



City of Tigard

Tigard City Council/CCDA Meeting Minutes

June 9, 2015

STUDY SESSION

Council Present: Mayor Cook, Councilor Henderson, Councilor Woodard, Council President Snider, Councilor Goodhouse

Staff Present: City Manager Wine, Assistant to the City Manager Mills, Assistant City Manager Newton, Community Development Manager Asher, City Attorney Ramis and City Recorder Krager

At 6:33 p.m. Mayor Cook called the Study Session to order.

COUNCIL LIAISON REPORTS

Councilor Henderson discussed the Willamette River Water Providers Consortium meeting and gave everyone a handout which has been added to the packet for this meeting. He noted the low snowpack volume and said cities may have to ration water this summer. There is also a potential need to buy additional water. Mayor Cook spoke to the governor's environmental policy advisor who noted that 26 of 35 counties will be declaring a drought.

Councilor Henderson said he and Councilor Goodhouse went to Salem to advocate for an interpretive shelter/restroom at Dirksen Nature Park. He handed out a descriptive flyer. He said this is not budgeted and the city is trying to leverage sources to raise enough money for the project. City Manager Wine had an update said Tigard was ranked 18 and the funding source list stopped at 17.

Councilor Woodard attended a meeting in Hillsboro regarding Google. He also attended a Metropolitan Area Communications Commission (MACC) meeting and reports that the Comcast agreement is finalized. He attended an Intergovernmental Water Board meeting where dividing costs more equitably between owners of different sized meters was discussed. Mayor Cook said this will be taken up by council when the next water rate study is done in two years. Councilor Woodard reported on the Park and Recreation Board (PRAB) meeting and said every member was emphatically supportive of a community recreation center run by the YMCA.

Mayor Cook attended the SW Corridor meeting. Discussion is continuing and staff recommended not supporting the OHSU/Hillsdale tunnel. Council discussed options to move people up the hill. Access to Portland Community College is yet to be determined. At the Washington County Coordinating Committee meeting he heard consideration of bonding a portion of MSTIP funds to use for high-growth areas such as South Hillsboro, Bethany, South Cooper and River Terrace.

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Tigard would get \$16 million of the \$91 million for River Terrace to be used only for MSTIP projects. If passed, the county would pay two thirds and the city and developers would pay one third. The project would only be Roy Rogers Road. Councilor Henderson noted that historically the county, as a policy, has never borrowed against that money. Mayor Cook said another topic of discussion was TriMet's desire to raise their payroll tax one-tenth of one percent. He also attended a Commission on Transportation Area One meeting where bylaws were passed and Roy Rogers was elected chair.

SENIOR CENTER LEASE RENEWAL

Assistant to the City Manager Mills introduced Jay Gilbertson from the Senior Center. She gave some background information on the long association the city has had with Loaves and Fishes to provide services. Their name has changed to Meals on Wheels People. The lease expires June 30 and the new lease is proposed to run five years, to June 30, 2020. A few changes were made and included changing the name and updating the insurance agreement. An additional change is the section on termination of the lease. The new lease will allow termination of the lease by either party by giving 90 days written notice.

Ms. Mills recommended that council try a meal at the Senior Center. They have a chef and use fresh herbs to make delicious meals. Council President Snider asked about insurance requirements. He asked why there was only a single occurrence listed in the contract. Ms. Mills said she will add the aggregate language to the agreement. Councilor Woodard asked about the annual cost of maintaining the facility. Ms. Mills said the budget is \$300,000. Fifty percent comes from the federal government. The rest comes from local governments, other partners and fundraising. He asked how many meals they serve and asked if there were previous year numbers for comparison. Ms. Mills said she will put this information in the Thursday packet for council. She said required performance measures are identified and are part of the lease. Councilor Goodhouse asked about insurance for volunteers driving to deliver Meals on Wheels. Mr. Gilbertson said the volunteers provide proof of liability insurance. Ms. Mills will check on the Senior Center umbrella policy coverage.

Councilor Woodard asked if the Senior Center is available for community use on weekends. Ms. Mills said that is up to council. She said when the city's facilities were available for rental in the past the Senior Center received the most damage and rental use generated the most complaints from neighbors.

Mayor Cook noted that the hours need to be changed from 8:00 a.m. to 7:00 a.m. in two places in Section 2.1, and in Section 4, the word "telephone" needs to be changed to "communication" so it covers internet and cable.

Council said they were comfortable with placing the agreement on a future consent agenda. Ms. Mills will send an updated lease agreement to council for review as soon as possible.

ADMINISTRATIVE ITEMS

City Manager Wine reminded council of their July 7 "Cookout with the City Council" at Summerlake Park, from 6-8 p.m. Food will be delivered.

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Walkability expert Jeff Speck will give a presentation at the Broadway Rose Theater on June 15 at 6:30 p.m. The public is invited. There will be a walkability workshop the next day in Town Hall. Council is invited to go to dinner with him after the talk on the June 15.

