



City of Tigard
Tigard City Council Meeting Minutes
December 16, 2014

RECEPTION FOR COUNCILOR BUEHNER 5:00 p.m..

BUSINESS MEETING 6:30 p.m.

1. BUSINESS MEETING – December 16, 2014

A.  At 6:36 p.m. Mayor Cook called to order the City Council and Local Contract Review Board meeting.

B. City Recorder Krager called the roll:

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

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

D. Council Communications & Liaison Reports: Councilor Buehner gave a brief report from the Intergovernmental Water Board regarding the issue of discrepancies in water billing practices. IWB members were not satisfied with the solutions staff proposed. Staff will complete a further analysis and report back to the IWB in January.

Council President Henderson updated council on the Community Development Block Grant application process. He said all 23 applications have been vetted. Requests totaled \$6 million but there is only \$3 million available. Mayor Cook said the CDBG grants fund many worthwhile projects needed in Washington County. He noted that the Tigard Senior Center was built with CDBG funding.

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

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication –City Manager Wine said council was visited by neighbors from the Ingebrand neighborhood at the November 25, 2014, council meeting.

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They turned in a petition for a street vacation. City Manager Wine said council does not have a direct role in a proposal for development but there is desire from some council members to meet with the neighbors and discuss alternatives. She offered to ask her office to make the arrangements. Councilors Snider and Buehner expressed interest in meeting with the neighbors.

B. Citizen Communication – No one signed up to speak on an item not on the agenda.

3. CONSENT AGENDA:

A. APPROVE CITY COUNCIL MINUTES

- September 16, 2014
- October 14, 2014
- October 21, 2014

B. APPROVE RESOLUTION WAIVING TEMPORARY SIGN PERMIT FEES FOR SOUTHWEST METRO BABE RUTH BASEBALL.

Resolution No. 14-63 – A Resolution Waiving \$244 in Temporary Sign Permit Fees for Southwest Metro Babe Ruth Baseball

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

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

4. APPROVE RESOLUTION OF APPRECIATION FOR GRETCHEN BUEHNER

Council President Henderson moved for approval of Resolution No. 14-60. Councilor Woodard seconded the motion. Council President Henderson thanked Councilor Buehner for her many years of service. Councilor Woodard said she has volunteered for Tigard for over 20 years and served on many committees and council. She brings a great wealth of knowledge and council will miss her. He thanked her for her dedication and hard work given to the city. Councilor Snider said the Tigard community owes a debt of gratitude for the time she has put in to the community and said she is an inspiration. Mayor Cook read a list of her accomplishments and involvement in many local issues: eight years on the council, planning commission, water district, liaison to countless committees and

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commissions. He said she is a land use attorney and he listened carefully when she spoke about those matters. He mentioned she also had a depth of expertise in water issues.

Mayor Cook asked City Recorder Krager to read the number and title of the resolution

RESOLUTION NO. 14-60 – A Resolution Thanking Gretchen Buehner for her Outstanding Service to the City of Tigard as a City Councilor

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

Mayor Cook asked for a vote and the motion passed with one abstention. Mayor Cook read Resolution 14-60 in its entirety and gave Councilor Buehner a framed copy. He presented her with a gift from the council and staff. Councilor Buehner reflected on her 20 years of public service for Tigard. She thanked the City of Tigard staff, specifically former Public Works Director and now Lake Oswego-Tigard Water Partnership Project Manager Dennis Koellermeier, and Associate Planner John Floyd.

5. APPROVE RESOLUTION APPOINTING JASON ROGERS, BRET LIEUALLEN, CHRIS MIDDAUGH AND JOHN WILLIAM SMITH AS VOTING MEMBERS AND MICHAEL ENLOE AS A NON-VOTING MEMBER TO THE PLANNING COMMISSION

Assistant Community Development Director McGuire presented the staff report on this item and said the advisory committee met in November and interviewed many excellent citizen applicants. Four voting members and one alternate are being recommended for appointment. Jason Rogers is recommended for reappointment to a second term. Also recommended are Bret Lieuallen, Chris Middaugh and John William Smith as voting members and Michael Enloe as an alternate, non-voting member.

Councilor Snider moved for approval of Resolution No. 14-64 and Council Buehner seconded the motion. City Recorder Krager read the number and title of the resolution.

RESOLUTION NO. 14-64 – A RESOLUTION REAPPOINTING JASON ROGERS, AND APPOINTING BRET LIEUALLEN, CHRIS MIDDAUGH, AND JOHN WILLIAM SMITH AS VOTING MEMBERS OF THE TIGARD PLANNING COMMISSION AND APPOINTING MICHAEL ENLOE AS AN ALTERNATE, NON-VOTING MEMBER

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

Mayor Cook announced that Resolution No. 14-64 was adopted unanimously. He invited any members present to come forward and presented them with a City of Tigard pin.

6. LEGISLATIVE PUBLIC HEARING – CONSIDER ORDINANCES ADOPTING THE RIVER TERRACE COMMUNITY PLAN, COMPREHENSIVE PLAN MAP UPDATES, AND TRANSPORTATION SYSTEM PLAN

- a. Open Public Hearing - Mayor Cook opened the public hearing at 6:53 p.m.
- b. Hearing Procedures – City Attorney Olsen read the hearing procedures. He said council would hear public testimony on two ordinances that will adopt the River Terrace Community Plan. He said council will also be considering two resolutions, one adopting the River Terrace Parks Master Plan and one adopting the River Terrace Funding Strategy. He asked those in attendance to note that these are not part of the public hearing. Council does not ordinarily accept public testimony on resolutions but has decided to accept public testimony on each of the resolutions when they come up for consideration. City Attorney Olsen suggested council hear public testimony on each ordinance together and act on them separately. No objections were raised. City Attorney Olsen read the numbers and titles of Ordinance No. 14-15 and Ordinance No. 14-16.

City Attorney Olsen asked if there were any conflicts of interest to declare. Councilor Buehner said she is an attorney in private practice and has clients in the River Terrace area and to avoid any appearance of impropriety she will recuse herself from this matter. Councilor Buehner left the meeting at 6:56 p.m.

Councilor Snider asked a process question about hearing two ordinances in one public hearing. City Attorney Olsen said it was two public hearings but council was hearing them together and at the conclusion there would be two separate votes for the ordinances.

City Attorney Olsen said the staff report has been available for downloading from the city’s website and a paper copy has been available at City Hall. He described the order of the public hearing and council’s rules of procedure. He said people must testify either orally or in writing before the close of the public hearing in order to preserve the right to appeal council’s decision on either ordinance. A copy of the hearing procedures has been added to the packet for this meeting. He said council has several options and will consider each ordinance separately, adopting, rejecting or amending either one. Council may also choose to continue the public hearing on one or both of the ordinances to a time and date certain. He asked if anyone in the audience had any objections to the procedures. There were none.

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- c.  Staff Report: Community Development Director and River Terrace Project Director Asher and Senior Planner and River Terrace Project Manager Shanks gave the staff report. The PowerPoint presentation is included in the packet for this meeting. Mr. Asher acknowledged how the Community Plan was written and said Ms. Shanks and her team put forth amazing effort to prepare the plan over the past 18 months. He acknowledged those from the community that worked on the plan.

A Technical Advisory Committee included representatives from Tualatin Valley Fire & Rescue (TVF&R), the City of Beaverton, Clean Water Services (CWS), Department of Land Conservation and Development (DLCDD), King City, Sherwood, Tigard Water District, Tigard-Tualatin School District (TTSD), ODOT, Washington County, Tualatin Riverkeepers, Metro and the Beaverton School District.

Mr. Asher said there was also a Stakeholder Working Group with whom staff was in constant dialog. He asked for those in the audience to raise their hands as he read their names. Property owners include Jim Beardsley, Joanne Criscione, Fred Gast, Dan Grimberg, Steve Jacobson, Marsha Lancaster, Matt Wellner and Jamie Stasny. Agency Representatives include Ernie Brown from TTSD, Nora Curtis from Clean Water Services and Tigard City Councilor Marc Woodard. Neighbors were represented by Michael Freudenthal, Lisa Hamilton, Jerry Hanford, Yolanda McVicker, Kathy Stallkamp and John and Dena Weathers.

Project Manager Shanks said council is being asked to adopt six documents in multiple parts: the River Terrace Community Plan, Comprehensive Plan Map Designations, Natural Resource Maps (three maps) and the Transportation System Plan are part of this public hearing. Agenda items number 5 (Parks System Master Plan) and 6 (Funding Strategy) will be adopted separately by resolution after the public hearing.

