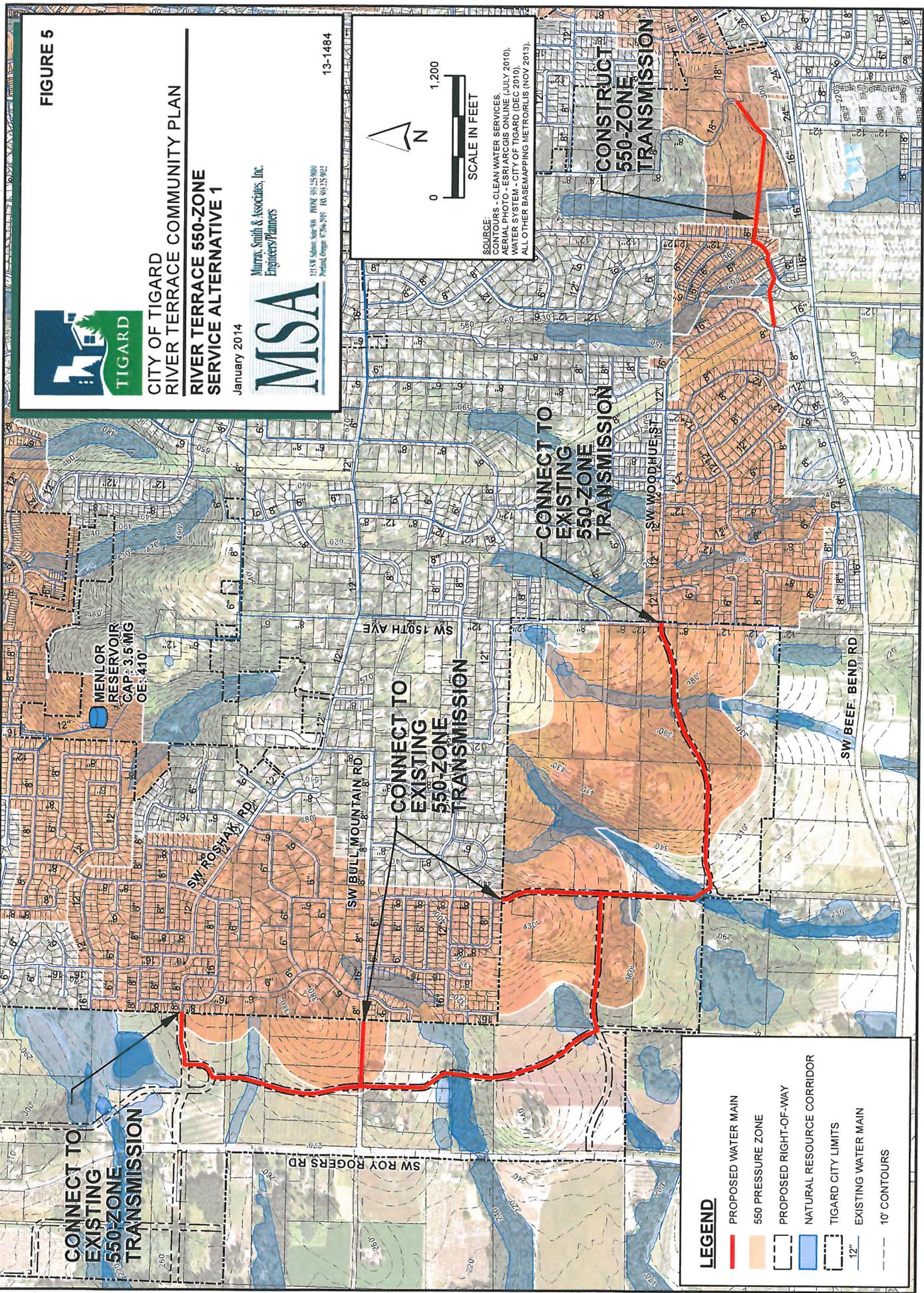
SW 150TH AVE

SW WOODHUE ST

SW BEEF BEND RD

**LEGEND**

- PROPOSED WATER MAIN
- 550 PRESSURE ZONE
- PROPOSED RIGHT-OF-WAY
- NATURAL RESOURCE CORRIDOR
- TIGARD CITY LIMITS
- EXISTING WATER MAIN
- 10' CONTOURS



**FIGURE 6**



**CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
RIVER TERRACE 550-ZONE  
SERVICE ALTERNATIVE 2**

January 2014

Murrell, Smith & Associates, Inc.  
Engineers/Planners



13-1484



0 1,200  
SCALE IN FEET

SOURCE - CLEAN WATER SERVICES,  
AERIAL PHOTO, EARLY JULY 2010,  
WATER SYSTEM - CITY OF TIGARD (DEC 2010),  
ALL OTHER BASEMAPPING METROUS (NOV 2013).

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**PROPOSED  
550-FOOT  
PUMP STATION**

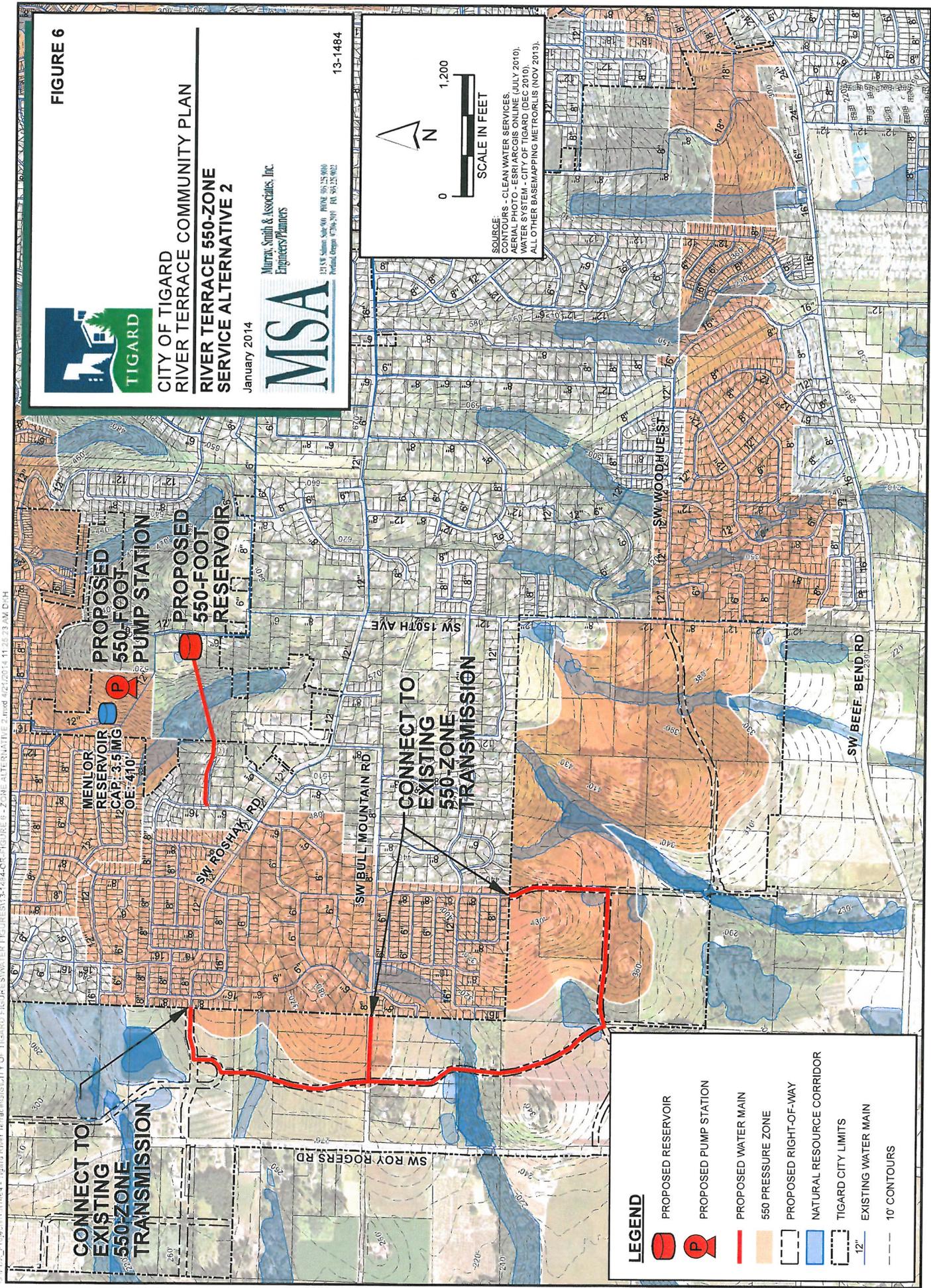
**PROPOSED  
550-FOOT  
RESERVOIR**

**MENLOR  
RESERVOIR  
CAP: 3.5MG  
OE: 410'**

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**LEGEND**

- PROPOSED RESERVOIR
- PROPOSED PUMP STATION
- PROPOSED WATER MAIN
- 550 PRESSURE ZONE
- PROPOSED RIGHT-OF-WAY
- NATURAL RESOURCE CORRIDOR
- TIGARD CITY LIMITS
- 12" EXISTING WATER MAIN
- 10' CONTOURS