Council President Snider discussed with City Attorney Ramis a potential conflict of interest related to the social services and community events section of the budget. Mr. Ramis advised there be two votes. The first could be to adopt the budget without the social services and community events section, and Council President Snider can vote on that motion. Another vote would be taken to approve the item removed and Council President Snider will need to abstain.



1. BUSINESS MEETING – June 9, 2015

A. At 7:35 p.m. Mayor Cook called to order the City Council, Local Contract Review Board and City Center Development Agency.

B. Roll Call: City Recorder Krager called the roll.

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

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

D. Mayor Cook asked if there were any non-agenda items. City Manager Wine said she had three non-agenda items to cover at the end of the meeting. Mayor Cook announced that the State Land Board gave one of its two annual awards to a joint project between the City of Tigard and Clean Water Services. The winning project was the Derry Dell Creek Restoration which included a sewer project, stream mitigation and restoration and tree planting. Boardwalks were built for people and bikes to cross through the area. City and Clean Water Services officials went to Salem this morning and received the award from the Secretary of State. He congratulated the city’s engineers and project staff.

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication –City Manager Wine said council heard from Mr. McWright and Mr. Harmon from the Washington County Museum at the May 26 council meeting. They are focusing on cities in Washington County by dedicating exhibits to one city each month. Tigard’s month is October and during that month anyone with

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identification showing they live in Tigard will get free admission. Council asked that staff publicize this and they have done so through the OPB calendar, Tigard blog, senior center, neighborhood networks, CPAH, and the elementary schools. Library staff who have developed historical programs have been connected with the Washington County Museum contacts. It is possible that there may also be a Washington County Museum program at the library during the month of October.

City Manager Wine said the other citizen communication from May 26 was from Steve Bintliff with a concern about opening the library on Thursdays. Staff contacted Mr. Bintliff to inform him that the Budget Committee held discussions on expanding library hours and their recommendation will be a part of the budget discussion at tonight's meeting.

- B. Tigard Area Chamber of Commerce – Chamber CEO Mollahan informed council of current events and activities. She announced a Tigard Farmers Market photo contest. Markets are held on Wednesday and Sunday markets and the contest runs through the end of June. The Third Friday downtown event is scheduled for June 19. Councilor Henderson asked if the chamber logo is going to change. Ms. Mollahan said the chamber is almost 60 years old it is time to do an update.

- C. Citizen Communication – Sign Up Sheet.

 Toraj Khavari, 13293 SW Woodshire Lane, Tigard, OR is the Chair of the Friends of Bull Mountain. Sarah Soper, 13754 SW Benchview Place, Tigard, OR is the FBMP Project Manager. Mr. Khavari gave council an update on activities and gave council an information handout which has been added to the packet for this meeting. He said Metro awarded a Nature in Neighborhoods (NIN) grant to be spent for six projects in Bull Mountain Park. The award ceremony is in July. The total is \$125,900 with a matching grant. They are making good progress on obtaining in-kind and cash contributions. He said the group has submitted a Nike grant application for \$20,000 and with this grant they will be at 93 percent. He asked for city continuation of the in-kind support that is important for them to meet their in-kind responsibility. He asked for support for meeting the Metro 2X grant requirement which must be met by July 1, 2016. Mr. Khavari asked for city support on the Nike application. He said there are more than 900 Nike employees living in the 97223 and 97224 zip code areas and they are a major part of the community surrounding the park.

Mayor Cook expressed appreciation for what the FBMP group does. He said Tigard citizens voted for a \$17 million park bond which the city has turned into other grants to purchase \$23 million in park property. Bull Mountain Park was purchased with this money but there are no funds to build the park land. This neighborhood has made trails and raised funds on their own, building the park from within and given that to the city. He said he'd like to clone them because there are other parks in the city where he wished neighbors would do the same.

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 Linda Shaw, 13178 SW Woodshire Lane, Tigard, OR, is a member of the Friends of Bull Mountain Park and wanted to add to what Mayor Cook spoke about. She said her role as volunteer coordinator means working behind the scenes coordinating with all the people who volunteer to build the trails, pull invasive plant species, plant trees and build permanent structures. She wanted to let council know who has been involved in building this park. National Honor Society and Key Club youth volunteers have been very helpful building trails. Eagle Scouts have built toolsheds, benches and signage. They bring 20-40 people to help with their projects. The Tigard High football team has worked spreading bark dust. Capital One employees came over for a tree planting. She expressed pride in the Tigard community and thanked the city for helping them partner to make this land usable. She records the hours volunteered and within six months they are already at 1400 hours, equating to \$35,000 in income. She invited council to an event in honor of the first year birthday of the park, June 18, from 6-8 p.m. Everyone is invited to picnic in the park. Bring your blanket and a picnic and enjoy the live music. It is a way to welcome people who who may not have visited yet and get them to use the park.

Councilor Woodard said it is great what the Friends are doing on that property. He commented on a PRAB discussion about creating a cycle cross route inventory of soft trails that could lead to making a destination for tournaments and said, “The work you do causes innovation.”