Project Manager Shanks noted that council previously adopted three other master plans for River Terrace, for Water, Sewer and Stormwater. The five master plans serve as a foundation for the Community Plan but are independent. She provided context on the development of the plan by showing a slide of the schedule. Future documents to be considered include code amendments, zoning changes and adoption of citywide and River Terrace-specific fees.

Community Development Director Asher said the next process is zoning. He said he looks forward to the development of River Terrace and that planning work begins at tonight's meeting. There is also financial and infrastructure work to be done and the goal is to move along parallel paths. He reminded everyone that taking more time on any aspect will have a delay effect on other aspects.

Project Manager Shanks gave a brief history of the River Terrace area planning effort, which started in 2002 when Metro added land to the Urban Growth Boundary. In 2010 Washington County created and adopted the West Bull Mountain Concept Plan. In 2011 Metro brought in a little more land into the UGB and Area 64 was annexed into the City of

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Tigard. In 2012 the city became responsible for planning River Terrace. In 2013, the rest of River Terrace annexed to the city.

Community Development Director Asher said questions he always kept in mind as he worked on River Terrace were: What does the city want here? Why are we doing this? What is in it for the City of Tigard to first annex and then plan for, oversee and regulate the development of River Terrace? He said it is about complete communities and following through on other plans adopted by prior councils, the city's Strategic Plan and regional master plans from other agencies such as Clean Water Services and Metro. He said it is also about doing right by as many people in the community as possible, people who live nearby, own property there now or want to live there. He said when looking around Tigard, there are things people love and parts of Tigard that we wish had been developed differently. This is a chance to have a clean slate and put things in place that will create a wonderful neighborhood. He said that was the charge when this project was handed to them.

Senior Planner and Project Manager Shanks described plan element specifics. She said some were mandated by Metro and some envisioned by residents. All planning documents meet Metro's density requirements and Metro and State requirements for public facility planning for urbanizing areas. She showed slides giving a brief overview of the documents under consideration tonight. She said the River Terrace Community Plan was designed to fit easily into Tigard's Comprehensive Plan. When adopted, the Comprehensive Plan designations map will apply Comprehensive Plan designations and provide a land use framework for the area. She highlighted an area on the map that will provide a buffer between existing low density areas and future higher density areas on Roy Rogers Road and to the south. The map indicates a commercial node and a school site. She said the Transportation System Plan (TSP) and the transportation chapter in the River Terrace Community Plan provide for a multi-modal transportation system that conforms to the area's rolling topography and balances safety, comfort and mobility for all modes of travel. It builds upon and connects to existing streets in the area. A key element to this plan is the River Terrace Boulevard with a unique feature incorporating the River Terrace Trail into its cross-section along the north-south alignment.

Ms. Shanks said there are three resource maps that are part of this adoption package: Wetland and Riparian Areas, Significant Tree Groves and Significant Habitat Areas. The maps and the natural resources chapter in the Community Plan extend the city's existing policies, standards and regulations out to River Terrace. So basically, wetland and riparian areas in River Terrace would be protected as wetland and riparian areas are protected in Tigard.

The River Terrace Comprehensive Plan chapter on parks provides for a wide variety of recreational opportunities for existing and future residents of the area with parks, trails and open spaces. She showed a slide of future parks that are conceptually located and geographically distributed to be equitable.

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Associated Stormwater, Sewer and Water Master Plans already adopted by city council provide a framework for urban development through the timely, orderly and efficient provision of public facilities.

Ms. Shanks described refinements made by the City of Tigard to the West Bull Mountain Concept Plan. Major refinements include:

- Applied the city's Level of Service standards to parks and trails
- Proposed conveyance of storm water all the way to the Tualatin River
- Integrated the River Terrace Trail into River Terrace Boulevard
- Eliminated arterial greenway trails
- Recommended a traffic signal at Scholls Ferry Road
- Retained and modified street connections
- Downgraded Leeding Lane to a bike/pedestrian connection due to a wetland
- Kept Luke Lane in the plan; a circuitous route and the signal on Scholls Ferry Road should mitigate cut-through traffic

Staff received a number of public comments both before and at the November 17 Planning Commission public hearing on these four documents. They were summarized in the staff report but four additional comments were received recently and City Recorder Krager copied council with them. She summarized the four additional comments. A letter was received from the Jacobsons and their neighbors regarding the trail. An email from ODOT gave support for the River Terrace Community Plan. CPO4K wrote stating their concerns about additional traffic and safety issues on Beef Bend Road. The fourth letter was from Fans of Fanno Creek expressing concerns about the natural resource maps proposed for adoption. Ms. Shanks said based on what was heard at the Planning Commission meeting, staff made some small refinements to both the TSP and Community Plan to address some of these concerns. These changes are minor and were made mostly for clarification and completeness. The one significant change is a cost estimate revision (reduction) for the River Terrace Boulevard.

Project Manager Shanks referred to the Jacobson's letters and said staff recommended some changes with respect to their concerns about the River Terrace Trail. These amendments are in a packet given to council tonight with a blue cover. The packet contains some minor underline and strike-out text and map changes. She added that staff worked with some property owners concerned about the location of the River Terrace Trail and how it is shown on the map. One of the main changes was to add this particular language to various maps:

Trail alignments and locations are illustrative. Trail alignments and locations are subject to change based on development review, final design, engineering, permitting, connectivity and availability of land and funding. Trail alignments are to be determined at the time of city acquisition or in conjunction with development review.

Ms. Shanks said other tiny text changes were proposed to ensure that it is clear to future property owners and future staff that the intent of this plan is not to specifically say precisely

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where a trail will go but to say the city understands that there needs to be additional analysis, engineering, development review and everything that normally happens when property is developing. She said we understand that the trail alignment may need to shift in response to any number of factors, one of which may be that some of these property owners may not develop for a long time and we may want to look for another trail alignment if surrounding properties develop. It provides some level of comfort for those property owners that even if a line is shown on their property it may not end up there in the future. She said this language is being recommended to address the letter that the Jacobsons and their neighbors sent to council.

Comments received today from CPO4K expressed an interest in the city expanding its traffic analysis. She said the TSP analysis included the evaluation of four intersections on Beef Bend Road, three in close proximity to River Terrace and one on Highway 99W. No intersections were identified as needing improvement. She added that Beef Bend Road is a county facility and outside the planning area. Staff is not recommending any changes to the plan based on those comments, other than to acknowledge the community's concern about streets in and around the area that will be impacted by future growth in River Terrace.

Ms. Shanks commented on the letter from Fans of Fanno Creek expressing concerns about the mapping of various natural resource areas and whether the city was diligent enough in its research. She said her response is that there are technical analysis documents that support the maps. This analysis is listed in the ordinance and staff is proposing council adopt the maps this evening.

Staff Recommendations - The Planning Commission reviewed the four documents and held a public hearing on November 17, 2014, recommending approval with no changes. She said Planning Commission Vice President Calista Fitzgerald is present tonight to give testimony. The recommendation of the project team and the Stakeholder Working Group is for council to adopt these four documents, but the Stakeholder Working Group recommended approval with caution. That caution mostly pertained to implementation, specifically the TSP, concerns about cost estimates in general and specifically River Terrace Boulevard. She said as stated earlier, staff worked to reduce that cost tremendously. The planning team recommendation is that council adopt these four documents and include the staff recommended amendments.

- d. Public Testimony - Mayor Cook called on people that signed up to speak.

 Calista Fitzgerald, 7453 SW Gordana Court, Tigard, OR 97223 spoke as Tigard Planning Commission Vice-President. She said this was presented to the Planning Commission on November 17, 2014, and the Commission recommended approval with no changes. She said it was a lengthy, well attended hearing where there generally was support with a few minor things to address. Debates included discussion on the cost of the road that was addressed in the report and it seems that staff has since changed that language. It was desired to have access for TTS included on Table 5. The Planning Commission decided not to because Table 5 ties it to public funding and it was felt the funding for access should lie with developers. There was concern about the River Terrace Boulevard graphics

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because of the potential for designers to consider only what was shown in the graphic and not explore other options. After debate it was agreed that the graphic should remain to supplement the language, not to tie the design to what was shown. There were several people expressing concern about trail locations. Staff read changes tonight to address this. She said the concerns were minor and it was good to hear consistently from both those opposed and for this how much they appreciated the staff's in-depth involvement, community outreach and the many meetings to bring it to this point. She said the staff and the community have met what council asked them to do as community, volunteers and staff members. She said she would remain for the hearing in case there are additional questions.