G:\RAY\_2\proj\131514\4\_Tigard River Terrace\PROJECTS\WATER IMPROVEMENTS\FIGURE 7 - PROPOSED IMPROVEMENTS.mxd 4/22/2014 8:57:39 PM DWK

FIGURE 7



CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
RIVER TERRACE PROPOSED  
WATER SYSTEM IMPROVEMENTS

January 2014

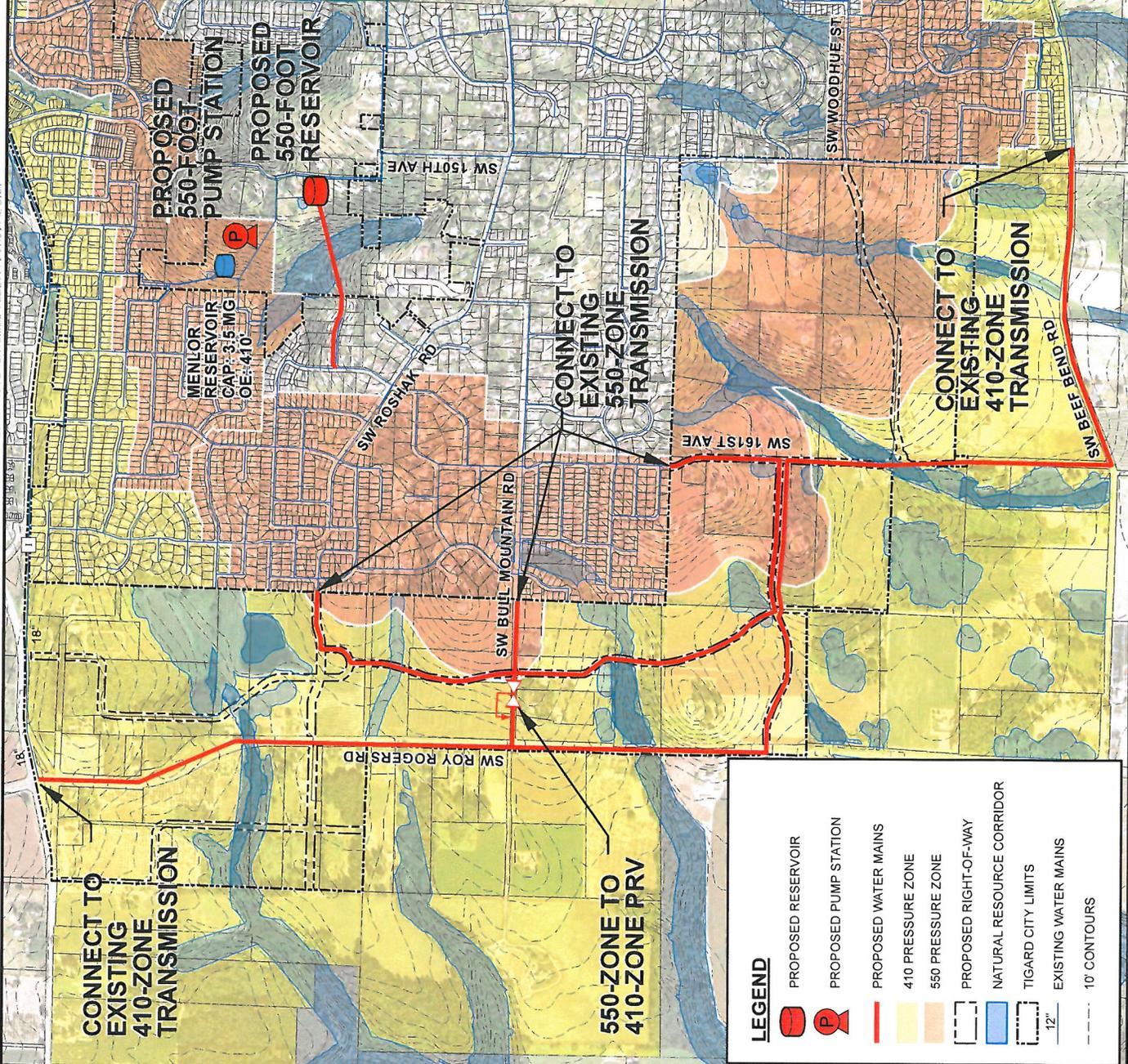
Murray, Smith & Associates, Inc.  
Engineers/Planners



13-1484

0 1,200  
SCALE IN FEET

SOURCE - CLEAN WATER SERVICES.  
CONTOURS - ESRI/ARCIS ONLINE (JULY 2010).  
AERIAL PHOTO - ESRI/ARCIS ONLINE (JULY 2010).  
WATER SYSTEM - CITY OF TIGARD (DEC 2010).  
ALL OTHER BASEMAPPING METROLIS (NOV 2013).



CONNECT TO  
EXISTING  
410-ZONE  
TRANSMISSION

PROPOSED  
550-FOOT  
PUMP STATION

PROPOSED  
550-FOOT  
RESERVOIR

MENLOR  
RESERVOIR  
CAP: 3.5MG  
OE: 410'

CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION

CONNECT TO  
EXISTING  
410-ZONE  
TRANSMISSION

550-ZONE TO  
410-ZONE PRV

LEGEND

- PROPOSED RESERVOIR
- PROPOSED PUMP STATION
- PROPOSED WATER MAINS
- 410 PRESSURE ZONE
- 550 PRESSURE ZONE
- PROPOSED RIGHT-OF-WAY
- NATURAL RESOURCE CORRIDOR
- TIGARD CITY LIMITS
- 12" EXISTING WATER MAINS
- 10' CONTOURS

CITY OF TIGARD, OREGON

RESOLUTION NO. 14-

A RESOLUTION TO AMEND THE WATER SYSTEM MASTER PLAN TO INCLUDE PROJECTS NECESSARY FOR THE DEVELOPMENT OF RIVER TERRACE

WHEREAS, the City of Tigard annexed the River Terrace area west of Bull Mountain in 2011 and 2012; and

WHEREAS, the City of Tigard has an existing Water System Master Plan that does not include the River Terrace area, and

WHEREAS, the City of Tigard has completed a Water System Master Plan Addendum specific to the River Terrace area, contributing to the city's broader goal of completing the River Terrace Community Plan and meeting state requirements for public facility planning, and

Deleted: the water portion of

WHEREAS, water public facility projects have been identified as part of the Water System Master Plan Addendum, and

Deleted: that

Deleted: p

WHEREAS, these projects are appropriate and necessary additions to the City of Tigard Water System Master Plan, and

Deleted: be added to

WHEREAS, the City of Tigard may desire to use water system development charges to fund part or all of these projects, and

Deleted: of

WHEREAS, a comprehensive finance strategy for all public facility projects in River Terrace will be developed as part of the River Terrace Community Plan. This strategy will include a list of projects to complete in the near term and their respective funding sources.

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

SECTION 1: The River Terrace Water System Master Plan Addendum (Exhibit A) is hereby adopted as part of the City of Tigard Water System Master Plan.

Deleted: projects listed in the Water System Master Plan Addendum (Exhibit A) are hereby added to the

SECTION 2: The projects identified in the River Terrace Water System Master Plan Addendum shall be eligible for funding from water system development charges (SDCs) collected in the Tigard Water Service Area as allowed under section 3.24.060 of the Tigard Municipal Code.

Deleted: on this list

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2014.