 Richard Shavey, 11371 SW Sycamore Place, Tigard, OR spoke about the North Dakota Street Bridge. He suggested leaving the bridge closed permanently to cars but kept open for pedestrians and bikes. He noted that the city has considering closing the railroad crossing at North Dakota permanently in exchange for adding a crossing at Ash Avenue. Options include 1) repairing and leaving it as it was, 2) demolishing it and building a new connecting street to North Dakota, 3) leaving it as a bike/pedestrian bridge only and building a new street connecting Tigard Street to North Dakota. 4) Build a new bridge for cars and pedestrians. He asked council to select option No. 3. Building a new street connecting North Dakota and Tigard Street (1,500 linear feet) will cost less than half of building a bridge and gives the city the necessary railroad crossing closure in order to negotiate a new crossing at Ash Avenue, which has been listed on many former transportation plans. He requested that council consider this as it is the least expensive option.

Mr. Shavey also commented that the city and chamber do a lot in the downtown. He said he did not want anyone to forget the many achievements so he made a list of what has happened in the downtown. A copy of this list was given to council and it has also been added to the record.

City Manager Wine responded council will hear about some options for the North Dakota bridge at the council meeting next week.

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3. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board)

A. Receive and File:

1. Council Calendar
2. Council Tentative Agenda for Future Meeting Topics

B. Approve Minutes for:

- May 12, 2015 City Council Meeting Minutes

C. Authorize the City Manager to Sign a Surplus Water Contract with the Joint Water Commission (JWC)

D. Establish Mayor and Council Compensation Superseding Resolution No. 14-26 - Resolution

RESOLUTION NO. 15-26 - A RESOLUTION ESTABLISHING MAYOR AND COUNCIL COMPENSATION WHICH SUPERSEDES RESOLUTION NO 14-26.

E. Consideration of Approving Two Intergovernmental Agreements for Safe Routes to Schools Programming

RESOLUTION NO. 15-27 – A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH METRO TO MANAGE A \$150,000 REGIONAL TRAVEL OPTIONS GRANT THAT WILL FUND A SAFE ROUTES TO SCHOOL COORDINATOR FOR A PERIOD OF TWO YEARS

RESOLUTION NO. 15-28 – A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY TO MANAGE A \$41,000 MSTIP OPPORTUNITY GRANT THAT WILL HELP FUND A SAFE ROUTES TO SCHOOL COORDINATOR FOR A PERIOD OF TWO YEARS

Council President Snider moved for approval of the Consent Agenda and Councilor Woodard seconded the motion. The motion passed unanimously.

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

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4. PROCLAIM MARK NEFFENDORF DAY IN TIGARD

 Mayor Cook proclaimed June 9, 2015, as Mark Neffendorf Day in Tigard. He read the proclamation in its entirety. Tigard Youth Advisory Council Member and Junior class officer Adam LaFountain was present to accept a copy of the proclamation on behalf of Mr. Neffendorf and expressed gratitude for all he has done for Tigard area students.

5. AWARD “IF I WERE MAYOR, I WOULD…” CONTEST WINNERS

 Mayor Cook introduced elementary school age winner Avery Fleming and high school winner Carter Kruse. Their winning entries were displayed on the screen. He presented high school student Carter Kruse with a \$50 gift card on behalf of the city. His Prezi presentation was shown on the screen. Elementary school winner Avery Fleming was also awarded a \$50 gift card. Miss Fleming said her poster illustrated park playground equipment for children with disabilities and parents with disabilities who want to play with their kids on a park playground. Her entry will be passed along to the Park and Recreation Advisory Board (PRAB) so they can figure out how to put this equipment into the city’s park plan.

Mayor Cook announced that the next few agenda items pertain to the city budget and Finance and Information Services Director LaFrance will present a general overview of the 2016 budget process and highlights and then will introduce each agenda item.

 Finance and Information Services Director LaFrance summarized the items on the agenda relating to the 2016 budget. He said this is the conclusion of a lengthy public process that produced a balanced budget for council consideration. The Budget Committee consists of an equal number of council and appointed citizen members, each with an equal vote. The budget before council tonight is what was approved by the Budget Committee. Key issues include sidewalk gaps, adding a police officer and a recreation coordinator.

He said for many years Tigard has been faced with that was called a level budget. The level budget is being rephrased as an “eroding services budget.” Since budget cuts were made in 2012 staffing decreased by 11 percent but population grew by eight percent over the same time. This has led to a steady degradation in core service levels. Tigard’s property tax rate is lower than any other city in Washington County with a population over 5,000. The Budget Committee wanted to look at something different and the option chosen is treating parks as a utility. The Budget Committee decided to take Parks out of the General Fund and treat it like a utility, do a cost of service study to find what it could cost for homes and businesses and submit it to council for consideration. This will mean that General Fund dollars previously spent on parks can be spent on other core services.