 Carl Larson, Bicycle Transportation Alliance, 618 NW Glisan St., Portland, OR 97217, provided a letter from the BTA. He said The BTA expresses support of the proposed design of River Terrace Boulevard including the River Terrace Trail. He said the River Terrace Trail will connect a growing network of regional trails, provide economic and health benefits, and make River Terrace a great place to live. This trail is key to advancing Tigard's vision of becoming the most walkable community in the Pacific Northwest. The BTA creates healthy, sustainable communities by making bicycling safe, convenient and accessible. BTA has more than 6,000 members and supporters in Washington County and this trail is one of their top priorities. The River Terrace Trail is included in the Westside Trail Master Plan, which was unanimously adopted by the City of Tigard and all involved jurisdictions in the spring of 2014, with signatures of support from more than 400,000 regional residents. When complete it will allow 120,000 people to bike and walk to their jobs, school, grocery store, transit hub, neighborhood park and other necessary services.

Mr. Larson said in addition, high quality trails and bikeways contribute significantly to the local economy. In Minneapolis, home values increased by \$510 for every quarter mile closer the property is to an off-street bike path. Home values within one-half mile of a trail in Indiana sold for 11 percent more than similar homes further from the trail. This type of infrastructure also saves money. The existing regional trail network saves the Portland metro area \$150,000,000 per year in obesity-related health costs. As designed, River Terrace Boulevard and the River Terrace Trail provide an attractive, lively center for this new community. Without River Terrace Trail, planners would need to go back to the drawing board and completely redesign this corridor as the road itself does not provide the bikeways that are required on all new roads in Oregon. BTA appreciates the time and effort the City of Tigard staff and regional partners have put into the River Terrace Community Plan and look forward to adoption of this plan with the River Terrace Boulevard and River Terrace Trail as the center of this new community.

 Philip Wu, 6605 W Burnside, #140, Portland, OR 97210, congratulated the city on work done on this River Terrace plan. He said it is marvelous and he wanted to speak on a high level to the health impacts that the city has taken into account and will be implementing with this plan adoption. He said several years ago the Center for Disease Control (CDC) highlighted a few ways communities can enhance the health of their community and residents. One of these was through healthy community design and what Tigard has done with River Terrace is incorporate all the key elements: mixed use development, complete streets, infrastructure that supports both public and active transportation and by promoting

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active transportation through the use of shared-use paths, recreational trails, well-lit sidewalks, safe crossings and incorporating access to parks, recreation areas, schools and businesses. Safety has been taken into account with safe street and intersection crossings. Tigard has essentially followed the recommendations of the CDC for healthy community design. In 2009, Metro's Blue Ribbon Committee on Trails, assembled a report on the value of trails, in particular what the city has done with the River Terrace Trail by encouraging physical activity, promoting social interactions and in effect, reducing reliance on automobiles, which has climate change implications. Part of this report is a special case for greenways. The River Terrace Trail is in essence, a greenway which incorporates all of the benefits of a park, a roadway, a public square and access to nature all at the same time.

Dr. Wu referred to an article a few days ago in the Atlantic Monthly CityLab, "Walkability is Good for You." He said what the city has done with River Terrace is create a highly walkable community that will have economic development, housing values and physical health benefits. He said, "You have done everything right." He supported adoption of the plan and said the Intertwine Alliance, Kaiser Permanente and Westside Transportation Alliance, all of which he represents, would heartily agree that this should move forward.

 Bob Bothman, 7365 SW 87th Avenue, Tigard, OR 97223 spoke as a trail advocate. He said the last two speakers addressed well what he wanted to say. He said walks regularly in Tigard, most recently to the Tigard City Library and Woodard Park. He said he chaired the Tualatin Hills Park and Recreation District Trails Advisory Committee and the Fanno Creek Trail Working Committee in Tigard. He said he got interested in trails when he was Director of ODOT and parks was a division of ODOT then. He worked on the Springwater Trail and the Banks Vernonia Trail and said he has dealt with citizen concerns. There were neighbors opposed to the Springwater Trail. The typical thing heard from neighbors is that they, "don't want those people in my backyard," and other safety concerns. But he said once the trail was put in, his phone rang off the hook with people wanting to celebrate it. He said people found things were better after trails were placed. Migrant camps went away in Beaverton after the trail was built. He referred to statistics reported earlier in testimony about property values increasing. He said the discussion tonight is very different from 40 years ago when trails was hardly mentioned. He said he supports the trails.

 Don Hanson, a planner at OTAK, 808 SW Third, Portland, OR 97204, spoke on behalf of West Hills Development which controls parcels in the north end of the study area. Key infrastructure, including River Terrace Boulevard and a neighborhood route will extend through their land. There will be two small neighborhood parks, a CWS pump station that has regional influence, key infrastructure lines and trails. He said he supports the Community Plan and as the process was moving forward, OTAK developed a site plan which has helped them track what is going on and be constructive participants. He commented on three items: 1) River Terrace Boulevard – he was comforted to hear at the Planning Commission hearing that developers do not have to refer to the concept sketch but to the language. OTAK has taken that to heart and done different sections of River Terrace Boulevard that adapt to specific site conditions and proposed land use along the north-south alignment. He said there are concerns about cost but they will move ahead anyway. 2) Staff has proposed a traffic signal at River Terrace Boulevard and Scholls Ferry Road and they are in support. 3)

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He said as you travel south in the study area, Barrows Road is the first signalized intersection point giving access to the parcels on the side of Roy Rogers. That is one-half mile. They propose a mid-point signalized access point, one-quarter of a mile south of Scholls Ferry Road on Roy Rogers Road to access their neighborhoods. He said that if future traffic increases they could convert them to right-in, right-out access points or terminate them. He asked about an update to the PUD ordinance which will allow developers to implement the best qualities of the plan. He said they are anxious to go ahead and build a great neighborhood.

Councilor Snider asked Mr. Hanson for clarification about the PUD ordinance and if there is a concern with what is being proposed. Mr. Hanson said he had two concerns. Typically there is an open space requirement of 20 percent and they seek clarity on whether that includes the open space facilities and amenities that are included in the Community Plan, or are they giving 20 percent on top of 20 percent. The other concern is flexibility on lot sizes. He said he has spoken with staff about increased density along River Terrace Boulevard to frame it from an urban design standpoint. The PUD ordinance would enable them to do so without seeking zone changes.

 Daniel Knox, 15955 SW 150th, Tigard, OR 97224 said he was one of the four homeowners affected by the current proposed location of River Terrace Trail. He said he has been a Bull Mountain resident since 1980 and is the only person of the four who testified tonight about the trail who will confess that he voted for annexation. He said he thought sidewalks, lights, sewer, water and trails sounded like a good idea. He is concerned about the location of the trail and is pleased staff proposed some adjustments. He is concerned that staff refers to the adjustments as tiny. He said the location of this trail is crucial to the people who live there. He said the city should want to build a trail where it could trade development rights for land access. None of the properties where the trail is currently shown are going to be developed. He said he was shocked and dismayed to hear at the Planning Commission hearing that the impact on these four properties was not considered. He asked council to keep open minds and locate the trail somewhere where it will not destroy four homes.

 Steve Jacobson, 15915 SW 150th Avenue, Tigard, OR 97224, lives at the south end of Area 63. He said he has owned his home there for 25 years and is Dan Knox' neighbor. He owns Canterbury Tails Horse Barn. He has been on the Stakeholder Working Group for the past six or seven years. He said he and his neighbors own four contiguous properties and are in favor of the Community Plan. Staff has done a stellar job. The east-west leg of the River Terrace Trail bisects their properties. He said it runs through the middle of a 10-acre vineyard and taking a swath through it will be a problem. The trail alignment continues across his horse barn and three major pastures that always have horses in them. The alignment goes through another neighbor's oasis full of woodland creatures, and finally cuts through his neighbor's swimming pool, part of an expensive landscaping project including the pool and a sport court. He said Ms. Shanks has worked with the group of eight people very hard and has annotated the documents to infer some flexibility about trail alignment. He said they appreciate that but it is not enough and "We want the line removed from across our properties." He said he hoped that council will recommend to staff that they modify the

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maps prior to approving and putting them into the records. He said if anyone wanted to sell, the line is effectively an easement on their property. He said he and his group spent over 100 hours to prepare a six-page letter that council apparently has not seen yet. Mayor Cook clarified that council got their copy of their materials last week. He said, "Our bottom line is that we don't want that line across our properties and we don't think that is too much to ask."

 Barbara Jacobson, 15915 SW 150th Avenue, Portland, OR 97224, thanked council for giving everyone an opportunity to speak. She said all her neighbors were present and she wanted to say that they are not trail-haters. Since the Planning Commission hearing Project Manager Shanks has been working hard with her and others to come up with language to help mitigate their situation, but she also suggested that the neighbors attend the council meeting to discuss whether the delineation of the trail on the map is appropriate. She said there are four property owners that have two two and one-half-acre parcels, a five-acre parcel and a ten-acre vineyard. She said they are all fully developed and if the city is looking for a connective trail, the River Terrace Boulevard Trail is great; it runs alongside a road and has a good location. She said they know there has to be something that connects with 150th but they question why it was put there without research. She said it goes through four developed properties and could take up to 20 percent of two properties potentially and that is a big take.

