



City of Tigard

Tigard Business/Workshop Meeting Minutes

March 17, 2015

1. BUSINESS/WORKSHOP MEETING

- A. At 6:30 p.m. Mayor Cook called the City Council meeting to order.
- B. City Recorder Krager called the roll:

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

- C. Mayor Cook asked those attending to stand and join him for the Pledge of Allegiance.
- D. Mayor Cook called for non agenda items. There were none.

2. CONTINUATION OF QUASI-JUDICIAL PUBLIC HEARING – ZCA2014-00002 SUMMIT RIDGE NO. 5

- a.  Mayor Cook opened the public hearing continued from February 10, 2015. He announced that the public testimony was closed. Next on the agenda is the staff report and council deliberation.
- b.  Staff Report – Associate Planner Floyd gave the staff report. He said staff was returning with a revised application submitted to the city and that after some negotiation has staff support. At issue at the February 10, 2015, public hearing was the two property owners were seeking to annex their undeveloped property but not their individual homes. This was problematic because of the city’s policy 14.2.4 regarding logical and efficient boundaries. After the hearing staff discussed a proposal from the applicants for an annexation contract that would bring the properties into the city within five years. After discussions involving staff and the City Attorney, the applicants have agreed to a four-year annexation period. The applicant has also provided signed copies of the contracts to annex.

Councilor Snider clarified that staff had concerns earlier and did not recommend approval. He noted the new documents indicate movement on one or two points and asked if staff is

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now recommending approval. Associate Planner Floyd said that they were recommending approval of this compromise. He said the concern will be resolved in the future when these two properties come into the city.

In response to a question from Councilor Henderson on the timing, Associate Planner Floyd said the city can annex them in four years if the property owners do not annex prior. City Attorney clarified that the words, “upon sale of the property” are not in the agreement. Mr. Floyd said the contracts are binding upon all owners.

City Attorney Ramis gave a procedural announcement that given the new document being introduced anyone can testify specifically to that document. Mayor Cook asked if anyone present wanted to testify.

 Michael Robinson spoke on behalf of Kelly Ritz of Venture Properties. He said the city has agreements signed by the Zeiders and Andersons. The agreements run with the land and bind the current owners or go to any purchasers. The properties may be annexed sooner. He said Venture Properties agrees with the staff report and hopes council follows the staff recommendation to approve.

 Mayor Cook said this agreement states they have up to four years to annex but asked what happens if one annexes and creates an island of the other. “Would the city have to wait four years to annex the island?” City Attorney Ramis replied that this agreement does not cause the city to waive any other rights it has under the statute.

Councilor Henderson asked if the tax deferrals are still in place if the city initiates the annexation. City Attorney Ramis said he did not think that provision would apply because the tax deferral program is an incentive for voluntary annexation.

- c. Council questions. There were no additional questions.
- d. Mayor Cook closed the public hearing.
- e. Council consideration: Councilor Woodard moved for approval of Ordinance No. 15-04. Council President Snider seconded the motion. Mayor Cook asked if there was any discussion and there was none.

City Recorder Krager read the number and title of the ordinance:

ORDINANCE NO. 15-04 AN ORDINANCE APPROVING THE SUMMIT RIDGE 5 ANNEXATION (ZCA2014-00002), CONSISTING OF THREE PARCELS OF LAND APPROXIMATELY 5.34 ACRES IN SIZE, AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF’S PATROL DISTRICT AND WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT

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Mayor Cook asked City Recorder Krager to take a roll call vote.

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

Mayor Cook announced that Ordinance No. 15-04 was adopted by a unanimous vote.

3. CONTINUED DISCUSSION ON INFRASTRUCTURE FINANCING

Finance and Information Services Director LaFrance, Parks Manager Martin, Streets and Transportation Project Engineer McCarthy and FCS Consultant Chase presented this item. A PowerPoint slide show was given.



Finance and Information Services Director LaFrance said this is a continuation of a discussion held with council in February on System Development Charges. Staff received some direction from council on some key aspects on citywide and River Terrace SDCs. Council said they wanted to go with the model in the River Terrace Funding Strategy which means that parks will continue to have a city-wide SDC paid by developers for development in the City of Tigard, plus an overlay for River Terrace paid by River Terrace developers for parks in the River Terrace area. For transportation, the city will be creating a transportation SDC citywide plus an overlay paid by developers for River Terrace that just helps fund transportation infrastructure in that area.