The Budget Committee recommends an opportunity for the Library to remain open on Thursdays with minimal staffing, dependent upon the Washington County Cooperative Library Services (WCCLS) levy passing in November. The City would receive \$160,000 more a year for library operations. With

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minimum staffing it will cost \$245,000 annually so there is still a gap and the city will need to come up with a sustainable revenue source. The new park utility fund and reinvestment of the general fund could be this revenue source. However, the Budget Committee did not want to wait for both items to happen; they made the Thursday reopening of the library dependent on the passage of the WCCLS levy.

6. CERTIFY THAT THE CITY OF TIGARD PROVIDES SERVICES QUALIFYING FOR STATE-SHARED REVENUES - RESOLUTION

 Finance and Information Services Director LaFrance said this resolution approval process enables the City of Tigard to receive cigarette, liquor and most importantly, state gas taxes. To receive these funds the city must certify it provides four of seven municipal services. Tigard provides six of the seven, with only fire services not provided by the city. Staff recommends adoption of the resolution.

Councilor Woodard moved for adoption of Resolution No. 15-29. Councilor Henderson seconded the motion. City Recorder Krager read the number and title of the resolution. There was no further council discussion.

RESOLUTION NO. 15-29 – A RESOLUTION CERTIFYING THAT THE CITY OF TIGARD PROVIDES SERVICES QUALIFYING FOR STATE SHARED REVENUES

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

Mayor Cook announced that Resolution No. 15-29 passed unanimously.

7. PUBLIC HEARING - DECLARE THE CITY OF TIGARD'S ELECTION TO RECEIVE STATE REVENUE FUNDING - RESOLUTION

- a. Mayor Cook opened the public hearing.
- b. Staff Report: Finance and Information Services Director LaFrance said this public hearing is to allow the City of Tigard to receive an additional portion of the state liquor tax of just under \$500,000. In order to receive this the city needs to have levied property taxes, hold public hearing as part of the May 4, 2015, Budget Committee meeting and hold this public hearing.
- c. Public Testimony. There was none.
- d. Mr. LaFrance said staff recommends approval of the resolution.
- e. Mayor Cook closed the public hearing.
- f. Council Discussion and Consideration: Resolution No. 15-30.

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Council President Snider moved for adoption of Resolution No. 15-30. Councilor Goodhouse seconded the motion. City Recorder Krager read the number and title of the resolution.

**RESOLUTION NO. 15-30 – A RESOLUTION DECLARING THE CITY’S
ELECTION TO RECEIVE STATE REVENUE SHARING**

Councilor Henderson asked if marijuana taxes would come to the city through this process. Finance and Information Services Director LaFrance said he was not sure. Mayor Cook said there will be no recreational sales until the fall of 2016 so revenue is not expected in this budget period. He noted that Measure 91 outlines that marijuana tax revenue will be divided by population and after that is based on local sales.

Mayor Cook conducted a vote and the motion passed unanimously.

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

8. **ADOPT CITYWIDE MASTER FEES AND CHARGES SCHEDULE REPLACING
RESOLUTION NO. 04-99 AND RESOLUTION NO. 14-31 AND ALL SUBSEQUENT
AMENDMENTS TO DATE**

Mayor Cook declared this item to be held in a public hearing and said the person signing up to speak on this item would be able to testify.

He opened the public hearing and asked for the staff report.



Finance and Information Services Director LaFrance directed council to a summary representing changes which were addressed by council in the Study Session of May 12. He said since then four additional items have come to staff’s attention. An error in calculating the planning fee was identified and staff is recommending adoption of the master fees and charges schedule as amended. Additionally, the Parks System Development Charges methodology was adopted on May 19, and those resulting fees are included. On May 26 new solid waste fees were adopted and these are also included. As a result of council discussion on May 12, the business license fee classification changed but it is revenue neutral.

Finance and Information Services Director LaFrance gave credit to Assistant Community Development Director McGuire for noting the math error in SDCs. Responding to questions from council he said that there had been a miscommunication between the Community Development Department and the Finance Department.

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Public Testimony -

-  Paul Grove, 15555 SW Bangy Road, Lake Oswego, OR 97035, said he represented the Home Builders Association of Metro Portland and they have concerns regarding the size and scope of the city-wide Transportation System Development Charges (SDCs). He said they do not understand the impact of the fee and what this will do to their work in the city. He requested that council consider a six-month delayed implementation time to allow members to evaluate what the SDCs will mean to them. He said council could also consider a phased-in approach.

Council President Snider asked for a specific rationale and wanted to know what HBA members would do differently over the next six months with this information. Mr. Grove said he could not give a specific rationale.

Councilor Woodard clarified that the discussion is on impacts to infill, not River Terrace. He asked how the builders would be affected. Mr. Grove said he could not answer without knowing a builder's projects and bottom line, but said members have voiced concerns regarding the size and scope and impacts to business. Councilor Woodard asked Mr. Grove if there was a sense that River Terrace SDCs were more proportionally distributed in comparison to citywide SDCs. He asked if the methodology was fair and how the city could have done a better job. Mr. Grove said he was not in a position to get into detail or elaborate about the methodology. Councilor Woodard asked if having more time might alleviate their concerns and Mr. Grove said that was the consensus they were hearing was on the size and scope but also timing.