Ms. Jacobson said they don't want to delay the process or feel compelled to take adversarial action prematurely so they tried to work with Project Manager Shanks to come up with modified language stating that the trail location is not definitive and could go elsewhere. Ms. Jacobson said Ms. Shanks has been great and they appreciate the efforts. They are supportive of addendum language and this helps. However, staff has been reluctant to amend the map to remove the depiction of the trail across their properties and replace it with a wider band of land. The wider band could still include their properties potentially and would show that a trail could be located in any variety of areas as River Terrace develops and the land is masked for development. She said the biggest issue with the trail is connectivity into the main boulevard and if the city designates it go someplace where development isn't going to happen for a very long time, you are not going to achieve that. She said keeping flexibility and an open mind at this juncture could result in a less harm, less cost alternative for the city, which is what is exactly required by the statute.

Ms. Jacobson said at the Planning Commission public hearing the Community Development Director acknowledged that having this line on the map now will have an immediate negative impact on their properties regardless of if or when the trail is ever actually built. He noted also that there are some winners and some losers in this process. At that same hearing one of the commissioners asked staff if they had considered other locations that might have less impact and the answer was no, they really had not. She said they support the language modified by Project Manager Shanks which does not by the way, remove their property from consideration, but does allow flexibility in determining the best location for the trail as development of the area occurs. What they are asking council to do, as a showing of good faith with respect to that promised flexibility, is to direct staff to remove the line from across all the properties and do what they are doing for the parks, which is to show a wider locational band that shows potential connector locations to be determined later, after more

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studies are done by staff and as development occurs. If the line is removed and a more flexible band is shown, the negative, current impact to their properties is mitigated and they can be more comfortable about this plan moving forward. She said they don't believe the current location over their properties, including a productive vineyard, will provide the best or even a feasible trail location in the long run, but this determination can and should wait and be made at a later date.

 Ann McClesky, owns a vineyard at 15590 SW April Lane, Tigard, OR 97224, and said she and her husband have lived on the property since 1992 and planted the vineyard in 2001. It is very productive now and they were able to harvest almost 20 tons of wine grapes which they sold. They are now selling their wine in Tigard and Tualatin Fred Meyer stores under the McClesky Cellars name. They said their neighbors have spoken well on their behalf tonight on the threat that this trail would be to their vineyard. It is a small vineyard and fragile financially and the impact of the trail going through would be detrimental if not devastating. It would probably take out one-third of their vines and would open the vineyard up to people walking through on the trail. It would allow deer into the area which they try very hard to keep out because they eat all the berries. She thanked Project Manager Shanks for her efforts in meeting their needs. She thanked the Jacobsons for all the work they have put into this. Councilor Snider asked if this was the only operating vineyard in Tigard and Ms. McClesky said it was. She said the Baggenstoses have a vineyard but she did not think it was within the city limits and Mayor Cook confirmed that it was not.

 Brant Hulse, 15975 SW 150th Avenue, Tigard, OR 97223, said his neighbors have already shared but he wanted to add that they are all in favor of trails but where they are shown on the map in the east west direction. There are so many other areas that don't affect current landowners and developed properties. He would like this taken into account. He thanked council for their time and thanked the Jacobsons for their efforts.

 Janet Buebb, 255 SW Harrison, Portland, OR 97201, spoke as a representative of The Intertwine. She stated that most everything she wanted to say had been covered by others. She noted that the Intertwine Alliance is a group of 130 business and government partners working together to promote and build an interconnected system of parks, trails and natural areas. She noted that benefits of trails have already been covered. She referred to much personal experience on many trails throughout the region in Gresham, Portland and Milwaukie. She said she knows what council is facing and it is tough to realize aspirations and blend them in with property considerations. What she has heard tonight is that there is goodwill on all parts. And even though council has a tough decision, from her experience the devil is in the details. She advised finding a trail alignment that on the whole works best for everyone. She said, "You have the players in place here to advise you and I wish you the best of luck with that decision."

 Dan Grimberg, West Hills Development, 735 SW 158th Avenue, Beaverton, OR 97006, said West Hills has been very involved and have owned property there since 2006. He said they need to make sure this plan works and is financially feasible so they can build and sell houses. He said while they are supportive of the plan, he does not understand how it can be adopted without knowing how it will be paid for. He said other stakeholder members know

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that at every meeting he expressed concerned about the costs. He said he would talk more about this when the financing plan is discussed but he could show council a schedule indicating that a house in River Terrace will cost \$15,000 more than in the North Bethany area and \$10,000 more than in South Cooper Mountain. He said this is even without knowing key components of costs yet to be identified for Roy Rogers Road. He again expressed concerns about the Community Plan and Transportation System Plan being adopted without the city knowing how they will pay for them. He asked that the process be continued until everyone can sit down and work through the financial plan. Councilor Snider asked if that was a process he had seen before and asked for recent examples. Mr. Grimberg replied that North Bethany was to the point of crisis where the plan was done but not financially feasible. He said, "We got to the right people at Washington County, particularly Tom Brian, who was then the County Chairman and he understood the problem and he pulled the plan together." He said in this collaborative effort everyone sat around the table and discussed what it would cost and where the money would come from. Councilor Snider asked a question about the phasing and Mr. Grimberg said they have 75-100 acres in River Terrace and will build in phases. They need to know how each phase of building will work financially; it has to pencil out. He suggested that a workable solution could be reached but, "Right now, we're just not there."

 Jamie Stasny, Metropolitan Land Group, 17933 NW Evergreen Parkway, Suite 300, Beaverton, OR 97006, said the MLG firm owns property in River Terrace and has been involved in the SWG and implementation process. She thanked city staff for working hard with the SWG to come up with this balanced plan. She said MLG is in support of the Community Plan but shares the same concerns voiced by Mr. Grimberg. The Transportation System Plan contains a list which identifies which projects will occur in specific time horizons. That is linked very closely with the funding strategy of how the projects will be paid for. She expressed agreement with delaying the TSP and Community Plan for a short period of time and said they obviously, want to move forward, as everyone does. She asked for a few weeks to a month to enable them to work with staff to refine the funding plan so that it makes sense, be competitive with other areas and develop into a successful community as envisioned through this planning process and many hours of hard work.

 Mayor Cook asked if anyone else wanted to speak about this. He asked for the staff recommendation. There was none.

- e. Staff Recommendation – Project Manager Shanks said the staff recommendation is as follows: to adopt the four documents listed on the slide shown: the Community Plan, the Comp Plan Designations Map, the three Natural Resources Maps and the Transportation System Plan, with the revised language in the blue packet given to council with respect to the River Terrace Trail alignment. She said she understands the concerns of the property owners that spoke on the River Terrace Trail location in the southeast corner. She showed a map to indicate where the four properties are located. She said there is a recognition that the trail needs to be continuous. It is integrated with the River Terrace Boulevard for the north-south alignment but breaks away and gets over to 150th. She said the city inherited the corridor alignment with the West Bull Mountain Concept Plan and so Tigard staff did not do any

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additional research as to its specific location on the map. She said the whole purpose of this particular alignment was to follow the 300-foot contour elevation and she showed this alignment on a map. She said the staff recommendation is to adopt the four documents but with underline and strike-through changes she provided in the blue packet.

- f.  Close Public Hearing – Mayor Cook asked if council wanted to entertain holding over the public hearing to a date certain. Councilor Snider said he could not make a decision without getting some answers to several questions. He asked if the questions could be asked within the public hearing. City Attorney Olsen recommended that council discuss with staff or the audience while the public hearing is open. He suggested they have a preliminary discussion before the public hearing is closed to see where council is on this.

Councilor Woodard commented that he knows staff has worked hard on this as he is a member of the Stakeholder Working Group. He said the Community Plan looks good but he needs to understand the financial end before adopting the Comprehensive Plan. He said he understands the 300-foot elevation trail and the extension to Beef Bend although that is outside the urban growth boundary which presents some other challenges. He said he is trying to understand why a solid line must be on the map. He asked, why not consider other options? He said it was his experience that once a line is drawn it stays there. He said councils come and go and it could be 10-20 years down the road and other councils will see the line on the map, making it difficult to move it. He commented that having a bike lane on Roy Rogers Road was satisfactory to him. The traffic light on the northern sector of Scholls Ferry Road could turn out to be good for some and bad for others. He asked if it is necessary to run a through-street there.