Staff wants to discuss and receive direction from council on three additional items to keep the process moving towards an April 28 public hearing on fees, and to keep the commitment to allow developers to break ground this summer.

- New concept of an improvement portion and a reimbursement portion of the Parks SDC.
- SDC credit policy and whether or not to use standard methodology
- Transit Oriented Development (TOD) relating to the Transportation SDC

A Parks reimbursement SDC allows future residents to pay for improvements that existing residents have helped make happen. Parks Manager Martin said one reason staff is interested in council consideration of a reimbursement SDC is that it allows future residents to buy back into what the existing residents have purchased. Examples include trails, footbridges, tennis courts and other amenities current residents have paid for that future residents will use. This fee will allow improvements over time. It helps address overall funding needs rather than just those for building

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new parks. He said there is currently \$13.5 million in excess capacity and the SDCs take into account the bond. Residents will not pay twice on the bond.

Mayor Cook said he understands that new residents have not paid for the existing infrastructure, but gave a scenario of a current Tigard resident moving to another part of the city. They have already paid for the parks bond. They sell their current house and that new resident will not have to pay, yet the moving resident will have to pay the SDC. Mr. LaFrance responded that the process is blind to individuals and what triggers it is that a new home has been added, whether or not it is occupied by a current resident. The home will have a family of one person or many, and they will have the opportunity to use the parks and will benefit that we have overbuilt the system by \$13.5 million. Mayor Cook said it causes a double cost to a resident moving within the city.

Consultant Chase said SDCs are paid up front so they might be included in the mortgage so they are getting a tax deduction. On average, people move every five years. He said it is the one chance to get that fee when the home is built. Councilor Woodard commented that an individual does not have to move into a brand new home; they could purchase an existing property. It is a choice they make.

A discussion was held on the reimbursement portion of the Parks SDC and council gave their approval.

Mr. LaFrance showed a slide of income from SDCs and noted that staff recommends a small change on the commercial side for parks. It is currently based on a per employee basis which can be difficult to calculate as an upfront development fee. He explained the reason for a commercial parks fee is that employees may use the parks. Mr. LaFrance clarified that the non-residential part will be converted from per employee to per square foot, which is more easily known upfront. He said this does not change the amount collected, just the way it is collected. Mayor Cook noted that it doubles the non-residential amount collected. Council President Snider asked for the rationale on why it is doubling and asked if non-residents are using more parks more than before. Mr. LaFrance said non-residential represents only 15 percent of the total.



Consultant Chase said the portion of non-residential park users is about the same as it was a few years ago but the most recent estimates from Metro are down slightly so there will be fewer employees to divide the commercial amount into. He said this is one reason to move away from the per employee basis to the square footage basis. Metro thinks the trend is towards more industrial types of businesses. Mayor Cook said since it is an SDC it is only applied to new construction.

Council President Snider summarized by saying that because there are fewer new non-residential construction projects it drives up the amount that needs to be collected. Councilor Henderson asked what amount of money is achieved by this and what is the future population of River Terrace. Consultant Chase said they estimate 2500 units, for an increase of 6,500 residents and the amount raised is \$57 million for the improvement portion for parks over 20 years. Councilor Henderson asked if inflation has been accounted for in the numbers and Consultant Chase said it is in 2015 dollars and will be indexed each year.

Council President Snider said the non-residential methodology makes mathematical sense but it is a problem when considering how much employment land we have and other factors. He said if

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Tigard is completely built out except for one non-residential building, we are saying we would take the entire amount and distribute it onto that one building. Mayor Cook added that it dis-incentivizes the type of development that we want to encourage. Consultant Chase said the methodology justifies the maximum Tigard could allocate to non-residential, but when the procedures manual is done and adopted by ordinance, council and staff can look again at growth in square feet for different developments and other factors including what Metro calls refill, which is an intensification (use) of existing buildings.