Councilor Goodhouse clarified that their concerns were not so much the size of the fee but that they wish to delay the citywide portion so they can adapt, not the River Terrace portion. Mr. Grove said that was a fair assessment. The Home Builders are tabling River Terrace SDCs because the city heard from members involved in River Terrace. However, the citywide builders need time to adjust and are requesting a delay and a phased-in approach. Council President Snider asked if he had a proposal. Mr. Grove replied, "A six-month extension."

In response to Councilor Woodard's question about how long discussions on SDCs have been in process, City Manager Wine said staff initiated an SDC study over a year ago and started talking about infrastructure financing after the first of the year.

Councilor Henderson said he thinks the flaw is that the city was talking with River Terrace developers and the others do the same kind of work but they were not at the table. He said this was a surprise to them and he is hearing that they have the same concerns that the commercial development community identified. He asked Mr. Grove if this was their concern and the builders are looking for time to negotiate this on new projects.

Mr. Grove said that was a fair characterization. HBA members commented on wanting more effective communication and on the process. They recognize that everything started with River Terrace planning and what the impacts on those builders might be. It caught them off guard.

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Councilor Goodhouse asked Mr. Grove how many builders would be affected by SDCs in the next six months and he replied he did have a firm number to give to council.

Mayor Cook closed the public hearing.

Mayor Cook asked if both a citywide SDC and a river terrace overlay are needed. Finance and Information Services Director LaFrance said both are needed for building in River Terrace. Mayor Cook asked if it is allowed to have a citywide charge only in certain parts of the city. Mr. LaFrance said yes. If council wants to temporarily amend the citywide SDC so it is only in effect on July 1 for River Terrace development and delay implementation of the citywide fee outside of River Terrace, they may want to temporarily amend the name of the fee.

Finance and Information Services Director LaFrance said the Home Builders were very involved with River Terrace stakeholder discussions from the beginning but he cannot speak to the level of communication the HBA was holding with their constituents. The city made sure there were a number of residential builder stakeholders in River Terrace working groups. HBA representatives attended the River Terrace Community Plan meetings where infrastructure financing and potential fees which developed into the Transportation SDC fee were discussed. It was known throughout those discussions that not only was the city looking at a River Terrace SDC but also a citywide SDC. He said meetings and public hearings have been held for almost a year and there has been opportunity for the constituency within the HBA to learn about this both from the city and from their own group.

Mayor Cook asked when the SDCs are assessed and Mr. LaFrance replied it is his understanding that the SDCs are set with the final plat but not charged until the contractor pulls the building permit. City Attorney Ramis agreed but said he will confirm with the Building Department staff. In response to a question from Councilor Henderson, Mr. LaFrance said the fee was zero prior to April 28, when council adopted fees with an implementation date of July 1, 2015. Council President Snider asked if he knew the financial impact of a January 1, 2016 implementation outside of River Terrace and Mr. La France said he did not.

Councilor Woodard said he attended the stakeholder meetings but did not recall seeing the SDC numbers nor did he understand the improvement impact. He expressed discomfort with decisions made on April 28 with only three councilors present. Council President Snider said we received a lot of feedback and council present at the April 28 meeting were trying to address and manage the process to make everything logical and equitable. He said he did not recall the six-month delay being a request.

Councilor Goodhouse commented that the only question council has to consider is the matter of a six-month delay. Council President Snider noted that there were actually two requests from the HBA, a six month delay and a phase-in period. Councilor Woodard commented that there is a \$420 million project list and he has always thought that reaching that amount through SDCs was far reaching. He said he wants to find some middle-ground.

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Council President Snider asked City Attorney Ramis a question on the mechanism for changing something already adopted by council. City Attorney Ramis said, "First of all you've got statutory authority to do it. Because the statute says you can district and sub-district your charges." He said the decision tonight could delay implementation and if council wants to go back and adjust another decision they can do that. But the decision tonight is what actually imposes the charge.

Mayor Cook offered a counterpoint, commenting on the 252-unit apartments being built on Scholls Ferry and 135th, and the citizen complaints received. Citizens are asking, "What about transportation? How are you going to handle the 250-plus cars of the people moving there?" He asked council, "How do we handle those impacts without collecting transportation SDCs?" Councilor Woodard said there will be priority projects that relate to capacity from River Terrace and other development. Mayor Cook clarified that there are two lists of transportation projects. One is the \$242 million for infrastructure created by River Terrace. Mr. LaFrance said River Terrace projects will be funded if the city implements the funding strategy which thus far, it has. By charging the citywide and River Terrace residential SDCs starting July 1, the city will be able to fund the needed infrastructure within River Terrace, based on projections. The \$420 million is actually the amount that even after implementation of the city SDCs is unfunded. The city has a much larger list and by implementing the SDC is able to fund a portion of that list. He said the city could legally be charging over \$15,000 per dwelling unit but Council decided to provide about a 70 percent discount that is within the market. That was the rate approved on April 28 and what is in the Master Fees and Charges Schedule tonight. In response to a question about whether the \$420 million project list is just in River Terrace, Mr. LaFrance said it was citywide. Mayor Cook said if we leave River Terrace SDCs alone and do not charge any for projects such as those on Hall Blvd. or Scholls and 135th, those transportation impacts would be added to the unfunded project list.