In response to a request from Community Development Director Asher for clarification on his questions Councilor Woodard asked about devaluation of properties bordered by a regional trail. He asked how much right of way must be taken from those landowners for the trail. He asked why the trail needs to be built where indicated since it is unknown when build-out will occur in that area.

Mr. Asher showed a slide of the transportation map, with many lines, both solid and dashed, indicating future rights of way. He said most are streets but some are small trails. He said none is in the right place but all are generally in the right place to “get you from point A to point B,” and staff has to put lines on maps to indicate how a system will operate. He noted that some with a line on their property were not being heard from tonight, just a few. The city has to be transparent and indicate that there is a public interest in an area. He said staff has tried their best through the narrative and the boxes on the maps to indicate to all stakeholders and future decision makers that the actual alignment will depend on design review, engineering considerations, and development considerations. He added that the decision makers come to the Permit Center and it is not elected officials making these decisions. He said there were a few things to be nervous about as a property owner. But one thing a property owner should not be nervous about is that the city will come and put a trail on your property. He said no one will lose property, a portion of property or a business because of something we may do tonight. He said property owners may be concerned that a line on a property may impact redevelopment or sale and that a line means something to the future value of this property. But the city isn’t necessarily going to be in a position to put in

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that trail. There is a certain amount of abstraction in what council is looking at tonight because we have to connect things. If we don't connect streets or trails there is no point in having them at all. He asked, "Is this the perfect location to connect the southern end of River Terrace Trail? Perhaps not. The question is whether we are doing harm in showing this line in this location." He said in staff's opinion, whatever harm is done to a property owner by showing this line on a map is outweighed by the public interest in showing a future plan that is connected, with all the caveats in place.

Project Manager Shanks showed a slide and said the city inherited this line from the West Bull Mountain Concept Plan and it was called the 300-foot trail. She said the name confused people but it relates to elevation. Councilor Woodard asked if this could be moved to the other side of the property. She said potentially yes. She asked council to refer to their blue packet of suggested amendments and view the language that staff is now putting on all maps showing the trail. This language is used by many other jurisdictions. It says, "We fully expect that through the engineering process, the development process and the funding process that this line could move."

Councilor Woodard said he sees two distinct dotted lines showing two options. Ms. Shanks said the dashed lines indicate two trails, the River Terrace Boulevard Trail, which goes through the entire planning area and the southern access trail. The southern access trail originally went down to Beef Bend Road and along that alignment. She said they are not including the portion outside the urban growth boundary but there is not a good reason to take out the rest because it may come into the UGB. It is considered to be a more local, neighborhood connecting trail rather than a regional route. Councilor Woodard asked if anything could prevent staff from drawing another trail just south of the UGB and working with Washington County. Ms. Shanks said it is not a Washington County decision. She was not sure how the DLCD would define this. It would have to be a passive trail and requires an exception because it is not inside the UGB. Councilor Woodard said he likes the dashed line and putting in language that this is a potential street line if we can get an UGB expansion. Ms. Shanks replied that the Comprehensive Plan addressed the issue of the southern end not being in the UGB. This is highlighted as an action measure to work with Metro to include this area.

Mayor Cook said everything on the map has to be in the UGB. He agreed with Councilor Woodard that showing a dashed line would be a good indicator of future UGB expansion connection potential to square out the corner (that got taken away and given to Damascus). He said he agreed that a solid line does matter in the future but he also did not want to just move the trail line to the next property because the owners have not had a chance to comment.

 Councilor Snider commented that he got his answer about how satisfactory the latest trail changes were to the Jacobsons. He asked how important the 300-foot trail was and if it had been researched. Community Development Director Asher showed a map of the entire greenway and regional trail. He said it is the ultimate route for the Westside Trail so people do not have to go over the mountain. The 300-foot trail is a flat alternative and while it may not be the flattest place to go, there was some consideration of topography. Project

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Manager Shanks said it can be shifted and that is what they attempted to address with the language.

Councilor Snider asked Mr. Asher whether this trail line would become something that would be disclosed as an easement in property documents. City Attorney Olsen said it would not be disclosed but it would become apparent to buyers when they look at a property's zoning. If the existing use was to be continued, he did not think the line would matter unless the city had enough funds to condemn. He said the assumption is that this area would be developed. Councilor Snider commented that he understood that lines are put on maps because they depict connections. Ms. Shanks added that lines show what the intention is and the city understands further analysis is needed.

 Council President Henderson said the property owners request removal of the line. A dashed line would be preferable to a solid line. He asked if no line at all is a good alternative and Community Development Director Asher replied that would not be an advisable as showing a disconnected, dead end trail defeats the whole purpose.

Council President Henderson asked Project Manager Shanks, "If you saw this notation on a document, how would you address it?" Ms. Shanks responded that it would depend on the document. If it was the municipal code, saying a trail of a particular width should go in a particular location with a planting plan, she said she would expect to see that on a development plan. But in long-range plans such as a master plan she would check the code and at least try to understand if it meets the intent. Council President Henderson said, "If you saw this going through a vineyard and they wanted lots of money, would this be a deterrent?" Ms. Shanks said it would not because at this level of planning staff is charged with creating a plan and vision developed by the community to develop an area from rural to urban use. Adopting this plan does not keep people from using their property as they are today, that is totally their prerogative. It just provides future direction when developing the area. This is 10, 15, 20 years from now and adopting future zoning does not change what they do on their property now. She referred to an earlier comment from Community Development Director Asher and said the city is not going to go out and say, "We're putting a trail right there." She said that was not what the city does generally, with any of its long-range planning documents. Councilor Snider said, "Unless the city does an eminent domain process." Ms. Shanks said she told property owners it does not mean anything until they develop. If it comes to a point in the future when most of River Terrace has developed and the entire trail is built except for that segment, she imagined the city would work out a voluntary negotiation or figure out a different alignment. She said this is not the only area that may not develop.

Councilor Woodard said the notations provide some security to property owners but adding a dashed line would make sense. He said he was good with the streetlight at Scholls going in but asked what the engineers say about it. Community Development Director Asher said if it meets warrant it is the city's prerogative to show it because it is more likely to happen. Nothing will happen because we show it on a map but if is not shown on a high level, there is a possibility that it will not happen.

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 Councilor Snider asked Project Manager Shanks for her response to the Fans of Fanno Creek concerns. She replied that her response is that the maps shown are all in keeping with local CWS and Metro regulations for protection according to professional standards. She said there may be a request for additional mapping. Councilor Snider asked about the PUD ordinance. Ms. Shanks said Tigard's code is called PD (Planned Development) not PUD and staff is working on it. She said she knows developers want this and staff agrees that existing open space requirements are not geared to this type of greenfield development. Councilor Snider asked if there have been discussions on this and Community Development Director Asher said, "We are in good partnership with developers in River Terrance and they are in a good place to review this draft code. They will give us feedback and this should appear before council in the next few months."

In response to a process question from Councilor Snider, Ms. Shanks said staff generally thinks that the financing strategy is separate and adopted by resolution. Staff was thinking the Comprehensive Plan could be adopted prior to the financing plan but it is up to council. City Attorney Olsen said there is nothing to preclude discussion of the financing now. He cautioned council if they go ahead and adopt the plan and then discuss funding, the plan is narrowing the funding discussion.

City Attorney Olsen said there are concerns that there may be things in the plan that are too expensive. Ms. Shanks said if you adopt the TSP and later when discussing the funding, which has cost estimates, want to revise them, there is nothing to say we could not bring revisions back for council action. City Manager Wine said they can ask for clarification from those that testified.

City Attorney Olsen said it may be cleaner to recess the public hearing on the ordinance, hold the discussion on the financial strategy and then come back into the public hearing.

Councilor Snider said a concern about access to the school district property was raised at the Planning Commission hearing. Project Manager Shanks said staff met today to discuss access with the school district because when they made the comment at the Planning Commission it was even unclear to the city what the TFV&R access requirements were. She noted that they are not present this evening and she got the impression that they are good with it. The issue is that the properties to the north of them need to be developed or they need to condemn the property, or the city would, but this is beyond the scope of this plan. Councilor Snider clarified that their concern at the plan level could be alleviated.

Councilor Woodard asked a question about page 31, table 6 of the River Terrace Transportation System Plan addendum. He noted that ODOT owns part of a few projects but is not responsible for funding these projects. He wants to understand how major intersections will increase with the capacity increase.

Mayor Cook recessed the ordinance public hearing to go to Agenda Item No. 8. He said staff will give their presentation and answer questions from council and testimony from the public will be allowed.