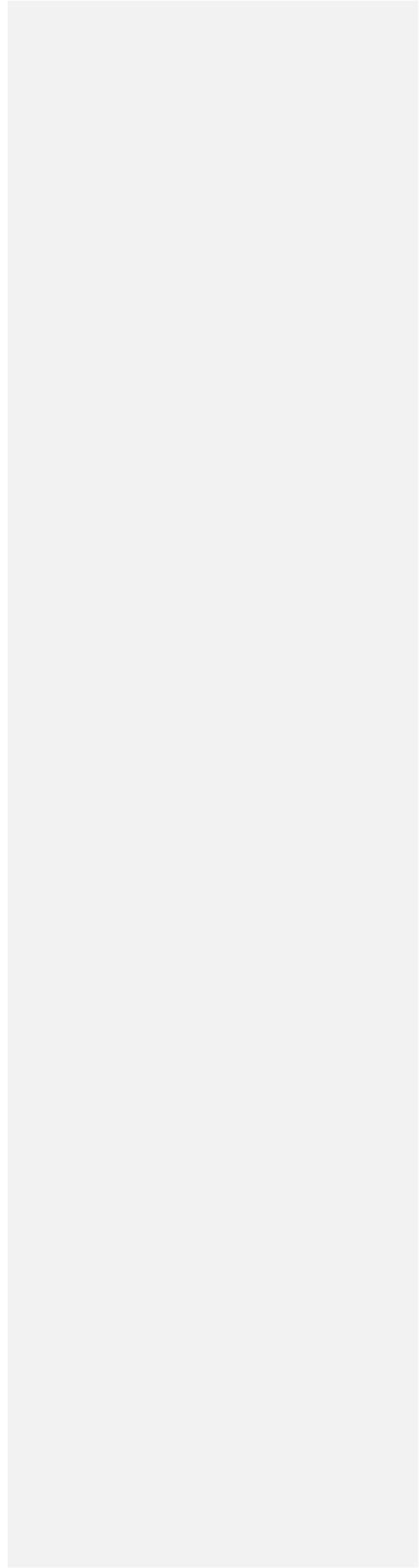
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Mayor - City of Tigard

ATTEST:

---

City Recorder - City of Tigard



CITY OF TIGARD, OREGON

RESOLUTION NO. 14- 24

A RESOLUTION TO AMEND THE WATER SYSTEM MASTER PLAN TO INCLUDE PROJECTS NECESSARY FOR THE DEVELOPMENT OF RIVER TERRACE

---

WHEREAS, the City of Tigard annexed the River Terrace area west of Bull Mountain in 2011 and 2012; and

WHEREAS, the City of Tigard has completed the water portion of the River Terrace Community Plan, and

WHEREAS, water public facility projects have been identified as part of that plan, and

WHEREAS, these projects are appropriate to be added to the City of Tigard Water Master Plan, and

WHEREAS, the City of Tigard may desire to use water system development charges to fund part of all of these projects,

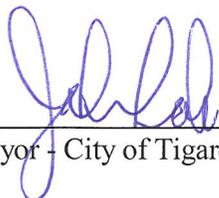
NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The projects listed in the Water System Master Plan Addendum (Exhibit A) are hereby added to the Water System Master Plan.

SECTION 2: The projects on this list shall be eligible for funding from water system development charges (SDCs) collected in the Tigard Water Service Area as allowed under section 3.24.060 of the Tigard Municipal Code.

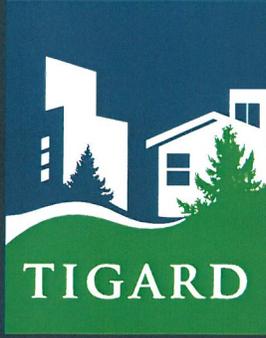
SECTION 3: This resolution is effective immediately upon passage.

PASSED: This 10<sup>th</sup> day of June 2014.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
City Recorder - City of Tigard



# Water System Master Plan Addendum

January 2014



## ACKNOWLEDGEMENTS

We would like to thank the many citizens, staff, and community groups who provided extensive input into the development of this Water Plan Addendum. Special thanks are due to the members of the River Terrace Technical Advisory Committee and Stakeholder Working Group.

## CITY STAFF

Susan Shanks, Project Manager and Senior Planner  
Tom McGuire, Assistant Community Development Director  
Rob Murchison, Senior Project Engineer  
Marissa Grass, Associate Planner  
Kenny Asher, Community Development Director  
Michael Stone, City Engineer  
Brian Rager, Interim Public Works Director  
John Goodrich, interim Assistant Public Works Director

Prepared by Murray, Smith & Associates, Inc.  
January 2014

Brian M. Ginter, P.E.  
Heidi A. Springer, P.E.

**MSA**



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II. BASIS OF PLANNING AND WATER DEMAND PROJECTIONS .....	3
III. SYSTEM ANALYSIS AND RIVER TERRACE WATER SYSTEM CAPACITY .....	4
IV. CAPITAL IMPROVEMENT PLAN.....	8

## **SUMMARY OF RECOMMENDATIONS**

The focus of this Water System Master Plan Addendum is on providing water service to the River Terrace Community, which is a new area that the City of Tigard's 2010 Water System Master Plan addressed only for overall water supply capacity needs. The proposed changes do not affect the 2010 Water System Master Plan except for minor modification of the forecasted system-wide water demands.

The River Terrace Community is divided into the three pressure zones extending across the area, for the purposes of analysis, identified as the 410 Zone, 713 Zone and 550 Zone. Recommendations for the 410 Zone include construction of a transmission loop extending north to south across the River Terrace area, connecting to existing transmission piping at SW Barrows Road and at SW Beef Bend Road. Recommendations for the 550 Zone include new transmission, storage and pumping facilities. An analysis of water service recommendations and alternatives is provided in the following pages.

## I. INTRODUCTION

In 2010, the City of Tigard updated the community's Water System Master Plan, hereafter referred to as the Water Plan. The Water Plan is the document that guides water system infrastructure improvements in the city's water service area. It was presented to the Intergovernmental Water Board and the Tigard City Council in 2010.

Since the adoption of the Water Plan in 2010, the West Bull Mountain Concept Plan (WBMCP) was completed and adopted by Washington County and the city. The area now known as River Terrace (and formerly known as West Bull Mountain) was also annexed to the city. This addendum provides an update to the Water Plan specific to the River Terrace study area and contributes to the city's broader goal of completing a River Terrace Community Plan.

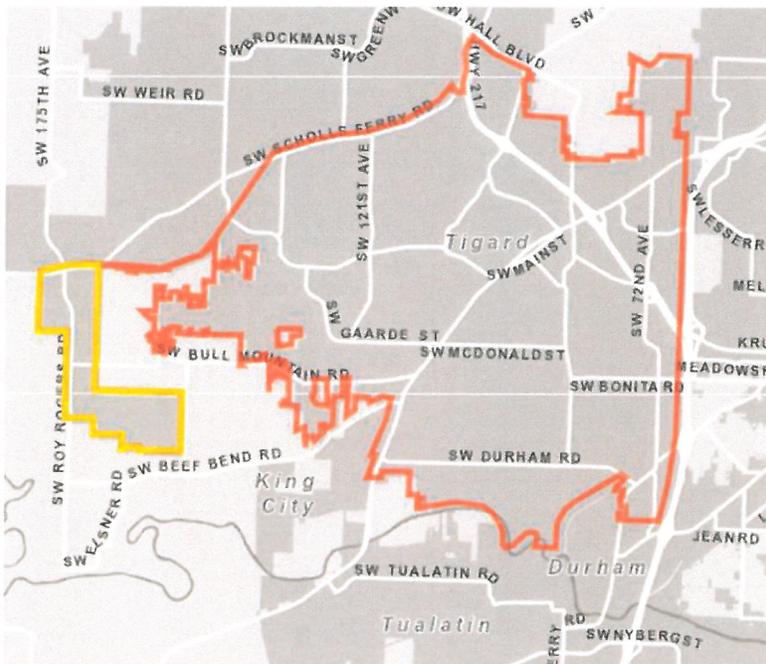


Figure 1 River Terrace Study Area (Outlined in Yellow)

The WBMCP Alternative Water Supplies analysis provides the basis for water system planning in River Terrace, which consists of transmission, pumping and storage improvements. This Water Plan Addendum refines the WBMCP by evaluating specific facility needs to provide service to the study area, identified in Figure 1, through improvements to the existing Tigard water system.

## II. BASIS OF PLANNING AND WATER DEMAND PROJECTIONS

This Water Plan Addendum follows the City of Tigard's 2010 Water System Master Plan and assumes 2.48 persons per dwelling unit. The City of Tigard projects 2,587 dwelling units within River Terrace for an estimated build-out population of 6,416 in 2035.

### *River Terrace Water Demands*

Projected water demands in million gallons per day (mgd) for the River Terrace Community are calculated for this addendum by multiplying projected River Terrace population at build-out by estimated per capita demands. Water facilities recommended to serve River Terrace are sized to meet ultimate capacity needs at build-out as discussed later in this addendum. Per capita water demands are as follows, consistent with the 2010 Water System Master Plan:

- Average Day Demand (ADD) = 110 gallons per capita per day (gpcd)
- Peak Day Demand (PDD) = 231 gpcd

The River Terrace water demand at build-out is allocated to the city's 410, 713 and 550 pressure zones according to the percentage of River Terrace land at elevations similar to those of existing Tigard water customers in these pressure zones. Proposed pressure zone boundaries within the River Terrace Community are illustrated on Figure 4. The distribution of River Terrace water demands by zone is as follows:

- 410 Zone = 50 percent
- 713 Zone = 10 percent
- 550 Zone = 40 percent

Forecasted River Terrace water demands at build-out are summarized in Table 1.