Councilor Woodard asked if staff would be asking for a Transportation SDC without River Terrace being built and Mr. LaFrance said yes, and there would still be the \$420 million project list. The city's system currently has a deficiency. The SDC keeps us at the same deficiency. New development is not enhancing the system but is keeping it at the same level. New residents are paying to keep the system at the same level of deficiency that prior residents had left the system in.

Councilor Woodard asked about Tigard's infill inventory. Mr. LaFrance said this is included in the methodology. Mr. LaFrance reminded council that it is the fee before council tonight, not the methodology as it has already been approved. Councilor Goodhouse asked if council wanted to adopt it the way it is, or add delayed implementation. Council President Snider proposed a six-month delay with no phase in. He said he was troubled by the fact that someone is advocating for something but they do not have a specific request. Councilor Goodhouse agreed. Councilor Woodard agreed with the delay but said River Terrace triggered this and he is not sure it is equitable. He said during the six-month delay it can be considered and if anything, the citywide portion may be reduced. Council President Snider said that work has been done. Councilor Goodhouse said they did not have problems with the numbers, it is the timing. Mr. LaFrance said the motion would include calling it the River Terrace district SDC at the same amount and then council can set a date for the SDC outside River Terrace.

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Councilor Goodhouse motioned to adopt resolution No. 15-31, amended for a Tigard district Transportation SDC delay until January 1, 2016. After that time it becomes part of the citywide Tigard Transportation SDC. It applies to River Terrace effective July 1, 2015. He added an amendment to approve planning fee error correction. Council President Snider seconded the motion.

Councilor Henderson said he sees both sides. He did not understand how many exemptions this would create. He said the best thing to do is grant the six month delay to the non-River Terrace SDCs. Councilor Woodard said he was in favor of the delay but not in favor of the portion of the motion not allowing a future consideration of the SDCs.

Mayor Cook commented that this arose from River Terrace planning and the citywide SDC was introduced six months ago. It was approved two months ago. He said he looks at the 252-unit apartments on Scholls Ferry Road and feels the developer should have to pay for transportation impacts. He did not want to let people skate. Council President Snider commented, "But we've been letting them skate for 30 years."

Councilor Woodard clarified for the record that he is not in disagreement of an SDC but he did not know if the number is right.

Mayor Cook conducted a vote on Resolution No 15-31, as amended

RESOLUTION NO. 15-31 - A RESOLUTION ADOPTING THE CITYWIDE MASTER FEES AND CHARGES SCHEDULE WHICH REPLACES RESOLUTION NO. 04-99 AND RESOLUTION NO. 14-31 AND ALL SUBSEQUENT AMENDMENTS TO DATE, as amended

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

Mayor Cook announced that Resolution 15-31 passed by a 4-1 vote.

9. PUBLIC HEARING - ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE AD VALOREM TAX LEVY AND CLASSIFYING THE LEVY AS PROVIDED BY- ORS 310.060(2) - RESOLUTION
 - a. Open Public Hearing – Mayor Cook.
 - b. Hearing Procedures – Any person wishing to comment on this matter shall be given the opportunity to comment.

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- c. Staff Report – Finance and Information Services Director LaFrance said he covered the key components in his preamble to the budget agenda items. He said what is before council is a legally developed, balanced budget that is about \$193 million and appropriations of about \$146 million, with the remainder being the fund balance. He said there are also four technical adjustments adding around \$128,000 to the budget to cover items related to printer maintenance and public works staff space.
- d. Public Testimony – There was none.
- e. Staff Recommendation – Staff recommends the resolution be adopted. Mr. LaFrance noted that the resolution title includes the words, “with adjustments.”
- f. Mayor Cook closed the public hearing.
- g. Council Discussion and Consideration

Councilor Goodhouse moved to make two adjustments to the budget. He recommended creation of a rainy day fund within the General Fund that requires a vote of council in order to be spent. Council President Snider said council already approves every expenditure and there was lengthy discussion on this at Budget Committee meetings that included three failed motions. Citizen members were mainly unanimous about their lack of support for this concept. He said it is a solution in search of a problem. Councilor Goodhouse said he wanted this because it is a sound financial practice and would also show transparency on the part of council. In the past there have been reserve accounts but not in a separate areas. He said putting \$1 million in a rainy day fund would be transparent to the public when the city has to use some of it. Council President Snider asked if he was correct in saying that council appropriates every dollar spent. Mr. LaFrance said in order to appropriate the current reserve fund staff already has to go to council under current Oregon budget law.