8. CONSIDER A RESOLUTION TO ADOPT THE RIVER TERRACE INFRASTRUCTURE FUNDING STRATEGY (Note: This item was heard out of order. Discussion and a vote on **TIGARD CITY COUNCIL MEETING MINUTES– December 16, 2014**

this item was moved forward after the public hearing was recessed. The public hearing continued after this item was heard and a vote was taken.)

 Finance and Information Services Director LaFrance was joined by Senior Planner and Project Manager Shanks and Assistant Finance Director Smith-Wagar to discuss the River Terrace Financing Strategy Plan. He said this is a major milestone and the financing strategy plan addresses all six infrastructure systems. Within each system costs and needed infrastructure are identified along with potential funding sources and criteria to evaluate them. It lists about a dozen ways a local community can fund infrastructure and presents different ways to address costs and how to fund them. Key criteria to evaluate funding options include reliability, equity in terms of cost sharing, facilitating development and ease of implementation. Within the plan there are some estimates of fees and there is still time for the dollars to change. What won't change is that these are the tools we are going to use, these are the fees we are going to implement or these are the existing revenue sources we are planning on using and generally, in what proportion different constituents will be contributing towards that infrastructure.

Mr. LaFrance highlighted information from the executive summary on each funding source. He discussed timing and defined near term as the first six years. Long term means the years between seven and twenty. There are also things that will happen in twenty years or beyond, and this plan does not address any items the city will be doing after twenty years.

- With water infrastructure there is no need to change fees or rates to help fund water infrastructure in River Terrace.
- CWS will bear the bulk of costs for sewer infrastructure. There was already a hearing on a city-wide sewer surcharge and River Terrace is not causing Tigard to do anything new for sewer infrastructure.
- There were four scenarios analyzed for parks. The recommended funding strategy uses many tools from the toolbox. There will be some contribution from the city's general fund which is part of existing residents' support for regional parks in River Terrace. We are looking at System Development Charges (SDCs) that are both citywide and River Terrace-specific. For the citywide SDCs we are planning for every dollar paid on parks SDCs citywide, 75 cents will be reinvested in River Terrace. A new River Terrace SDC will be implemented and every dollar collected in River Terrace will be invested in River Terrace. We are looking at a citywide utility fee and a portion of that will be used to help develop River Terrace. Lastly, the community will be asked in the long term to support a general obligation bond of \$9 million to purchase and develop parks in River Terrace. Some of this would go to fund other parks needs in the city but it would be a key way to fund River Terrace parks long term. There is also an opportunity for about \$2 million in grants. Mayor Cook asked if there was an error in that Parks River Terrace SDC number. Mr. LaFrance said the dollar amount is flip-flopped and this error has been brought to the attention of the consultant. The citywide SDC is established at \$6,500 and is currently under review. The River Terrace Parks SDC is \$1,200.
- Four scenarios were explored for Stormwater infrastructure. The strategy selected consists of existing general fund, existing utility fees, and existing SDCs. The city would be looking at adding a utility fee surcharge and also creating reimbursement districts.

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- The transportation system consideration had five different scenarios. The final scenario has been revised. As staff was working through transportation, everyone agreed that it was expensive. The transportation utility fee and SDCs have been lowered from October estimates. Then, 85 cents of every citywide dollar was being reinvested in River Terrace but that did not leave enough to fund impacts caused to the rest of the city outside of River Terrace. That share has come down as the cost was lowered. Staff worked with the developers and the SDCs are lower as is the amount available to reinvest in River Terrace, which means more funds available to invest outside of River Terrace to address impacts. The transportation utility fee to be paid by future River Terrace residents is also lower.

Mr. Lafrance said a workshop discussion on SDCs is scheduled for February and a hearing is planned in April for potential adoption of charges to enable moving forward with development. He said council will hear tonight that this plan is expensive. He said council had a choice of adopting the plan and knowing that between now and February, there is an opportunity to discuss changes.

Mayor Cook asked citizens interested in testifying on this to come forward.

Jon Kloor, Government Relations Coordinator for Home Builders Association, 15555 SW Bangy Road, Lake Oswego, OR 97035, commended staff for their professionalism, transparent and collaborative environment they facilitated throughout the River Terrace planning process. He said while the HBA generally supports the Community Plan they have heard concerns from a number of members about the funding strategy that they would like to see resolved before adoption. A tremendous amount of progress has been made towards reaching consensus on the River Terrace funding scenario but he believed a little more time is needed to resolve the remaining concerns. In order for River Terrace to succeed the permitting and SDC totals need to be competitive with other jurisdictions. We all want the plan to be approved and move forward so River Terrace can be built, but we believe the funding scenario is not quite there yet.

Councilor Snider asked him if the positioning of the Comprehensive Plan and the funding strategy is that one needs to be approved before the other. He said there is a disconnect between hearing from builders that the city needs to move quickly and hearing tonight that they want to take more time to work on this. He said he would like to hear answers to these questions from everyone who testifies on this. Mr. Kloor said the funding strategy and Community Plan are intertwined so it would be difficult to make a decision on the Community Plan without factoring in the funding scenarios. He said he would defer to a number of HBA members in the audience to answer the second question.

 Dan Grimburg, West Hills Development, 735 SW 158th, Beaverton, OR 97006, said they are concerned about the funding plan. He said they've worked long and hard on the plan but we still don't know if it can be financed. He said it reminds him of going to look at houses and his wife picks out a beautiful house, but can we afford it? That is the bottom line. There is this toolbox but there are a number of unknowns. We don't know what the scope of improvements on Roy Rogers Road is, for example. What will the county approve? Who is responsible for the costs? Are there MSTIP funds available? None of this is known and it directly affects the cost of development in River Terrace. There are collector roads in River Terrace with the local portion of a road (two-lane travel) which is the responsibility of the property owner/developer and the

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oversized portion is creditable. The problem is that the local portion is very expensive and on some of the property they own that is almost \$10,000 per house for 200 houses. That has a huge impact and it has not been resolved.

Mr. Grimberg said North Bethany is the only finance plan and the only UGB that has worked in the metro area. He said the reason it works is that North Bethany has zero costs for collector roads on a private development. It is all financed by the whole. It benefits the entire community so the entire community pays for it. There are \$70 million worth of roads that will be funded through private development and the way to offset the costs is through credits. We have always assumed that it would be in the 75-85 percent range but we still do not have the answers to a lot of these questions. Last week it was reduced to 55 percent. That will be millions of dollars and we need time to study that.

Councilor Snider said if we do what you want today it will necessitate a slower pace. Mr. Grimberg said he disagreed and said he has seen collaborative processes work quite quickly. It gets people focused. We are talking 30 days and I think it could be done in two weeks, but Christmas is this month. He said no one has pushed harder than West Hills and some may wonder what he is doing, but he thought taking 30 days to get the right answer than to approve a plan that doesn't work. He distributed a copy of the schedule of permits and SDCs for the UGB areas. He said he included North Bethany, Washington County (not part of the expansion) South Cooper Mountain (not adopted) and fees for River Terrace. River Terrace is \$17,000 higher than North Bethany. North Bethany is the best real estate market in the metro area. This is \$17,000 higher and we will have to sell a house for that much more. We need to sit down and talk this out. Councilor Snider said we have on our agenda to consider adopting both of these tonight enabling us to move forward in many ways. I think if we can't adopt them tonight, it will ultimately delay some processes by 30 days. He asked the developers in the audience if that is worth it to them. Mr. Grimberg said, "Absolutely. We are strongly requesting a 30-day extension to work out a finance plan that actually works."

 Mike Peebles, 808 SW Third, Suite 300, Portland, OR 97204, said he was present on behalf of West Hills Development. He said he is the one who helped Mr. Grimberg crunch the numbers. He said they have been collaborating with city staff, engineers and developers. They looked at a variable section of River Terrace Boulevard, instead of doing full build out. They looked at the topography and environmental issues and narrowed the road in some areas. He said they are still not clear on the scope of improvements that will happen to the county arterial and collector streets, and what portions of those developers and property owners would be responsible for. They need some clarifications on the TDT and SDCs that would go to River Terrace projects. There was a change in the recent document that caught them off guard. We need time to study it. He said moving forward with these numbers in a financial plan is much like adopting a map with a line on it, or a cross section in a plan, we feel if we go forward with numbers in a funding strategy, they may stay there without future flexibility.

 Fred Gast said he represents Polygon NW, 109 East 13th Street, Vancouver, WA 98660. He thanked the city and the staff for public outreach on this project and said it is second to none. He said he hasn't seen anything like in his extensive experience in neighborhood outreach. He said the plan itself has been going on for a considerable amount of time so when asking if the plan and the financing strategy are linked, of course they are. But looking at the plan, what part

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of the plan do you not want to implement? He said he did not know if the city is at the place to change costs dramatically or if there is a cost structure that will make everyone happy. He said he is a developer and is very mindful of cost but he is also a community developer so he has to look at a plan and recognize that there is value to it. He may not get everything he wants in it. Sometimes he has to take on obligations he would rather not, but he has to in order to create the community we are all after.

