



## City of Tigard

# Tigard City Council Meeting Minutes

August 25, 2015

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STUDY SESSION - 6:30 p.m.

### A. COUNCIL LIAISON REPORTS

Councilor Woodard reported the Parks and Recreation Advisory Board (PRAB) will engage in conversation about the ballot measure regarding the recreation center at their September and October meetings. PRAB has requested additional council members be present and the Mayor was amenable to attending the meetings.

Councilor Henderson reported the Willamette River Water Coalition (WRWC) is working on matters, but things are moving slowly due to the group working hard on the Wilsonville pipeline. The WRWC built an intergovernmental agreement with Washington County, Wilsonville and Tualatin Valley Water District and is about six months away from a finished plan. It was also noted that the city of Sherwood recently increased their water rates.

Councilor Henderson reported the Community Development Block Grant (CDBG) Policy Advisory Board is working on redesigning the scoring template. Half of the money from last year is still available to award to applicants. Staff supporting the board examined the accounts and found another \$1 million for the home program.

### B. BRIEFING ON AN IGA WITH CWS AND THE CITY OF BEAVERTON REGARDING BARROWS ROAD SANITARY SEWER PHASE 3 PROJECT

Senior Engineering Technician Peck reported this intergovernmental agreement (IGA) is for Phase 3 of the Barrows Road Sanitary Sewer Project which is the last phase for this area. The project is in partnership with Clean Water Services (CWS) and the city of Beaverton. The city of Tigard provides plan review and contributes 7.8 percent of the project costs. The city of Beaverton contributes 7.8 percent and CWS funds the remainder. Bids are expected to open early September.

Council President Snider asked if this agreement is an amendment or a new IGA. Mr. Peck replied it is a new IGA. City Manager Wine clarified the other IGA's have been for street improvements.

Councilor Woodard asked if there were any foreseen budget adjustments. Mr. Peck said the estimates seem solid, but there could always be increases. Councilor Woodard expressed his concern for large budget increases and the city being responsible for those increases. Assistant City Engineer McMillan stated the IGA states the city is responsible for only 7.8 percent of the project budget and would only pay 7.8 percent of increased costs.

City Manager Wine asked council if they were in support of the IGA returning as a Consent Agenda item. Council consensus was for the item to be placed on the Consent Agenda at the September 8 meeting.

C. BRIEFING ON RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY FOR THE 72ND AVENUE AND DARTMOUTH STREET PROJECT

Assistant City Engineer and City Attorney Mohr handed out a resolution, which was entered into the record, for council's consideration to approve at the Business Meeting. This resolution amends Resolution No. 13-19 where the city obtained four parcels for public right-of-way for a construction project. Three of those four parcels have stipulated judgments entered in the courts on them and all have been signed by the judge. The original owner has asked for some of the land on the remaining parcel to be sold back to him and reduce the right-of-way footprint. If approved by the council the fourth right-of-way will be reduced and a stipulated judgment will be entered in the courts. This will close out the negotiations and all parties can enter into a settlement agreement. Assistant City Engineer McMillan confirmed city staff is comfortable with the reduction in the footprint as the city will retain the right-of-way needed.

Council President Snider thanked them for the briefing and announced this is Item 6 on the Business Meeting Agenda.

D. ADMINISTRATIVE ITEMS

Assistant City Manager Newton reported the Mayor, Council President Snider and herself met with the View Terrace representatives to try to come up with a solution to their concerns over a neighboring development and the safety of pedestrian access on their cul-de-sac if the road was to be put through to their road. The city proposed constructing and paying for a path along the south side of View Terrace to connect to the new development. Responses were received by 13 of 17 and all were not in favor of the path. Concerns expressed were that the path would change the neighborhood too much. Ms. Newton said she was going to contact the View Terrace members and say the staff has done all they can.

Councilor Woodard asked what the status of the development application was. City Manager Martin said she would check on application's status as it may be withdrawn or expired and will report back to the council.

Assistant City Manager Newton stated the next fifth Tuesday was in December and suggested doing a gathering in January or February at Summerfield. Contact has been made and Summerfield is interested, so if council is in support of that a couple dates are needed to provide to the Summerfield Board to confirm their availability. Council was in support of holding a gathering at the Summerfield clubhouse on either January 21 or 28.

Council President Snider adjourned the Study Session at 7:11 p.m.

1. BUSINESS MEETING – 7:30 p.m.

- A. Council President Snider called the City Council meeting to order at 6:30 p.m.
- B. Deputy City Recorder Alley called the roll:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Cook		✓
Councilor Goodhouse	✓	
Councilor Henderson	✓	
Council President Snider	✓	
Councilor Woodard	✓	

- C. Council President Snider led the Pledge of Allegiance.
- D. Council President Snider asked Council and Staff for any Non-Agenda Items to be heard as Agenda Item 8. None stated.

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2. CITIZEN COMMUNICATION

- A. Follow-up to Previous Citizen Communication – None stated.
- B. Citizen Communication – No one signed up.