Mayor Cook asked Mr. LaFrance if it was a good financial practice for municipalities to appropriate rainy day funds. He replied that it is a good financial practice to have reserves that exceed the minimum cash flow balances. Prior to the recession, although not identified as a rainy day reserve, Tigard had a cash balance and by using that over a two year period, the city was able to mitigate service cuts to citizens. It was assumed this would be a bridge to get through a shorter period but when the economy did not rebound as expected, the city had to go through another set of reductions.

City Attorney Ramis said it could be an amendment to the budget approval motion or the budget could be approved and this proposed as an amendment through a second motion.

Councilor Woodard said Budget Committee Member Rone brought this up many times in the past. Councilor Woodard said he likes the idea of a rainy day or special projects fund because a reserve can accumulate and could be designed to secure specific grant funding opportunities. Council President Snider clarified that Budget Committee Member Rone actually did not support this during this year’s budget cycle and instead wanted new revenue from franchise fees not imposed before or

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a utility fee if adopted so that the city could make strategic investment decisions. Mr. Rone did not support a blanket rainy day fund that would move \$1 million out of the general fund and place it in a separate fund. He asked staff if making this change affects their ability to manage this money, creates more transparency or serves any other purpose. Mr. LaFrance replied that in terms of transparency, when council moves something from reserves to be spent, that process already exists. As far as a sound financial practice he said it was akin to balancing a checkbook.

This is what this fund does, makes sure the city's checkbook does not go below a certain point. This allows us to soften the landing. Council President Snider said it just moves around the money we already have. Mr. LaFrance said it is "accounting" for the same money we already have. The difference between making it a reserve and not making it a reserve is that it would be shown.

Council President Snider said it was troubling to him when council has citizen advisory groups and decides to go against what they recommend.

Councilor Henderson said this was the first time since he has been a councilor that it makes sense to save anything because there is some money. He said it is a good idea to build a cushion in case of tragedy. He said the general fund was the only logical source of this money.

Councilor Goodhouse moved to transfer \$1 million from the general fund to make a rainy day fund that would take a vote of council to use. Councilor Woodard asked for clarification about whether this is a contingency fund or a special projects fund and Councilor Goodhouse replied, "Just a contingency."

Finance and Information Services Director La France made a technical comment that since it is currently in the general fund and is staying in the general fund, there is no transfer necessary

Councilor Woodard seconded the motion. He said Council President Snider was correct about Mr. Rone wanting to save franchise fees, but he has held sidebar conversations with Mr. Rone over the years and he was favorable to a rainy day fund. He referred to Councilor Snider's comment that it was troubling to go against what members of a committee recommend and said all committees, boards and commissions serve at the pleasure of council. Councilors, as elected officials, are the decision makers and have the right to challenge a body of board members. He said it takes courage to make unpopular decisions. He said he agreed with what Councilor Henderson said about needing a financial cushion in case of tragedy.

Council President Snider clarified that council needs to have really good reasons to do the opposite of what city boards and committees recommend. He added that he specifically suggested at Budget Committee hearings that staff take direction to make a strategic investment fund to use the park utility fee if the city moves forward with it. Staff would not program it because council wants to direct it. The only use would be what is needed to open the library on Thursday. He stated that Mr. Rone was supportive of using this process for franchise fees.

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Councilor Goodhouse said he is an elected representative of 50,000 people in Tigard and has accountability so when it comes down to spending the last dime, citizens need to be aware of it. He said he wants that extra layer of transparency. Councilor Woodard said this could be used for things like sidewalks at Dartmouth or filling a gap as what happened in the McDonald/Gaarde/Pacific Highway project. People will know where the money is coming from. Mayor Cook commented that he agreed with everyone and was going back to what Mr. LaFrance said about it being good public policy and good financial policy and for that reason he would vote in favor.

Mayor Cook conducted a vote on the motion to create a \$1 million rainy day reserve fund.

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

Mayor Cook announced that the motion passed 4-1.

Councilor Goodhouse presented his second recommended amendment. He said if the WCCLS levy passes in November, the library will reopen on Thursdays in December. He said that model may take from the reserve account and that puts the city off on the wrong foot. He said he would also like to add the creation of the park utility fee before reopening the library. He said drawing down the reserve fund may keep the library open for one to two years but puts all other city services at risk. He would like an accelerated implementation of the park utility fee. Councilor Goodhouse moved to make the opening of the library contingent on both the passage of the WCCLS levy and the creation of the park utility fee. Mayor Cook seconded the motion.