Mr. Gast referred to the financial plan and the concerns about the overall costs in the worksheet. He said some costs have already been decided as a city. Tigard's water fees are higher today than City of Beaverton or Tualatin Valley. That was part of a decision Tigard made to provide a service level to its residents. Unless the city is willing to back off of some of those costs for River Terrace, the costs are going to be the same. From a transportation point of view, Tigard already decided that there needs to be a city-wide TDT. So unless you are willing to back off from that, we are not dramatically going to reduce the cost. He said his point is that the toolbox is a fine toolbox. The plan is a fine plan. The discussions with staff have been fruitful and part of the ongoing process is to further refine the numbers associated with the plan. Time is an important function. He did not feel right about coming here and saying, "Disregard the schedule and fix the cost side of the equation." He said if there is one thing we've learned is that timing in a business cycle is really important and if you are on the wrong side by 12 months, it means everything. He said there are a lot fewer people doing what he does today because they got on the wrong side of the business cycle. He said he did not want to lose any time. He said a lot of people liked the plan and all raised their hands. There was a concern about costs.

Councilor Snider asked if he wanted council to move forward tonight instead of waiting for more cost details. He replied that if he has to make a tradeoff, and he does every day, it will be about time. He said he felt comfortable with the plan, the toolbox and that just like things were worked out on the River Terrace discussion, that, "We are going to be able to nibble around the edges to get them closely aligned and competitive as we possibly can. Some, like water fees, we are just not going to be able to get around. Parks costs seem off and there are perhaps some transportation things to work through. Staff has demonstrated willingness to do this." He said he did not see where they could come up with a plan that says \$5,000 can come off of a city fee structure without looking at more fundamental issues. He said the credit policy is a great example of where developers and the city could work together to come up with equitable solutions. Councilor Snider asked if he thought what was before council tonight was workable. Mr. Gast said it was. Councilor Snider asked how many acres they own and he replied that collectively they own over 100 acres.

Councilor Woodard referred to Dan Grimberg's permitting spreadsheet and asked why plan review costs were so high. If water and plan review were not so high, Tigard would be in the ballpark. Mr. Gast suggested the parks and transportation costs seemed high. He said he agreed with Mr. Grimberg's credit policy because developers will be building a regional facility and should get regional credit for that. Councilor Woodard revised his question as he was misreading the form. He asked if home builders had seen Exhibit 24 in the Funding Scenarios (Scenario E) yet and asked if staff worked with developers. City Manager Wine said council was working with Scenario E the last time they discussed the transportation funding strategy and since that time there has been additional work done in collaboration with the development community. She said choices were made that are in the recommended funding strategy that is

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before council tonight that allocates them proportionately among current residents, future River Terrace residents and the development community. She said what he is hearing in the testimony is a disagreement about that allocation. Mr. Gast reiterated that time is very important and he also wants to talk about the credit policy.

 Jamie Stasny of Metropolitan Land Group talked about the process of council consideration of the plan and resolutions, which are closely entwined and affect each other. She said they request more time. She agrees with Mr. Gast about time being very important. She said they have worked many hours with staff pushing to get this done, but they don't want to push too hard on a plan that is not complete. She recognizes that some fees, such as the water rates, aren't going to change in this process but there are other numbers that could be changed. She said two more weeks would be sufficient for this discussion but due to the holidays, 30 days may be more realistic. She offered their time and resources to hold the conversations before the plan is adopted and requirements are put into place.

Councilor Snider clarified that her preference is to not formally adopt tonight and work out more of the details beforehand around financing. She said she would like a little more time. Councilor Snider asked if she agreed with Mr. Gast to adopt them and work around the edges next month. She said she did not. She referred to the trail situation and said, "If you put the line on a map and it's adopted... Numbers in a funding scenario will be the benchmark from which the next step form as we move forward and we want to make sure the numbers are solid."

Council President Henderson asked when she recognized that she needed a few more weeks. Ms. Stasny said they have been involved in the process referred to tonight and had been looking at the costs and refining those for River Terrace Boulevard. Their engineer was a member of that team. These changes all happened in the last few weeks and they did not realize it until the updated staff report came out with the changes that had been made to the funding scenario. The Parks situation is still unclear as to what the number actually is. The SDC in the document is not reflected correctly. We were not aware that the percentages City Manager Wine was discussing early had changed until we saw the meeting information on the website. Councilor Snider asked how many acres they have and Ms. Stasny said 60 acres and they are pursuing more. Council President Henderson said he is a builder and knows that he does not share much with other builders but asked if developers share information, and Ms. Stasny replied they had been in a lot of meetings lately and are all focused on the same goal to create a livable community and have been on the Stakeholder Working Group together.

City Manager Wine asked staff to address the requested delay of 30 days and its effect on other parts of the overall planning process. Mayor Cook asked Councilor Snider's question to Ms. Stasny and Mr. Grimberg, assuming we pass it as it is now.

Mayor Cook asked Finance and Information Services Director LaFrance about the parks SDC. Mr. LaFrance said the financing plan is predicated on the existing River Terrace parks surcharge that will only be charged in River Terrace and is around \$1,200. Our consultants have been informed of the misprint. Staff will address changing it. Mayor Cook asked about the \$11,000 difference between River Terrace and South Cooper Mountain. If \$3,500 goes away it is still \$7,500 higher. Mr. LaFrance said no matter the proportion between River Terrace parks SDCs

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and the citywide SDCs, the key thing is that we are getting to \$14 million paid for through SDCs for River Terrace.

He said he heard the phrase tonight from comments that the plan, “doesn’t work.” He said there are two kinds of “doesn’t work,” one which means developers would not be competitive, could not get financing and would not be able to sell homes. There is also “doesn’t work” meaning the plan does not address the infrastructure needs of River Terrace. He said he wanted to be crystal clear, this plan works in that we have identified the infrastructure needs in River Terrace, we have gone through an extensive process to figure out how to share those costs, and the revenue sources represented through the various tools in the toolbox, pay for the infrastructure. The revenue equals expenses. It works in that sense.

Mayor Cook said the last time council saw this plan was in October and at that time the percentage was 85 percent and 75 percent for SDCs and the TDT and this stays in River Terrace. Mr. LaFrance said the citywide fee had a planning target that for every dollar of the citywide fee, 85 cents would stay in River Terrace and only 15 cents would be available for needs in the city outside of River Terrace. As the overall costs came down, we were able to reduce that percentage to 55 percent. He said there will be a workshop in February where we can have a conversation with developers and council can have staff adjust the tool so it is more equitable. He said council can instruct staff to use the tools differently. Mayor Cook said costs have come down and he said he would feel more comfortable going with a number of 75 and then reducing it if we realize 70 will work. He said there is still the credit issue. He did not want to give away the farm. The bottom line is that we have to pay for everything. He said he was more comfortable leaving a higher number than 55 percent; it would be harder to go back up to 75. Councilor Snider asked if we are gutting our ability to do projects citywide. Mayor Cook commented that in October council was looking at 85/15 percent.

 Councilor Woodard said there are different opinions on this. We are pretty close to other cities and he believes we can adjust a little. He said he likes Option E. Councilor Woodard said, “It will never be perfect but if we don’t approve it now, months will be added and we will push out construction.” He said he did not think 30 days was realistic given the public process always taking much longer.

Councilor Snider said we are at the point where we know what we want in the plan. He is hearing from some developers that they feel this cannot be the plan because they cannot afford it. He said the city’s job is to plan and to figure it out and try to have a reasonably workable financing plan. He said when he hears that it may be unworkable on the builder’s side and that means the residents who don’t live in River Terrace have to subsidize that development. Unless the costs are wrong and if they are we need to get them as accurate as possible. If they are right, our options are do not build it or the money has to come from somewhere besides River Terrace. I am unwilling to saddle other residents subsidize a new development.

Councilor Woodard said profit margin matters. Everyone is in business to make a profit. He said he also understands what Councilor Snider is saying. To him, 15 percent does not seem outrageous.

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Councilor Snider used an example of a \$300,000 home. The homeowner mortgage would be \$1,670 financed at 5 percent. Even if the homeowner had to bear the entire \$10,000 in additional fees (and this number is incorrect; it would be less) it would only add \$25-\$50 to the homeowner's monthly costs.