Mr. LaFrance asked for any further direction on Parks SDCs and asked if there was consensus on the non-residential portion. Mayor Cook said he thought council was all in agreement on the reimbursement district but non-residential going up by 50 percent is a concern. He said he is worried about the effect on economic development. Mr. LaFrance said there are discounts built in. He asked if council wanted to keep proportional discounts or create a larger discount on non-residential, which is a small portion of total revenues. Mayor Cook said he liked where the numbers are and Councilor Henderson and Council President Snider agreed. Mayor Cook said the city could waive or reduce SDCs if there is an economic development issue that comes forward. In response to a question from Council President Snider on whether or not this would be a serious barrier to non-residential development, Consultant Chase said the city can take this up later and if it is an issue, decide not to charge a reimbursement fee for non-residential or consider other options.

Mr. LaFrance asked for clarification on council's authority to waive or alter SDCs on a case by case basis. Consultant Chase said he would not recommend it on an ad hoc basis, because it gets into equity issues. It is better to have a policy about things such as a family-wage jobs, or quarter-mile to transit, etc. Mayor Cook said we have a development area the city is working on right now that may bring in 100 employees. Per employee that would be \$81,000. Parks are a hard sell for businesses. Council President Snider agreed but said he likes the idea of incentivizing the provision of family-wage jobs, proximity to transit, and he would also add walkability.



Senior Transportation Project Engineer McCarthy showed slides on how the River Terrace SDC would pay for building River Terrace Boulevard. The standard practice with the county's transportation development tax (TDT) is that the developer builds a street on that alignment or close to their subdivision. Typically, it would be a 32-foot from curb to curb local street with a 54-foot right of way. The developer would get credit for building anything larger than that. County-wide, building a five-lane street would put the cost of the 32-foot street on the developer but the extra lanes and wider sidewalks are creditable on the TDT. In the North Bethany area the county wanted to make sure certain essential roads were built so they offered a 100 percent credit for building some of their collector streets. There are also hybrid approaches.

Mr. McCarthy asked council how it should be done in River Terrace. Standard practice would be that the developers build a 32-foot street with 54-foot right of way along the alignment. Then there would be credit for the extra pavement, center median, trail and wider landscaping. He discussed three options developed by staff.

- A – Standard county-wide practice
- B – Hybrid of A & C (75 percent credit)
- C – 100 percent credit

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Giving 100 percent credit for all of River Terrace Boulevard would mean that the SDC would need to fund more infrastructure. This raises it to over \$4,000. Council President Snider said either way they are paying the same amount. Engineer McCarthy described the impact on developers with a table top example of what various developers would pay based on the location of their project.

 Councilor Goodhouse asked what happens if the costs to build a road are less than their SDC discount. Engineer McCarthy said we ask for receipts to administer credits. Consultant Chase said developers like B or C because the road costs are higher and the developer is limited to what they will get back but they will get actual cost for 100 percent of their costs. It gives them incentive to build the road and not worry so much about the costs. Mayor Cook said we want to incentivize so River Terrace Boulevard can be built first. He asked how the 75 percent figure in Option B was derived. Consultant Chase said it is consistent with the TDT methodology in that if a project is on the list, developers are can be eligible for 75 percent credits of the actual cost.

Council President Snider asked if there is a way to balance and have perfect equity among the River Terrace developers. Engineer McCarthy said the theory is that a developer would have to build a local street on the same alignment. Some access requirements, such as street spacing or no driveways, etc., mean that some level of credit beyond the extra is reasonably fair. He did not think it would be as high as 75 percent. He estimated it would be in the 25-50 percent range. He said some extra credit for River Terrace Boulevard is merited but going to 75 or 100 is incentivizing to get this essential infrastructure built.

Council President Snider asked if this actual number is attainable and if it was desirable to know what it is. Mr. LaFrance said it is possible to compute but that would be outside the scope of the project and there would be a cost for the consultant's time.

Councilor Henderson said he is concerned that the grade of the property is not flat and in some cases they will be building in a ditch or on a hill. The 75 percent figure is not unreasonable in this scenario. He said in his experience as a contractor, building varies due to topography and it will not be equitable.

Mr. LaFrance said he hears a general consensus that a hybrid between Options A and C is what council wants to explore. Councilor Woodard asked if a hybrid could be based on a perimeter. He said he wanted to keep a ceiling of \$420 million over 20 years. Mr. LaFrance said the beauty of this credit policy is that the \$420 million figure does not change. So if you give more credit to those building on River Terrace Boulevard, the city needs to collect more from those developers not building on River Terrace Boulevard. The River Terrace SDC rises as the credit policy rises. The lost revenue is made up by charging a higher fee.