**Table 1**  
**River Terrace Projected Water Demand at Build-Out**

Pressure Zone	ADD (mgd)	PDD (mgd)
410	0.35	0.74
713	0.07	0.15
550	0.28	0.59
<b>TOTAL</b>	<b>0.70</b>	<b>1.48</b>

### III. SYSTEM ANALYSIS AND RIVER TERRACE WATER SYSTEM CAPACITY

In order to provide water service to the River Terrace Community, the city must evaluate necessary supply and storage capacity as well as transmission piping.

#### *Water Supply Capacity*

The city is currently developing a large, long-term supply source through the Lake Oswego-Tigard Water Partnership. The forecasted River Terrace build-out peak demand comprises an insignificant fraction of this supply source capacity. No additional supply facilities are anticipated to serve River Terrace.

#### *Storage Capacity*

The city's 2010 Water System Master Plan defined criteria for assessing adequate storage capacity in each of Tigard's pressure zones. Required storage capacity is divided into three major components – operational storage, fire flow storage and emergency storage – which are defined as follows:

- Operational Storage – 25 percent of PDD
- Fire Flow Storage – land use with highest fire flow requirement within the zone
  - Residential
    - Low Density = 1,500 gallons per minute (gpm) for 2 hours
    - Medium Density = 2,500 gpm for 2 hours
    - High Density = 3,000 gpm for 3 hours
  - Commercial and Industrial
    - 3,000 gpm for 3 hours
- Emergency Storage – 2 times ADD

Based on these criteria, adequate storage is available in the 410 and 713 pressure zones to serve the relatively small additional demands from River Terrace. Storage capacity assessment in the 550 Zone depends upon the selected River Terrace 550 water service alternative as discussed later in this memo.

#### **River Terrace Proposed Water System Facilities**

##### *410 Zone*

The Tigard 410 Zone serves a majority of existing Tigard customers. Large diameter transmission piping has been extended west with development of the Bull Mountain area in anticipation of the ultimate extension of the 410 Zone to serve the River Terrace area. It is recommended that existing 18-inch diameter piping on SW Roy Rogers Road at SW Scholls Ferry Road to the north and on SW Beef Bend Road near SW 150th Avenue to the south be extended as new 20-inch diameter pipe west into River Terrace. The existing 18-inch

diameter piping to the north was recently installed in SW Scholls Ferry Road to serve the River Terrace area.

Given the likelihood that the earliest development in the 410 Zone may not all occur near the north or south connections to existing 410 Zone transmission, provisions should be made for extending service into the 410 Zone areas in advance of major transmission piping in SW Roy Rogers Road. It is recommended that a new pressure reducing valve (PRV) station be constructed near the intersection of SW Bull Mountain Road and SW Roy Rogers Road to allow for interim service and for future supply redundancy to this area.

Conceptual level cost estimates for the recently installed 18-inch diameter transmission piping, the proposed 20-inch diameter transmission piping, and the proposed PRV station are presented later in this addendum. Cost estimates are based on an assumed transmission main alignment which generally follows SW Roy Rogers Road from existing transmission piping south to the proposed River Terrace rights-of-way shown on Figure 4. These proposed River Terrace rights-of-way will carry transmission piping west to SW 150th Avenue at SW Woodhue Street and south on SW 150th Avenue to existing transmission piping on SW Beef Bend Road.

### ***713 Zone***

A small area of the River Terrace Community northwest of SW 150th Avenue and SW Woodhue Street will be served by the Tigard 713 Zone as shown on Figure 4. It is recommended that this area be served by extending distribution mains from existing 8-inch and 12-inch diameter piping on SW 150th Avenue. No additional transmission piping or other facilities are anticipated to serve this area.

### ***550 Zone Service Alternatives***

The existing Tigard 550 pressure zone is divided into sub-zones 550A through 550H which form a partial ring at the base of Bull Mountain. Establishment of these sub-zones in the Tigard water system allowed customers at this elevation to be served as development occurred without constructing looped transmission piping all the way around Bull Mountain at this elevation. Large diameter transmission piping has been extended through each of these sub-zones to facilitate completion of a transmission loop around Bull Mountain with the development of the River Terrace Community. Due to incomplete transmission piping in some parts of the 550 sub-zones, completing this transmission loop may not be the most effective way to serve customers in River Terrace. Two facility alternatives were developed to provide service to the River Terrace portion of the 550 Zone. These alternatives are illustrated on Figures 5 and 6.

- **Alternative 1** – construct two missing 550 transmission connections near King City and complete transmission loop through River Terrace

- **Alternative 2** – construct 550 pump station and reservoir to deliver water from existing 410 Zone Menlor Reservoir and connect River Terrace transmission piping to existing 550 Zone transmission

For both Alternatives 1 and 2, approximately 8,000 lineal feet (LF) of 16-inch diameter mains would provide north-south transmission through the River Terrace 550 Zone. The alignment of this transmission piping would follow proposed rights-of-way through River Terrace with connections to existing 550 Zone piping at three locations: SW Venezia Terrace, SW Bull Mountain Road and SW 161st Avenue. This proposed 550 transmission piping is illustrated on Figure 6.

Alternative 1 would require additional transmission piping within River Terrace and between existing sub-zones 550A, 550G and 550H. Within River Terrace, transmission piping described in the previous paragraph would be extended approximately 4,000 LF south and west from SW 161st Avenue to connect to existing 12-inch piping at SW 150th Avenue and SW Woodhue Street. In order to complete 550 Zone transmission around the west side of Bull Mountain, sub-zone 550A must be connected with 550H east of SW Colyer Way and sub-zone 550H must be connected with 550G east of SW Peachtree Drive near King City. Both of these connections require potentially complex crossings of Clean Water Services (CWS) designated stream corridors outside of existing public right-of-way. In addition to construction feasibility issues, significant land acquisition would likely be required to facilitate construction of stream crossings.

Alternative 2 uses proposed River Terrace 550 Zone transmission piping to connect existing sub-zones 550A, 550B and 550C. The expanded West Bull Mountain 550 Zone would be supplied by a proposed reservoir on the city-owned Cach properties. A new pump station adjacent to the city's 410 Zone Menlor Reservoir would supply the proposed Cach Reservoir. Until the proposed pump station is completed, the reservoir could be filled by an existing temporary pump station at the Menlor site which was constructed for the city's Pump Station 10 expansion project. Alternative 2 would also require installation of transmission piping from the proposed Cach Reservoir site to connect to existing 550B piping on SW 158th Terrace at SW Baker Lane. Proposed transmission piping from 550B to the proposed reservoir site would require crossing a CWS designated stream corridor in the city-owned Cach Park Natural Area. Unlike Alternative 1, no property acquisition is anticipated to facilitate construction of this stream crossing.

*Recommendation: Alternative 2*

It is recommended that the River Terrace Community 550 Zone be served from a new reservoir and pump station as described in Alternative 2. Alternative 2 would provide adequate fire and emergency storage within the 550 Zone rather than relying on pressure reducing valves to provide supply from the 713 Zone reservoirs which have inadequate existing capacity to serve forecasted 550 Zone demands as presented in the 2010 Water Plan.

***Proposed 550 Zone Cach Reservoir Storage Capacity***

The proposed Cach Reservoir, required for recommended 550 Zone service Alternative 2, must be sized to provide adequate storage capacity for sub-zones 550A, 550B, 550C and the River Terrace 550 Zone area. Projected demands for sub-zones 550A through C in 2030 are taken from the 2010 Tigard Water System Master Plan. River Terrace 550 build-out demands are presented in Table 1 of this addendum.

Storage capacity criteria are consistent with the 2010 Water Plan as described earlier in this addendum. Required fire flow capacity is 3,000 gpm for 3 hours based on the proposed school in the River Terrace 550 Zone. It is recommended that the Cach Reservoir have an approximate capacity of 3.0 million gallons (MG) as summarized in Table 2.

**Table 2  
Proposed 550 Zone Cach Reservoir Capacity**

West Bull Mt 550 Zone	ADD (mgd)	PDD (mgd)	Required Storage (MG)			
			Operational	Fire	Emergency	TOTAL
550A	0.09	0.19	0.05		0.18	
550B	0.34	0.71	0.18		0.68	
550C	0.24	0.50	0.13		0.48	
River Terrace	0.28	0.59	0.15		0.56	
<b>TOTAL</b>	<b>0.95</b>	<b>1.99</b>	<b>0.51</b>	<b>0.54</b>	<b>1.9</b>	<b>2.95</b>

**Notes:**

1. Sub-zone 550A and 550C demands are taken from the 2010 Water System Master Plan demand tables for the year 2030.
2. Sub-zone 550B 2030 demands have been re-calculated for this Addendum to exclude land which is now part of the River Terrace Community.
3. Operational storage is estimated as 25 percent of PDD.
4. Fire storage is based on a required fire flow of 3,000 gpm for 3 hours due to the proposed school in the River Terrace 550 Zone.
5. Emergency storage is estimated as 2 times ADD.