Councilor Goodhouse said the Budget Committee decided that if the WCCLS levy passes in November, the Tigard Library will open with a skeleton crew on December 1 for \$250,000. That model loans from the reserve account and puts the city in the red. He wants the library open but he does not want to create a deficit. Implementing the park utility fee also would enable the library to open full time with full services. He said the library staff said they would rather have a secure model of being open permanently instead of something that could in a year or two, hurt the library and other services. Council President Snider said this would force council to get the park utility fee done in a timely manner. He commented that this is the second time though that council is considering overruling citizen members of the Budget Committee and this motion failed at least once at the Budget Committee. He said he could not support that change. Councilor Woodard said he did not want to accelerate the park utility fee until the study is done. He asked if the city ever talked about volunteers with skillsets that could open the library. Maybe the solution is to think in a different way. Council President Snider said it was worthy of discussion.

Councilor Henderson said he is unsure of steps needed to get to create the fee so he would vote no at this time. Finance and Information Services Director clarified that the park utility fee itself will

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not be paying for the library. That fact has gotten muddled in the press. It will pay for parks maintenance and development. That frees up money previously paid for parks in the general fund and it could be used for the library. He added that one reason the library is currently open six days is the level of volunteerism already ongoing at the library. More than half of the current staff are volunteers. He described the process which starts with a cost of service study, and then council consideration of options prepared by staff on what it will cost to maintain current parks and how the cost can be distributed throughout the business and residential community. If council opts not to fund the full fee, a portion of the general fund will still be needed. Once the fee is established so the city knows how much general fund money will no longer need to be applied to parks maintenance and development, we will have information for the fiscal year 2017. Proposals on how general fund savings can be reinvested into other services will be brought forward for a public dialog. Mayor Cook said there does not appear to be three votes for Councilor Goodhouse's motion and asked if he wanted to withdraw it.

Councilor Goodhouse asked where the city will find the additional \$160,000 needed annually for opening the library on Thursdays. He recommended waiting for both the levy results and the implementation of the utility fee. Councilor Woodard asked if there was an opportunity to use retired librarians as volunteers to cut costs. He said technology has changed the way libraries are operated. He said he needed time to consider the options and would like to have further discussions with Library Director Barnes. Councilor Goodhouse said if the Washington County levy passes in November, the library will open December 1 part time. He said he is still unclear on where this other money is coming from and cannot make a decision without that information. Councilor Goodhouse withdrew his prior motion. Mayor Cook withdrew his second to the motion. Councilor Goodhouse made a motion to remove the library funding from budget consideration and vote on it at a future date. The motion died for lack of a second.

Council President Snider moved for approval of the budget with removal of social services and community events division and declared he had a conflict of interest with that item. Councilor Goodhouse seconded the motion.

RESOLUTION NO. 15-32 - A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE APPROVED BUDGET, WITH ADJUSTMENTS, MAKING APPROPRIATIONS, DECLARING THE AD VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2016, with removal of the social services and community events division

Councilor Henderson asked about a technical adjustment that had been pulled from a recent supplemental budget. Senior Management Analyst Collins said it was the \$50,000 for moving the public works building staff and it is included in the budget. The motion passed unanimously.

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

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Director Woodard said he was not present at the discussion on gateway art and he would have brought up a concern about seismic engineering for the artwork so he will not vote in favor of the budget because the amount for the gateway art and monuments is too large a number. He said he will abstain. Director Henderson said he will vote no for the same reason. Chair Cook conducted a vote and the motion passed by a majority of council present.

	Yes	No	Abstain
Mayor Cook	x		
Councilor Goodhouse	x		
Councilor Henderson		x	
Council President Snider	x		
Councilor Woodard			x

Mayor Cook thanked the finance staff for their work on the budget and asked the audience to give them a round of applause.

Mayor Cook said the next item is for City Council consideration.

11. CONSIDER TIGARD-TRIMET TRANSIT POLICE INTERGOVERNMENTAL AGREEMENT

Police Chief Orr and Assistant Chief de Sully were present to discuss an IGA between the City of Tigard and TriMet. The agreement is for four officers and one sergeant for the amount of \$681,000 per year. Chief Orr said it is a continuation of an existing IGA and either party can terminate at any time. He requested a motion to authorize City Manager Wine to sign the IGA.

Councilor Woodard moved to approve the IGA as presented. Councilor Henderson seconded the motion and it passed unanimously.

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

12. ~~COUNCIL LIAISON REPORTS~~ (These were given during the Study Session)

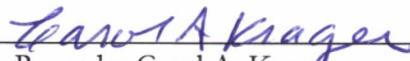
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13. NON AGENDA ITEMS City Manager Wine announced the City of Tigard is hosting a presentation from city planner and author of the book, "Walkable Cities." Urbanist and walkability expert Jeff Speck will speak at the Broadway Rose Theater on June 15 at 6:30 p.m. The public is invited.

14. EXECUTIVE SESSION: Mayor Cook announced that there was no executive session.

15. ADJOURNMENT At 10:14 p.m. Council President Snider moved for adjournment. The motion was seconded by Councilor Goodhouse and passed unanimously.

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



 City Recorder Carol A. Krager

Attest:



 Council President Jason Snider

Date: 6/25/15

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