Council President Snider compared the SDCs if Option B is used and said it is a big deal as an SDC would go from \$5,497 to \$8,234 at a 75 percent credit. Councilor Goodhouse asked what could be done between Options A & B. Mayor Cook said there should be some incentivizing for River Terrace Boulevard or for building on that terrain, as Councilor Henderson mentioned. Mr. LaFrance said staff will bring a 50 percent option to the April hearing. Council Henderson and Mayor Cook were favorable towards a 50 percent credit option.

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Mayor Cook added that he is favorable towards selling credits as long as they have expiration dates.

Finance and Information Services Director LaFrance said there were questions from council about where this places Tigard's costs compared to nearby cities. He showed a slide of a graph and said Tigard will be in the middle of areas in the same situation, based on council direction to go somewhere between A and B. Council President Snider asked why draft South Cooper Mountain rates are so different and noted they will be direct competitors for development. Consultant Chase said they have not yet tackled all the same problems Tigard is addressing and he would call theirs an interim SDC because they are not including a lot of the urban reserves. He added the North Bethany example does not include the service district charge which equates to another \$2,500 dollars per dwelling, per year. Engineer McCarthy said staff has heard from other jurisdictions that their SDCs are coming up for review so there will be increases.

Councilor Henderson asked if the estimates are based on a \$300,000 home. Consultant Chase said they were an average based on a single family detached house and the trips generated. He said Councilor Henderson made a good point and some jurisdictions vary the SDC by house size or type (cottage home vs. estate home) and council could consider this. Councilor Henderson noted that sewer and water rates are predicated on how many bathrooms are built. Councilor Goodhouse said he would like to see more discussion on this as builders hear they should build more affordable homes but having to pay the same price doesn't make sense. Council gave Consultant Chase direction to explore this as an equity issue.

 Community Development Director Asher pointed out council's ability to shape what is going to happen in River Terrace. He hoped it is part of an ongoing discussion as "turning the dials up or down" is one way councils have some sway over what is incentivized and built. He noted an interest on council in having a place that is marketable and equitable. He said equitable does not mean equal; it means fair. Councilor Woodard asked what the market would bear in terms of Option A, B, or C. Council President Henderson said South Cooper Mountain and Bethany need to be considered. Consultant Chase said if the city is under 40, they are in the game. Community Development Director Asher said he did not see that Tigard is running off all the developers, and after a decision is made, it can be adjusted by council if that becomes the case. Councilor Goodhouse asked for staff to look at different home values. City Manager Wine said it is not tied to the value of the home, it is a charge based on the detached house. Consultant Chase said they can look at this before the next meeting and arrive at a suggestion for parks and transportation, broken into two categories: big homes and small homes.

Finance and Information Services Director LaFrance spoke about Transit Oriented Development. This is a mechanism to provide a discount for development that is built near transit, such as a WES station, for example. Consultant Chase said the funding methodology report identifies the amount that can be charged and collected through SDCs. The way it is collected is determined through a procedures manual, adopted by ordinance. A draft procedures manual will be ready in April. He said TOD will be covered in the manual so direction from council would be helpful. He said cities are starting to reduce SDCs for TOD, such as development within one-quarter to one-half mile of good bus or train service. Oregon City, Happy Valley and Vancouver, Washington are some of the cities doing this to provide incentives to build in their downtown areas. He said this would fit in the downtown Tigard area now and could be expanded to the Tigard Triangle or other areas. River

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Terrace TOD would probably be more than five years out. The four options to providing SDC discounts for TOD include:

1. Status quo is for any development which can propose and give a traffic report. Based on that a determination can be made that their trips are fewer and their SDC could be less.
2. Requires statistical modeling; not recommended as it is more appropriate in bigger cities
3. Discount based on proximity of development to transit service areas. It could be one-half mile to a transit center or a frequent service bus stop. There is enough information available that the developer would not have to hire a traffic engineer to apply for this, so it is less expensive.
4. Can consider mix of development. Internal trip capture where people are living in mixed use and walking to go to the store. Can get a 15-40 percent discount.