***Proposed 550 Zone Pump Station Capacity***

The proposed 550 Zone pump station at the Menlor Reservoir site should have adequate firm capacity to supply PDD for the proposed West Bull Mountain 550 Zone. Firm capacity is defined as the total pump station capacity with the largest pump out of service. This criterion for pump station sizing is consistent with the city’s 2010 Water System Master Plan. As shown in Table 2, total PDD for the West Bull Mountain 550 Zone, a combination of 550A, B, C and River Terrace sub-zones, is 1.99 mgd or 1,382 gpm. It is recommended that the proposed 550 pump station on the Menlor site have an approximate firm capacity of 1,400 gpm.

The existing temporary pump station at the Menlor Reservoir site has a single pump with a 1,500 gpm design capacity. The temporary pump station is equipped with a variable frequency drive (VFD). Although this pump station is capable of supplying adequate flow to

the proposed Cach Reservoir it lacks the redundancy provided by multiple pumps, thus a permanent pump station is required to replace the existing station.

### ***Future Service to Urban Reserve Areas***

Water service to the Urban Reserve Area (URA), URA6C (North), URA 6C (Middle) and URA 6C (South) assumes that the recommended 410-foot pressure transmission piping for the River Terrace area is constructed. All three URA areas are at an elevation that can be served directly from the 410-foot pressure zone. Existing storage facilities and proposed transmission piping for the River Terrace area are adequate to extend the water distribution piping grid to these areas for water service. It is anticipated that looped 8-inch to 12-inch diameter piping will be adequate for residential development in these areas. Larger transmission piping may be required if high density residential, commercial or industrial development is planned in these areas.

## **IV. CAPITAL IMPROVEMENT PLAN**

### **Summary of Recommendations and Conceptual Level Costs**

It is recommended that water service be provided to the River Terrace Community by extending transmission and distribution mains from the City of Tigard's existing 410, 713 and 550 pressure zones. The 713 Zone includes only a small area of the River Terrace area that can be effectively served by extending existing distribution mains with no additional transmission required. Proposed piping would be placed in public rights-of-way to be dedicated as part of the River Terrace development. Proposed public rights-of-way are illustrated on Figure 4.

Adequate storage is available in the 410 and 713 Zones to serve proposed customers in River Terrace. It is recommended that a 3.0 MG storage reservoir be constructed to serve the River Terrace 550 Zone as part of a larger West Bull Mountain 550 Zone which would include the existing 550A, 550B and 550C sub-zones. This proposed 550 Zone reservoir would be constructed on the city-owned Cach properties. The reservoir would be filled through a new pump station with a firm capacity of 1,400 gpm located at the 410 Zone's Menlor Reservoir site. Until the proposed pump station is completed, the proposed Cach Reservoir may be filled from an existing temporary pump station on the Menlor site with a design capacity of 1,500 gpm. Service from the proposed Cach Reservoir would also require installation of transmission piping from the reservoir site to existing 550B piping on SW 158th Terrace at SW Baker Lane.

Conceptual level costs for proposed water facilities to serve the River Terrace Community are presented in Table 3. Cost estimates represent opinions of cost only, acknowledging that final costs of individual projects will vary depending on actual labor and material costs, market conditions for construction, regulatory factors, final project scope, project schedule and other factors. The American Association of Cost Engineers (AACE) classifies cost estimates depending on project definition, end usage and other factors. The cost estimates presented here are considered Class 4 with an end use being a study or feasibility evaluation

and an expected accuracy range of -30 percent to +50 percent. This range represents the potential variability of project costs and should not be applied directly to the estimates presented in Table 3. Estimated costs include approximate construction costs and an allowance for administrative, engineering and other project related costs. Unit costs for transmission piping are based on unit costs presented in the 2010 Tigard Water System Master Plan.

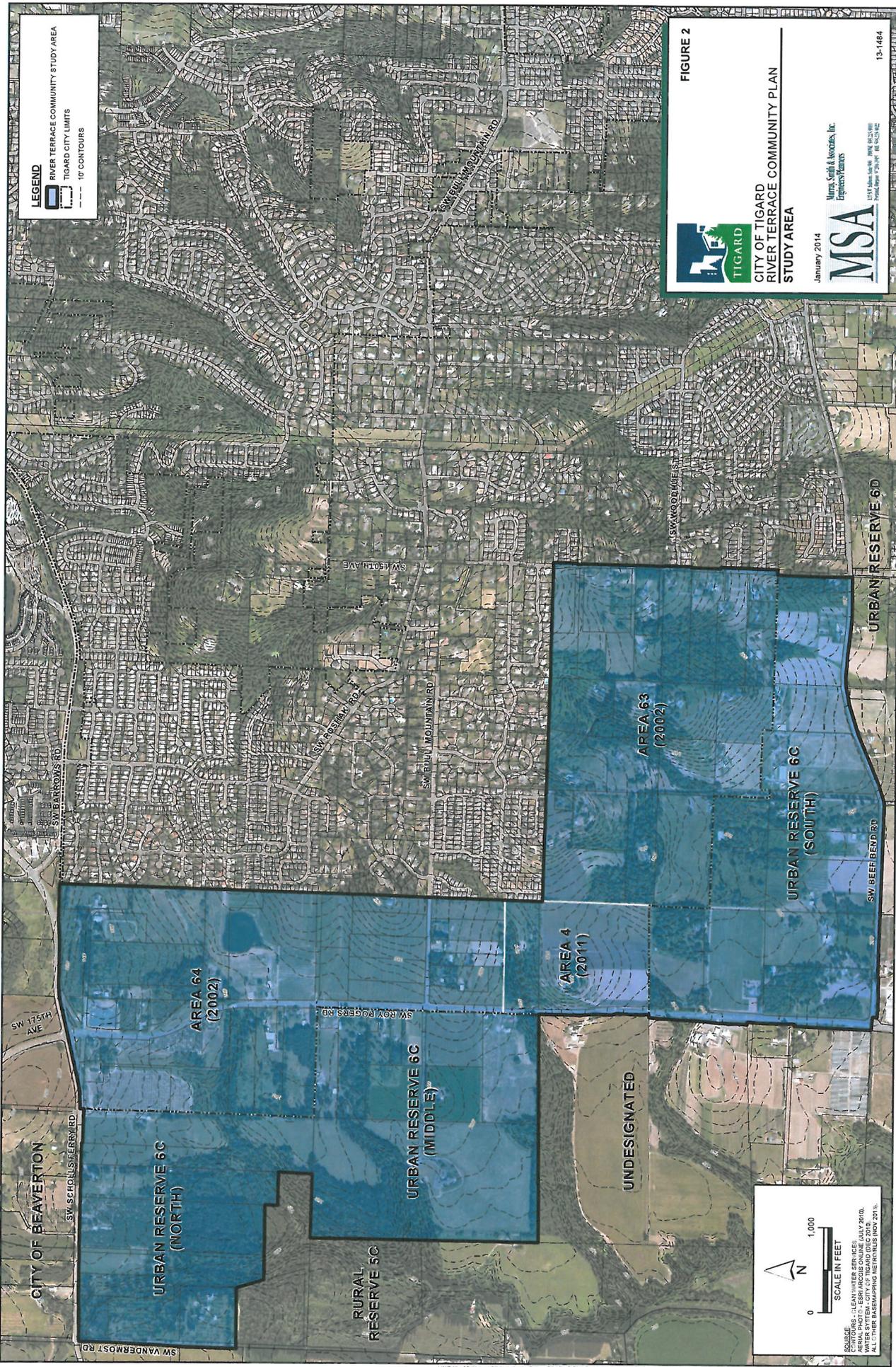
Since construction costs change periodically, an indexing method to adjust present estimates in the future is useful. The Engineering News-Record (ENR) Construction Cost Index (CCI) is a commonly used index for this purpose. For purposes of future cost estimate updating, the current ENR CCI for Seattle, Washington is 10135 (November 2013).