3. CONSENT AGENDA: (Tigard City Council)

A. Approve Minutes for:

- June 9, 2015

B. Consider a Proclamation declaring September 17-23, 2015 as Constitution Week.

Councilor Woodard moved for approval of the Consent Agenda. Councilor Goodhouse seconded the motion. The motion passed unanimously.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Cook			✓
Councilor Goodhouse	✓		
Councilor Henderson	✓		
Council President Snider	✓		
Councilor Woodard	✓		

Council President Snider proclaimed September 17-23, 2015, as Constitution Week and read the proclamation in its entirety.

4. CONSIDER A RESOLUTION APPOINTING MEMBERS TO THE TIGARD YOUTH ADVISORY COUNCIL

City Manager Wine presented the staff report for this item.

Councilor Woodard moved for approval of Resolution No. 15-43. Councilor Goodhouse seconded the motion. The motion passed unanimously.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Cook			✓
Councilor Goodhouse	✓		
Councilor Henderson	✓		
Council President Snider	✓		
Councilor Woodard	✓		

5. CONSIDER A RESOLUTION EXPANDING THE TIGARD MUNICIPAL COURT TRAFFIC DIVERSION PROGRAM

Judge O'Brien and Central Services Director Robinson presented the staff report. Judge O'Brien explained he and Ms. Robinson provided an annual court report last February and at that time they asked for an expansion of the diversion program, and council was amenable to bringing back a resolution to expand the program. They were before the council tonight to formally approve that expansion. The structure of the program before the council is similar to other neighboring cities allowing staff to look back five years except it would remain two years for the distracted driving program. This would also be opened up to all ages and provides a valuable educational opportunity. Ms. Robinson added the city does currently provide other programs such as

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seatbelt safety class and AARP and finds the completion rate of each program is stable from one to another. It is estimated close to 1,000 people a year are reached through these programs.

Council President Snider announced the diversion program is only for traffic violations and not for crimes. Ms. Robinson said statistically the largest cases seen are speeding citations.

Councilor Woodard asked what the recidivism has been for those that completed the program. Judge O'Brien answered he was not aware of a high frequency of that occurring. Ms. Robinson said staff does not track recidivism, but do check for eligibility. It appears the numbers are relatively low. Ms. Robinson said she was not sure if the software system has the ability to track that.

Councilor Goodhouse moved for approval of Resolution No. 15-44. Councilor Woodard seconded the motion. The motion passed unanimously.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Cook			✓
Councilor Goodhouse	✓		
Councilor Henderson	✓		
Council President Snider	✓		
Councilor Woodard	✓		

6. CONSIDER A RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY FOR THE 72ND AVENUE AND DARTMOUTH STREET PROJECT

Assistant City Engineer McMillan and Attorney Mohr presented the staff report and recommended approval of the resolution. Mr. Mohr reported the resolution before the council is amending a resolution of necessity for the Dartmouth Project. This amendment gives back less than 300 square feet to the original property owner and reduces the right of way. It is staff's recommendation to approve the resolution.

Councilor Goodhouse moved for approval of Resolution No. 15-45. Councilor Woodard seconded the motion. The motion passed unanimously.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Cook			✓
Councilor Goodhouse	✓		
Councilor Henderson	✓		
Council President Snider	✓		
Councilor Woodard	✓		

7. DISCUSSION ON A POTENTIAL PUBLIC HEARING TO VACATE A PUBLIC UTILITY EASEMENT ON ASH AVENUE

Redevelopment Project Manager Farrelly presented the staff report and noted if the resolution before the council is approved the public hearing will be scheduled for September 15, 2015 to vacate a 100 foot public utility easement adjacent to the old dog park location. This easement is no longer needed and because it is public property a public hearing is required.

Council President Snider clarified there is currently no utility in the easement. Mr. Farrelly replied that is correct.

Councilor Henderson asked if the building going on the site will be sitting on this easement. Mr. Farrelly answered the building will be built to the property line and cover this easement.

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Mr. Farrelly asked the council to consider approving the resolution in the staff report which would set the public hearing for September 15, 2015.

Councilor Henderson moved for approval of Resolution No. 15-46. Councilor Goodhouse seconded the motion. The motion passed unanimously.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Cook			✓
Councilor Goodhouse	✓		
Councilor Henderson	✓		
Council President Snider	✓		
Councilor Woodard	✓		

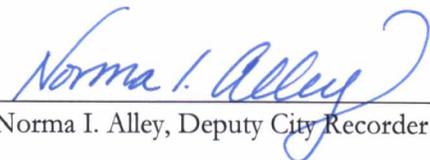
8. NON AGENDA ITEMS – None.

9. EXECUTIVE SESSION: Not held.

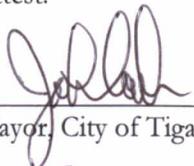
10. ADJOURNMENT

At 8:00 p.m. Councilor Woodard motioned to adjourn the meeting. Councilor Goodhouse seconded the motion. The motion was approved by a unanimous vote of City Council present.

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Cook			✓
Councilor Goodhouse	✓		
Councilor Henderson	✓		
Council President Snider	✓		
Councilor Woodard	✓		

  
Norma I. Alley, Deputy City Recorder

Attest:

  
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Mayor, City of Tigard

Date: September 22, 2015