Council President asked if the council had to choose only one discount option. Consultant Chase said there could be a mix of these directions placed into the procedure manual.

 Councilor Goodhouse said there is still the expense for the city to pay for light rail so the cost is being shifted from the road to the light rail. Consultant Chase said he did not think it was the case to add light rail costs to an SDC but it could be done if it is being built up in a downtown core and could also be the same for bike and pedestrian facilities. Finance and Information Services Director LaFrance said the city's 20 year list of projects has no TOD projects. Tigard is not proposing to build light rail or any transit with SDCs. This recognizes that the development would be near existing facilities or concrete pads for busses, etc. Mayor Cook clarified that this TOD is only for the transportation SDCs. Councilor Woodard said he likes the idea of discounts of building around certain transit models as it is sustainable.

 Councilor Henderson asked if the goal is to develop 20-minute Communities. Community Development Director Asher said Tigard does not have many 20-minute Communities but where it does, it is because they are built more densely and there are many modes of transportation available. This would be consistent with other city policies for downtown Tigard. It is a policy tool to use as an incentive for people to build in the downtown. Councilor Henderson asked if this was a city program and in response Mr. Asher said the only aspect is that building in the downtown would have a lower SDC because it would be TOD, based on the proximity to transit.

Mayor Cook said he liked Option 4 because of the use of the projects. Senior Transportation Project Engineer McCarthy said a practical aspect of Option 4 is that it is a matrix of development types and incentives and gives developers solid numbers, making it easier to prepare their pro formas. It gives the city more freedom to promote smaller retail, mixed-use developments that create fewer trips.

Councilor Goodhouse said people wanting to go downtown use roads and trails and if the city develops it right even more road use can be expected. Community Development Director Asher agreed and said, "Every successful place has a parking problem. More and more of the parking downtown should be for visitors. We cannot create more ground and building a parking structure is decades away." He said the city needs to be careful not to use all the parking for residents, and try

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to attract people who do not want to rely on one or two cars. Councilor Goodhouse said people still want their cars and Tigard is not quite ready for all walking or biking as transportation. He said he did not think Tigard was the right area for these discounts yet. Council President Snider agreed and said he couldn't support 100 percent SDC discounts but does support some level of incentive to develop in transportation-rich areas.

Finance and Information Services Director LaFrance asked for consensus. Mayor Cook said he liked Option 4. Council President Snider prefers 3 or 4. Councilor Woodard was also favorable to Options 3 or 4. He said he is very much in favor of incentivizing transit oriented development and walkability. He said it would not hurt to have it in the code.

Councilor Goodhouse suggested looking at it on a case by case basis. He asked, "What if developer trip estimates change? Can we go back and charge them?" If we go for these options, that would be better to do it on a case by case basis. Mr. LaFrance said he was not aware of a process for billing back.

Finance and Information Services Director LaFrance said the process ahead includes a few public hearings, adoption of the methodology and then adoption of fees.

4. CONTINUED DISCUSSION ON THE STREET MAINTENANCE FEE

Finance and Information Services Director LaFrance, Public Works Director Rager and Streets and Transportation Project Engineer McCarthy presented this item.

Finance and Information Services Director LaFrance said this is a continued discussion to receive more input and policy direction from council on street maintenance fees. Staff will need enough direction so they can calculate what the fee will be for adoption with the Master Fees and Charges Schedule in June.

He asked what the desired Pavement Condition Index (PCI) should be. The general direction is 82 which can be achieved if the city works through the backlog of paving projects. He also asked about a proposal adding \$1 million to the program which allows getting to the backlog over a ten-year period. Councilor Henderson said he cannot imagine reaching an 82 percent when considering that over the last five-six years we have had ARRA funds which helped us bring it up to 71, and now we are back to 69. The funds are also used for curb cuts, which took 25 percent of the fund. He said it is more realistic to hold the line.

Engineer McCarthy said with the \$1.9 million street maintenance fee for paving, the forecast says that is just enough that the PCI stays at 71 and the backlog remains 22 miles. He showed some maps and said the current plan is to spend the bulk of the money on the large neighborhood streets. He showed another map indicating what could be done next summer. In response to a question from Mayor Cook he said the extra streets are mostly backlog.