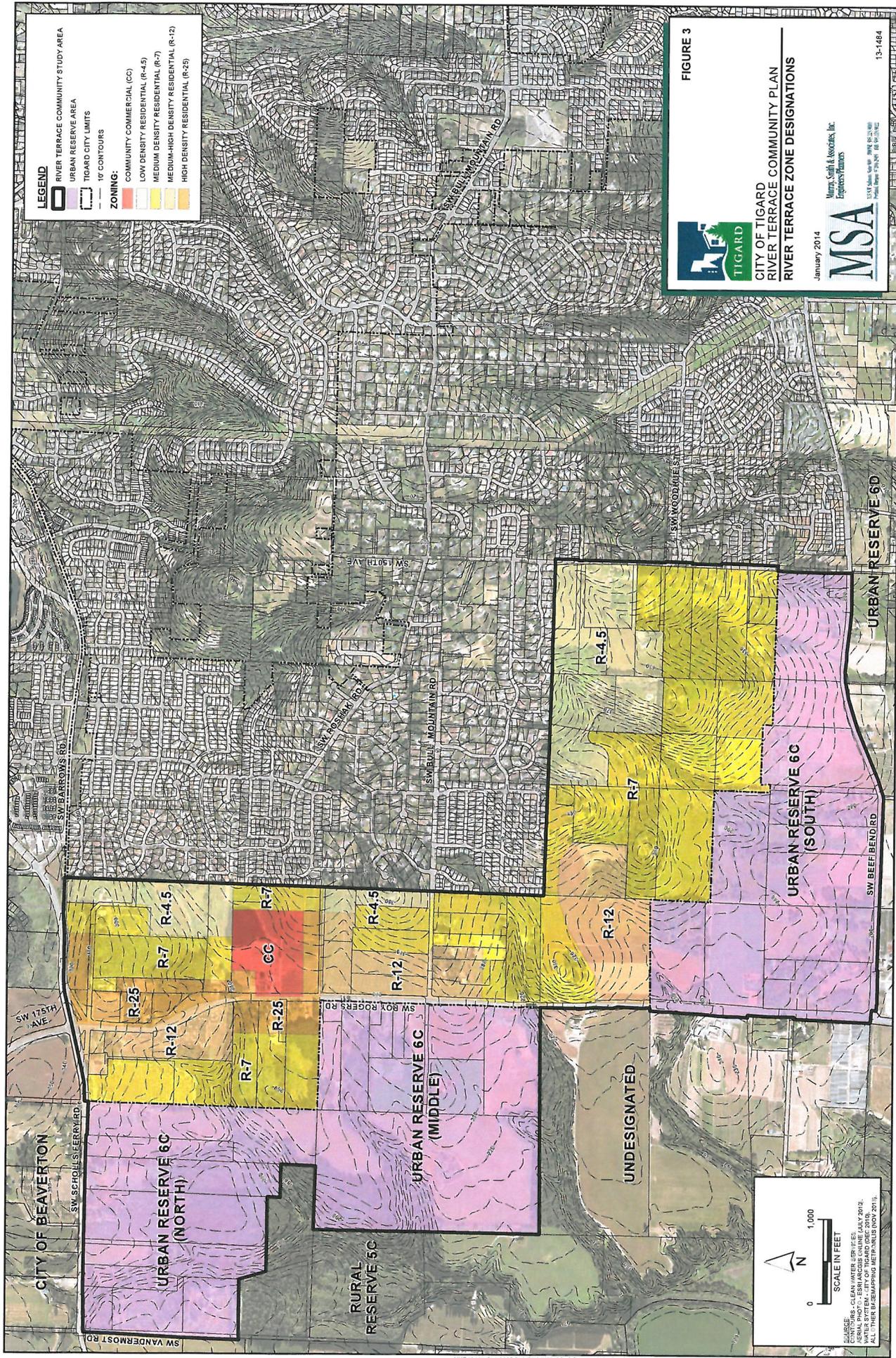
**Table 3  
River Terrace Proposed Water Facilities Conceptual Cost Estimates**

Proposed Facility	Qty	Unit	Unit Cost	Total Conceptual Cost
<b>410 Zone:</b>				
18-inch Transmission Main	2,500	LF	-	\$1,398,500 <sup>(1)</sup>
20-inch Transmission Mains	15,200	LF	\$400	\$6,080,000
550 Zone to 410 Zone PRV	1	LS	\$200,000	\$200,000
<b>713 Zone:</b>				
None	-	-	-	-
<b>550 Zone (Alternative 2):</b>				
16-inch Transmission Mains through River Terrace	8,000	LF	\$350	\$2,800,000
3.0 MG Cach Reservoir	1	LS	\$5,400,000	\$5,400,000
16-inch Transmission from Reservoir to 550B	1,700	LF	\$350	\$595,000
1,400 gpm (firm capacity) Pump Station	1	LS	\$1,100,000	\$1,100,000

Note:

1. This cost is the City of Tigard's budgeted amount for the installation of this pipe.





**LEGEND**

- RIVER TERRACE COMMUNITY STUDY AREA
- URBAN RESERVE AREA
- TIGARD CITY LIMITS
- 10' CONTOURS

**ZONING:**

- COMMUNITY COMMERCIAL (CC)
- LOW DENSITY RESIDENTIAL (R-4.5)
- MEDIUM DENSITY RESIDENTIAL (R-7)
- MEDIUM-HIGH DENSITY RESIDENTIAL (R-12)
- HIGH DENSITY RESIDENTIAL (R-26)

**FIGURE 3**

**TIGARD**

**CITY OF TIGARD**  
**RIVER TERRACE COMMUNITY PLAN**  
**RIVER TERRACE ZONE DESIGNATIONS**

January 2014

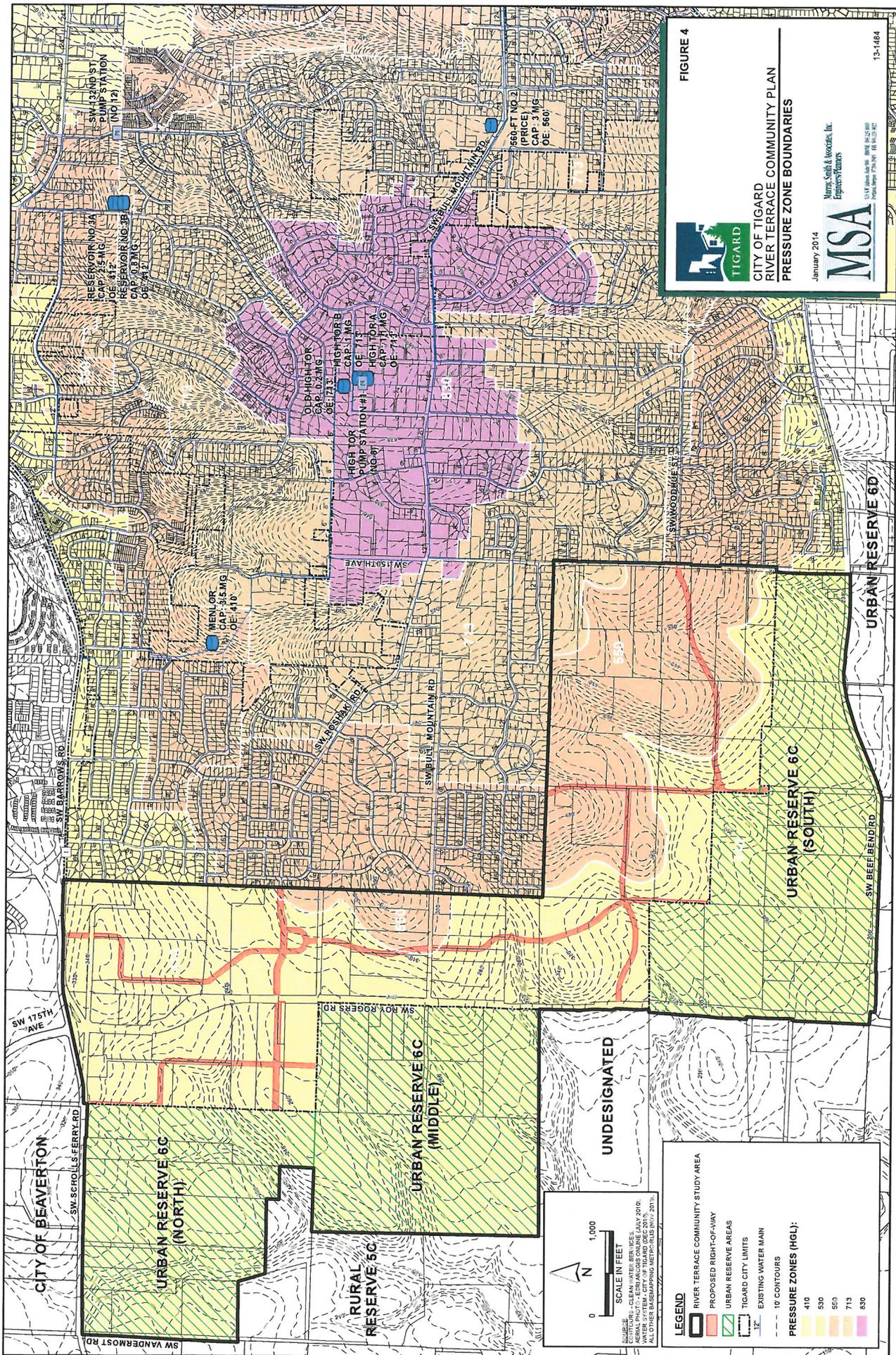
**MSA**  
 Murray, Smith & Associates, Inc.  
 Engineers/Planners  
 1137 Adams Avenue, Suite 200  
 Tigard, Oregon 97138  
 Phone: 503.736.9400  
 Fax: 503.736.9402