Mayor Cook said there is no subsidy if developers are paying 75 percent. There will be some burden on everyone else. He said he can live with the total cost being \$7,500 more because when comparing River Terrace to South Cooper Mountain, taxes are less in Tigard than they are in Beaverton.

Councilor Snider asked if the South Cooper Mountain fee numbers were firm. Community Development Director Asher said they were not. He said it is not whether this plan works to cover the cost of infrastructure. He said, "We want to know if it works in the market." And as Councilor Woodard says, we will only know when it is tested in the market. We have some mixed ideas. He said he had an issue with using the price of a home to drive the funding strategy. He said what goes into a home are fixed and variable costs. It is not helpful to just look at one variable, the SDC. We need information from a neutral third party to tell us what the market is. If no one can build anything next year, we will go back to the drawing board.

Community Development Director Asher said if council lowers the SDC specific to River Terrace to provide relief to developers or to future homeowners, the allocation raises the burden for developers in other parts of Tigard and small developers who pay the TDT.

Mr. Asher said council agreed to adjust the number up to 75 and we need to increase something to make up the difference. Councilor Snider suggested that the TDT and SDC be proportionally increased. He recommended still taking the 30 days and changing things by resolution.

Councilor Woodard said we can change the numbers and we should take a stab at it.

City Manager Wine asked if staff had direction. Finance and Information Services Director LaFrance said the city council would adopt with an amendment to instruct staff to come back with a version that changes the 55 percent up to another number. He asked council if they wanted to lower the River Terrace overlay system charge, lower the transportation utility fee to be paid by future residents, or lower both of them proportionally. He said if council does amend, he recommends they also correct the parks numbers.

Mayor Cook said we are adjusting the percentage up to 75 from 55, but then we need to lower something else, either the River Terrace SCD or utility fee. He said if it can be changed in two months, he would rather reduce it then. Councilor Snider said we are suggesting they be proportionally lowered.

Councilor Snider suggested moving forward with approval of the resolution but still keep the 30-day discussion period to explore options. He acknowledged that this was not the order some in the audience would desire. Councilor Snider moved for approval of Resolution No. 14-66 with amendments suggested by staff, which are the parks number correction, and the movement of the SDCs and other fees as described in transportation. Councilor Woodard seconded the motion.

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Council President Henderson said we are expediting this to get the building going this summer, and commented that, “We have tried very hard to accommodate that. I hope we continue to work in that vein between now and until summer. If there is more that we can do in the next 30 days, my vote has been, ever since this began, that I want to see this happen. It is time to get this rocket off the ground.”

Mayor Cook mentioned a recent meeting with Washington County where it was agreed that some MSTIP funds need to be funneled to this project and we will work towards that. Community Development Director Asher said Washington County may steer MSTIP revenue through a bond to these areas and he is more hopeful that there will be some MSTIP funds for Roy Rogers Road.

Mayor Cook asked if there was any discussion. He commented that waiting one month or even two will not give the city the answers on the MSTIP funding. Community Development Director Asher said Washington County is working on a plan to direct some MSTIP funding.

RESOLUTION NO. 14-66 A RESOLUTION TO AMEND THE RIVER TERRACE FUNDING STRATEGY, as amended

Mayor Cook conducted the vote.

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

Mayor Cook announced that Resolution No. 14-66 was adopted unanimously.

At 10:20 p.m. Mayor Cook announced that council was out of recess from the public hearing. He asked if council had further questions of staff about the overall plan and there were none noted.

g. Council Discussion and Consideration of Ordinances 14-15 and 14-16.

Councilor Snider moved for approval of Ordinance No. 14-15. Council President Henderson seconded the motion. City Manager Wine said that the public hearing should be closed and if council wanted amendments to the map she recommended adopting “as amended.”

Mayor Cook closed the public hearing. He said there had been discussion on adding dotted lines and wording changes recommended by staff.

Councilor Snider moved for approval of Ordinance No. 14-15 with all staff recommended changes in the document with the blue cover sheet. City Attorney Olsen clarified that

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changes included pages. Project Manager Shanks summarized that the staff recommended changes were on pages 5-1, 5-3, 8-3, Map 8 Trails and Map 14 Transportation Improvements. She asked council if they wanted to add the dashed line. Councilor Snider

said he did not feel strongly about the dashed lines but if other council did, he would add it to the motion. He said, “Dash the lines for the trail, the new Jacobson trail.” Council President Henderson seconded the motion. City Recorder Krager read the number and title of the ordinance.

ORDINANCE NO. 14-15– AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENT CPA 2014-00001 TO AMEND THE TIGARD COMPREHENSIVE PLAN TO INCLUDE THE RIVER TERRACE COMMUNITY PLAN AND RELATED AMENDMENTS TO THE COMPREHENSIVE PLAN DESIGNATIONS MAP AND SEVERAL NATURAL RESOURCE MAPS WITHIN THE RIVER TERRACE COMMUNITY PLAN AREA, with amendments summarized in the staff recommendation including pages 5-1, 5-3, 8-3, Map 8 and Map 14 and adding a dashed line in all maps.

City Recorder Krager asked if she should be more specific on the dashed line. Councilor Woodard said it was the south River Terrace Blvd, running west to east. Mayor Cook said east to west, and Councilor Woodard corrected his description to east to west, along the south properties of River Terrace. City Manager Wine said council needed to be clear for the record. Community Development Director Asher said, “Should we just dash the line for the River Terrace Trail in all maps?” Councilor Snider said yes. City Recorder Krager added, “in all maps.”

City Recorder Krager conducted a roll call vote:

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

Mayor Cook announced that Ordinance No. 14-15 was adopted unanimously by council present.

Councilor Snider moved for approval of Ordinance No. 14-16. Councilor Woodard seconded the motion.

City Recorder Krager read the number and title of Ordinance No. 14-16.

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ORDINANCE NO. 14-16 – AN ORDINANCE ADOPTING THE RIVER TERRACE TRANSPORTATION SYSTEM PLAN ADDENDUM AS PART OF THE CITY OF TIGARD’S TRANSPORTATION SYSTEM PLAN FOR THE FUTURE ACCOMMODATION OF MULTIMODAL TRANSPORTATION NEEDS WITHIN THE RIVER TERRACE COMMUNITY PLAN AREA with amendments to pages 24 and 27.

City Recorder Krager conducted a roll call vote.

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

Mayor Cook announced that Ordinance No. 14-16 was adopted unanimously by council present.

7. CONSIDER A RESOLUTION TO ADOPT THE PARK SYSTEM MASTER PLAN ADENDUM FOR RIVER TERRACE

Project Manager Shanks said she discussed earlier how the Parks System Master Plan relates to the River Terrace Community Plan. She said it is a needed part of the infrastructure system and it provides all the information needed to move forward with developing parks, trails and open space in the River Terrace area. There are two pages of amendments based on testimony and language worked out with the Jacobsons and other property owners. Staff recommendation is that council adopt the Parks System Master Plan Addendum.

Mayor Cook asked if there was anyone who wanted to testify on this and there was none.

Councilor Snider moved for approval of Resolution No. 14-65 with amended pages 7 and 11. Council President Henderson seconded the motion. There was no further discussion. City Recorder Krager read the number and title of the resolution.

RESOLUTION NO. 14-65 – A RESOLUTION TO AMEND THE PARK SYSTEM MASTER PLAN TO INCLUDE PROJECTS NECESSARY TO MEET THE CITY’S LEVEL OF SERVICE STANDARDS IN RIVER TERRACE, with amended pages 7 and 11

Mayor Cook conducted the vote.

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

Mayor Cook announced that Resolution No. 14-65 was adopted unanimously.

Mayor Cook thanked Community Development Director Asher and Project Manager Shanks for their efforts and, "going 70 miles per hour in a 55 mile per hour zone."

8. CONSIDER A RESOLUTION TO ADOPT THE RIVER TERRACE INFRASTRUCTURE FUNDING STRATEGY (Note: Agenda Item No. 8 was heard out of order. Discussion and a vote on this item was moved forward after the public hearing for Agenda Item No. 6 was recessed. The public hearing continued after this item was heard and a vote was taken.)
9. COUNCIL LIAISON REPORTS These were given earlier.
10. NON AGENDA ITEMS None.
11. EXECUTIVE SESSION None held.
12. ADJOURNMENT

At 10:29 p.m. Councilor Snider moved for adjournment and his motion was seconded by Councilor Woodard. The motion passed by a unanimous vote of council present.

	Yes	No
Mayor Cook	x	
Councilor Buehner recused herself at 6:56 p.m.		
Council President Henderson	x	
Councilor Snider	x	
Councilor Woodard	x	


 Carol A. Krager, City Recorder

Attest:



 John L. Cook, Mayor

January 27, 2015
 Date