Councilor Woodard said he was unsure that a PCI of 82 should be the goal. Mayor Cook said he always heard that 80 is sustainable and he is fine with that as a goal. Engineer McCarthy said 80-82

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is within the range. He said the right-of-way maintenance was expanded to commercial areas and increased by \$50,000. Council already agreed to do this.

A discussion was held about curb cuts, an unfunded mandate required when paving a street. Mr. LaFrance said if SMF money is going to be used for this the code needs to be clarified. He asked council if they want to do anything to the fee to cover this expense. Options are the gas tax, streetlights and signals fund, or the general fund. Council President Snider suggested a curb cut utility fee. Engineer McCarthy proposed a code amendment to say that curb cuts are an allowed use of this fee, if required when paving. Councilor Goodhouse asked what would spur development to pay for curb ramps. Engineer McCarthy said the city replaces them at intersections and could do a separate program to cover them when streets are not being paved. He said making it a separate fund may increase the cost.

 Councilor Henderson read from the code. He said 25 percent was used for curb ramps and asked if there was a residual amount left. Mr. LaFrance said that is no longer an issue because a reserve was built up so paving can start in the spring. He said the city has been able to gradually increase from a PCI of 68 to 71. Engineer McCarthy said streets are keeping in better shape than before, especially the slurry sealed streets. Councilor Henderson said we are looking at a \$3 million budget that still has a requirement of 25 percent of this for curb work. Mayor Cook said it is not the entire \$3 million project because some streets will not need them. Of \$1.9 million in 2015, \$300,000 or 16 percent, was used for curb ramps.

Councilor Goodhouse would like to change the code to clarify that the street maintenance fee can be used for ramps. Mayor Cook and Councilors Woodard and Snider concurred. Councilor Henderson said he was OK as long as there is money in the fund.

Mr. LaFrance asked if council wanted to increase the fund or say the curb cuts are now part of the program. Councilor Snider said as long as asphalt costs stay stable, we can do the curb cuts and hit the PCI of 80-82 with an additional \$1 million. If we think what we have is stable, can do what we want to do and achieve the curb cuts, it is the right amount of money. Council President Snider suggested another discussion if the cost of asphalt rises and not waiting five years. Mayor Cook agreed and added that another discussion may be warranted if the city takes on Hall Boulevard, for example.

Finance and Information Services Director LaFrance asked about changing the percentages in the code that determine who will pay for maintenance on the street types. Right now it is one-third commercial and two-thirds paid by residential. The question is that the code says a local neighborhood collector street is paid 100 percent by residential. A commercial street or industrial street is paid by commercial and collectors and arterials have shares. Project Engineer McCarthy said currently collector streets are 50/50. Arterials are 62 percent non-residential and 38 percent residential.

Councilor Henderson asked how many miles are covered by each. Mr. LaFrance said staff could explore this if council decides to make changes. Council President Snider said the council's ultimate goal is to try to approximate what the usage is in a fair and equitable manner. The only way to capture revenue for usage by non-Tigard residents is by charging businesses that non-Tigard

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residents drive to. He said Tigard's general approach is to have users pay for what they use, as in water billing.

Councilor Woodard said he always thinks about the big box stores and suggested looking at parking spaces or footprint. He said weekend traffic is worse than weekday. He would prefer to look at a policy that considers the type of traffic. Drivers are coming from outside Tigard to shop here. Engineer McCarthy asked if he was hearing a concern that commercial is not paying enough. Councilors Woodard and Snider said that was their concern. Project Engineer McCarthy discussed the methodology. Councilor Goodhouse suggested that getting rid of the parking space cap might take care of the issue.

Mr. LaFrance said the direction is hearing from council is for option 4. Staff will look for methodologies to figure out usages for collectors and arterials to see what effect that might have. He said council is interested in lifting the cap and asked if they want a new cap or to remove it completely. Currently, 29 payers are capped. He asked what council wanted to do with the funds raised by lifting the cap.