13-14884

0 1,000

**SCALE IN FEET**

**SOURCE:**  
 CONTOURS - CLEAN WATER SERVICE  
 CITY LIMITS - CITY OF TIGARD (JULY 2009)  
 WATER SYSTEM - CITY OF TIGARD (DEC 2010)  
 ALL OTHER REMAPPING METADATA (NOV 2011)



**FIGURE 4**

**CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
PRESSURE ZONE BOUNDARIES**

January 2014

**MSA**  
Murray, Smith & Associates, Inc.  
Engineers/Planners

15-1484

**LEGEND**

- RIVER TERRACE COMMUNITY STUDY AREA
- PROPOSED RIGHT-OF-WAY
- URBAN RESERVE AREAS
- TIGARD CITY LIMITS
- EXISTING WATER MAIN
- 10' CONTOURS
- PRESSURE ZONES (HGL):
  - 410
  - 530
  - 560
  - 713
  - 830

**UNDESIGNATED**

0 1,000

SCALE IN FEET

0 100 200 300 400 500 600 700 800 900 1000

0 100 200 300 400 500 600 700 800 900 1000

DATE: 12/15/13  
 DRAWN BY: JAC  
 CHECKED BY: JAC  
 APPROVED BY: JAC  
 REVISIONS: NONE  
 ALL OTHER MAPPING METADATA (N/A, 2013)

G:\CDL\Projects\131484 - Tigard River Terrace\131484-GR-Figure 5 - Zone Alternative 1.mxd 4/21/2014 11:23:01 AM DKH



FIGURE 5

CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
RIVER TERRACE 550-ZONE  
SERVICE ALTERNATIVE 1

January 2014

Murray, Smith & Associates, Inc.  
Engineers/Planners



13-1484



0 1,200

SCALE IN FEET

SOURCE:  
SURFACES - CLEAN WATER SERVICES  
AERIAL PHOTO - ESRI/AERIALS ONLINE (JULY 2010).  
WATER SYSTEM - CITY OF TIGARD (DEC 2010).  
ALL OTHER BASEMAPPING METROGIS (NOV 2013).

CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION

CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION

CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION

CONSTRUCT  
550-ZONE  
TRANSMISSION

MENLOR  
RESERVOIR  
CAP: 3.5 MG  
OE: 410'

SW ROY ROGERS RD

SW 150TH AVE

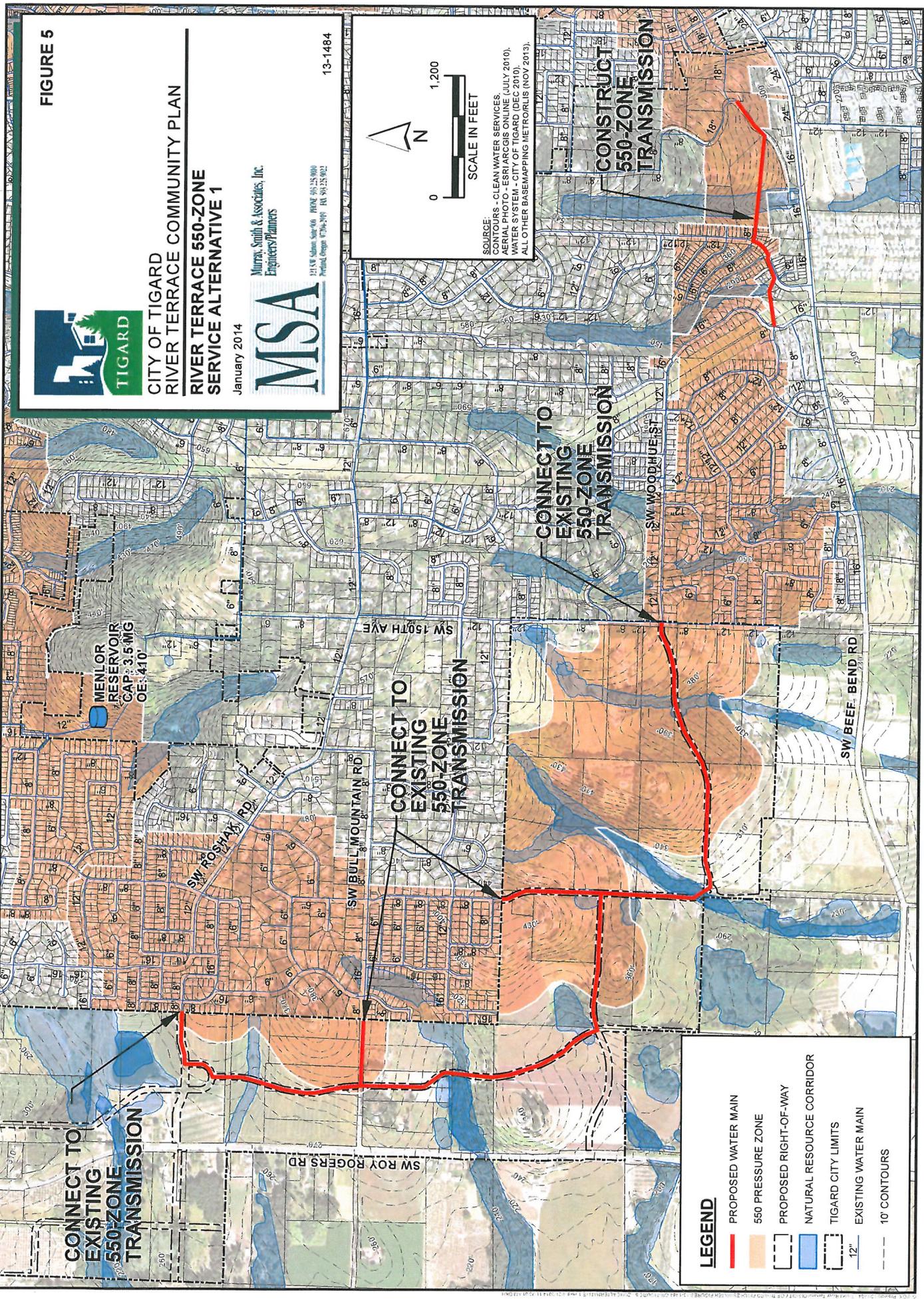
SW BULL MOUNTAIN RD

SW WOODHUE ST

SW BEEF BEND RD

LEGEND

- PROPOSED WATER MAIN
- 550 PRESSURE ZONE
- PROPOSED RIGHT-OF-WAY
- NATURAL RESOURCE CORRIDOR
- TIGARD CITY LIMITS
- EXISTING WATER MAIN
- 10' CONTOURS



**FIGURE 6**



**CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
RIVER TERRACE 550-ZONE  
SERVICE ALTERNATIVE 2**

January 2014

Murrell, Smith & Associates, Inc.  
Engineers/Planners



13-1484



0 1,200  
SCALE IN FEET

SOURCE: CLEAN WATER SERVICES, JULY 2010;  
AERIAL PHOTO, ESRI, MAY 2010;  
WATER SYSTEM - CITY OF TIGARD (DEC 2010).  
ALL OTHER BASEMAPPING METROUS (NOV 2013).

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**PROPOSED  
550-FOOT  
PUMP STATION**