Councilor Henderson said the last time council considered removing the cap there was pushback from the grocers association. He said another issue is that increased costs to businesses are passed along to customers. He said he has always been concerned about how this is divided up and suggested only charging residents would cut back on paperwork immensely. He said too much is spent on servicing this program. Councilor Snider said residents are bearing the burden. It is not fair, considering that some businesses attract customers to Tigard and residents are paying for it. He said we have to be able to capture the revenue for people coming in and driving on our roads and this is the only way to do it. Councilor Goodhouse mentioned people coming to Tigard to go to Washington Square or the theaters.

Council President Snider suggested eliminating the cap and keeping the \$80,000 as a cushion. Councilor Woodard agreed. Councilor Goodhouse asked if removing the cap should be phased in. Mayor Cook said a lot of these are triple-net businesses and this will probably not be a deterrent. He noted that the grocers were the vocal group last time the cap discussion was held.

Engineer McCarthy said the main Washington Square Mall would see an increase of \$23,000 a year. For the larger grocery stores and big box stores the difference would be around \$3,000 annually. Councilor Goodhouse was supportive of eliminating the cap. Engineer McCarthy recommended freezing the parking table used to make the street maintenance fee calculation so there is not an unintended consequence of changing the parking code which changes the street maintenance fee revenue.

Finance and Information Services Director LaFrance said this will be discussed at a future meeting, most likely in May.

Mayor Cook proposed calculating the amounts and making them public to let residents and businesses know and get their input before council decides anything.

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5. DISCUSSION ON POTENTIAL CHARTER REVIEW



Assistant City Manager Newton led a discussion on this item. She gave the history of past charter amendments, which must be voted on by the citizens. She noted that some sections are broadly written such as Section 20, which addresses the mayor's responsibility to appoint committees. She said there is actually a robust process that is not spelled out in the charter. Other sections are more specific. She said council has identified some potential charter changes and suggested they consider how specific they want things to be and what degree of latitude they want council to have.

Council President Snider:

- The requirement for any councilor running for mayor to resign is troubling. It is a disadvantage for two councilors due to the election schedule.
- He said the current size of council is effective and efficient.
- At large should be discussed.
- The Willamette River Section should be discussed and the city attorney should clarify what it means to Tualatin Valley Water District.

Councilor Goodhouse:

- Council president term should change to one year.
- Abolish or raise term limits.
- Maintain "top two" vote getters; likes at large designation.

Councilor Henderson had a handout of potential charter changes and what the ballot may look like. This has been added to the packet for this meeting. He suggested these could be on the same ballot.

- Concerned about retaining knowledgeable people on council
- Mayor and council term limits should change
- Reconsider the number of councilors
- Seat Representative (Should be a position, not the top two vote getters) Potential for geographic districts

Mayor Cook:

- Term limits are more appropriate at the federal level. At the local level, voting a candidate out is in effect, a term limit.
- Any changes voted in by this council should not affect current office holders so changes aren't perceived as self-serving

Councilor Woodard

- Change council president every year
- Eight year term limit for mayor, Twelve years for councilor
- Prefers at large
- Doesn't like the retain your seat part

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Assistant City Manager Newton will collate this information and develop proposals for future council discussion. City Manager Wine asked if there were any other sources of input desired. Council President Snider suggested taking these ideas to the city's boards and committees. Assistant City Manager Newton suggested a discussion with the Mayor's Blue Ribbon Task Force.

6. NON AGENDA ITEMS

City Manager Wine said 1 x 5 x 10 meetings are scheduled at the end of March and early April. Topics are sidewalks, SW Corridor and Recreation. Councilor Henderson said he wants to discuss marijuana regulations. Staff will provide council with talking points and comment cards to gather feedback. Maps will be made available for marijuana regulation and SW Corridor topics. Council President Snider noted that open-ended sections on the comment cards are not helpful.

City Manager Wine noted changes on the April council meeting calendar. There will be no CCDA meeting on April 7. There is a combination CCDA/Council Business meeting on April 14 and a combination Council Business/Workshop meeting on April 21.

Council President Snider reminded everyone he will be absent from the March 24 meeting.

7. EXECUTIVE SESSION None.

8. ADJOURNMENT

At 10:03 p.m. Council President Snider moved for adjournment. Councilor Goodhouse seconded the motion and all voted in favor.

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

Carol A. Krager, City Recorder

Attest:

John L. Cook, Mayor

Date

TIGARD CITY COUNCIL MINUTES – MARCH 17, 2015