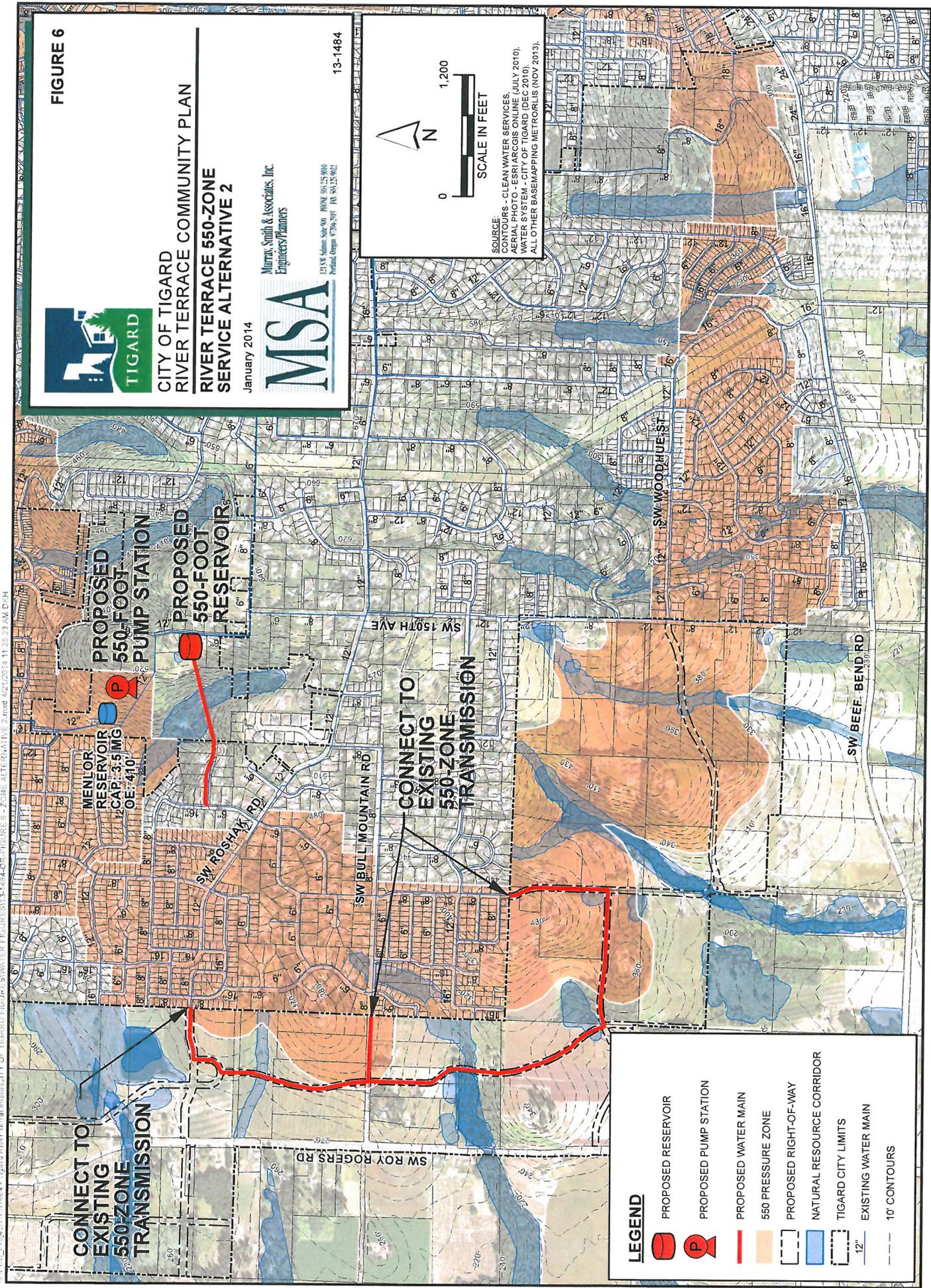
**PROPOSED  
550-FOOT  
RESERVOIR**

**MENLOR  
RESERVOIR  
CAP: 3.5MG  
OE: 410'**

**CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION**

**LEGEND**

- PROPOSED RESERVOIR
- PROPOSED PUMP STATION
- PROPOSED WATER MAIN
- 550 PRESSURE ZONE
- PROPOSED RIGHT-OF-WAY
- NATURAL RESOURCE CORRIDOR
- TIGARD CITY LIMITS
- 12" EXISTING WATER MAIN
- 10' CONTOURS



G:\RAY\_2\proj\131514\4\_Tigard River Terrace\PROJECTS\WATER IMPROVEMENTS\FIGURE 7 - PROPOSED IMPROVEMENTS.mxd 4/22/2014 8:57:39 PM DWK

FIGURE 7



CITY OF TIGARD  
RIVER TERRACE COMMUNITY PLAN  
RIVER TERRACE PROPOSED  
WATER SYSTEM IMPROVEMENTS

January 2014

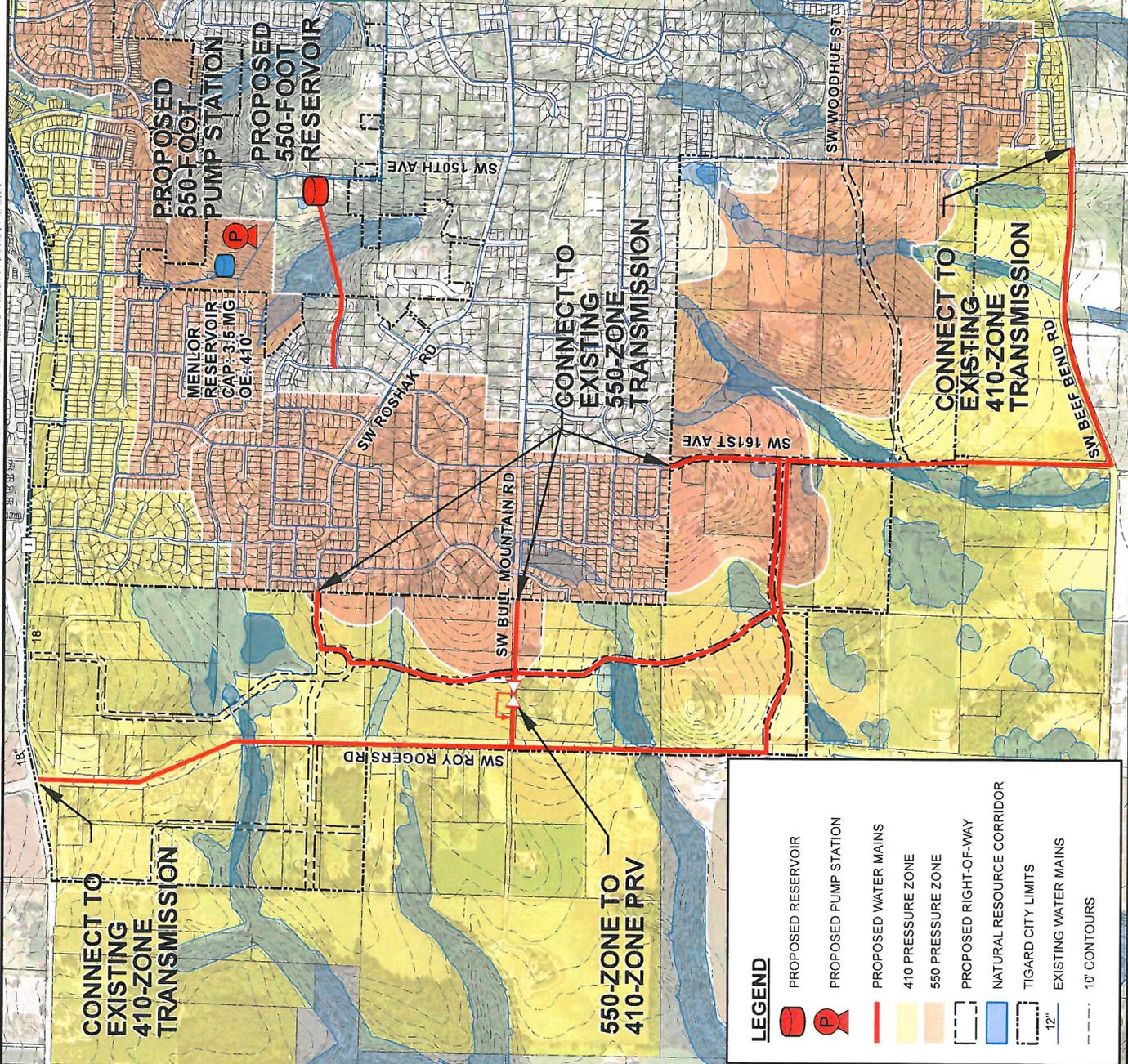
Murray, Smith & Associates, Inc.  
Engineers/Planners



13-1484

0 1,200  
SCALE IN FEET

SOURCE - CLEAN WATER SERVICES.  
CONTOURS - ESRI/ARCIS ONLINE (JULY 2010).  
AERIAL PHOTO - ESRI/ARCIS ONLINE (JULY 2010).  
WATER SYSTEM - CITY OF TIGARD (DEC 2010).  
ALL OTHER BASEMAPPING METROLIS (NOV 2013).



CONNECT TO  
EXISTING  
410-ZONE  
TRANSMISSION

PROPOSED  
550-FOOT  
PUMP STATION

PROPOSED  
550-FOOT  
RESERVOIR

MENLOR  
RESERVOIR  
CAP: 3.5MG  
OE: 410'

CONNECT TO  
EXISTING  
550-ZONE  
TRANSMISSION

CONNECT TO  
EXISTING  
410-ZONE  
TRANSMISSION

550-ZONE TO  
410-ZONE PRV

LEGEND

- PROPOSED RESERVOIR
- PROPOSED PUMP STATION
- PROPOSED WATER MAINS
- 410 PRESSURE ZONE
- 550 PRESSURE ZONE
- PROPOSED RIGHT-OF-WAY
- NATURAL RESOURCE CORRIDOR
- TIGARD CITY LIMITS
- 12" EXISTING WATER MAINS
- 10' CONTOURS