



City of Tigard

Tigard Workshop Meeting – Agenda

TIGARD CITY COUNCIL

MEETING DATE AND TIME: February 17, 2015 - 6:30 p.m.

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

PUBLIC NOTICE:

Times noted are estimated.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

VIEW LIVE VIDEO STREAMING ONLINE:

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

Workshop meetings are cablecast on Tualatin Valley Community TV as follows:

Replay Schedule for Tigard City Council Workshop Meetings - Channel 28

- Every Sunday at 12 a.m.
- Every Monday at 1 p.m.
- Every Thursday at 12 p.m.
- Every Friday at 10:30 a.m.

SEE ATTACHED AGENDA



City of Tigard

Tigard Workshop Meeting – Agenda

TIGARD CITY COUNCIL

MEETING DATE AND TIME: February 17, 2015 - 6:30 p.m.

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

6:30 PM

- **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

1. WORKSHOP MEETING
 - A. Call to Order - City Council
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. Call to Council and Staff for Non-Agenda Items
2. RECEIVE AN ANNUAL REPORT FROM MUNICIPAL COURT - **6:35 p.m. estimated time**
3. RECEIVE AN ANNUAL REPORT FROM TUALATIN VALLEY FIRE & RESCUE - **6:55 p.m. estimated time**
4. DISCUSSION ON PARKS AND TRANSPORTATION SYSTEM DEVELOPMENT CHARGES - **7:10 p.m. estimated time**
5. DISCUSSION ON THE PACIFIC HIGHWAY/GAARDE/MCDONALD WATERLINE CONTRACT - **8:10 p.m. estimated time**
6. BRIEFING ON AN AGREEMENT TO FACILITATE GOVERNANCE OF THE WILLAMETTE RIVER WATER SUPPLY - **8:20 p.m. estimated time**
7. BRIEFING ON AN AGREEMENT WITH CLEAN WATER SERVICES REGARDING THE RIGHT OF WAY AT THE SOUTHERN END OF 85TH AVENUE - **8:30 p.m. estimated time**
8. BRIEFING ON CAPITAL IMPROVEMENT PLAN PROJECTS - **8:40 p.m. estimated time**

9. DISCUSSION ON THE CITY MANAGER'S 2015 EVALUATION FORM AND CRITERIA
- **8:55 p.m. estimated time**
10. NON AGENDA ITEMS - **9:25 p.m. estimated time**
11. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
12. ADJOURNMENT - **9:30 p.m. estimated time**

AIS-2005

2.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 20 Minutes

Agenda Title: Tigard Municipal Court Annual Report to City Council

Prepared For: Nadine Robinson, Administrative Services

Submitted By: Nadine Robinson, Administrative Services

Item Type: Update, Discussion, Direct Staff **Meeting Type:** Council Workshop Mtg.

Public Hearing: No

Publication Date:

Information

ISSUE

Judge O'Brien and Nadine Robinson, Administrative Services Manager, will provide an update on the status of the municipal court's programs and caseload. Direction will be requested on expanding the court's diversion programs or leaving them as they currently exist.

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

As in years past, the court's 2014 caseload was predominantly minor traffic offenses arising under the Oregon Revised Statutes. For many citizens resolving a citation is the only contact they will have with the judicial system. We recognize that the experience they have in the city's court can leave a lasting impression. To encourage a positive experience the court is committed to:

- Resolving cases in a manner that is fair and impartial.
- Treating those whom we interact with respectfully as we provide services that are efficient, timely and accurate.
- Listening carefully so members of the public will feel that their unique situations have been addressed.
- Providing education about Oregon law and traffic safety concerns within Tigard with the goal of helping to make our community safer.

In 2014, 6,675 violations were filed in municipal court. Of those, convictions were entered in 84% of the cases. During this time period, the court imposed \$1,209,617 in fines and assessments. The court collected over \$1,000,000 in fines and assessments that were imposed over multiple years. Of the money collected, \$373,696 in statutory assessments were remitted to state and local agencies.

This year's annual report contains information on Tigard Municipal Court's current traffic safety diversion. Traffic safety diversion usually consists of attending a traffic safety program and paying a fee to the program and the court. If the elements are completed, the citation is dismissed. Since the court's policy towards diversions is one component of the city's interactions with citizens, the court is seeking the assistance of City Council in evaluating its programs and their contribution to enhancing public safety in Tigard. Depending on the city's broad goals, Tigard's diversion programs can be expanded or left in their present form.

The court continues to give high priority to providing information in person, in print and online about Oregon law, court operations and public safety. Approximately 90 of the judge's monthly "Rules of the Road" columns have appeared in Cityscape since 2007. Over the last year, the court participated in the City's upgrade of its website by providing content that gives the public access to more information about court rules and procedures.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

The court supports the strategic plan by providing information to the public, through brochures, Cityscape articles and the website, that promote safety.

DATES OF PREVIOUS COUNCIL CONSIDERATION

The 2013 annual report was presented February 18, 2104.

Attachments

[Annual Court Report](#)

[Annual Court Report PPT](#)



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Michael J. O'Brien, Presiding Judge
Nadine Robinson, Court Manager

RE: 16th Annual Report from Tigard Municipal Court

DATE: February 17, 2015

We are pleased to present our 16th annual review of Tigard Municipal Court (TMC) operations and policies to Council and the City Manager. In addition to our annual review of caseload and other court activities, this year's report will focus on our continuing evaluation of court-supervised diversion programs and their possible expansion.

1. 2014 Caseload (Table 1): Last year the court adjudicated 6,675 violations, about 16% less than the average of the previous four years.

2014	6,675
2013	7,180
2012	9,105
2011	8,349
2010	7,028

Monthly fluctuations in court filings, from a high of 707 in July to a low of 426 in February, can have substantial impacts on case processing and scheduling by court staff. However, relatively slow months allow staff to catch up with trial dockets and case processing.

As in past years, the vast majority of the court's caseload consists of minor traffic violations under Chapter 811 of the Oregon Revised Statutes and Tigard ordinances. However, 2014 saw a significant shift in the three most common categories of violations compared to previous years:

Table 2 – Three most common violations (2013-14)		
Violation	2013 (%)	2014(%)
Speeding	3,048 (43)	2,369 (36)
Cellphone	545 (8)	1,044 (16)
Traffic control devices	860 (12)	712 (11)

While the number of speeding citations declined markedly in 2014, and the number of citations for traffic control devices remained roughly the same; cellphone violations nearly doubled. Other common violations included: Following too closely, Careless driving, Obstructing cross traffic, Safety belts, Turn and Passing lane violations, Expired registration, Insurance violations and Driver’s License offenses.

The large increase in cellphone violations appears to reflect evolving enforcement priorities and a growing focus on the impacts of distracted driving in Tigard and elsewhere, though statewide caseload data for 2014 is not currently available.

3. Disposition of cases by percentage in 2014:

Guilty by judge:	33%
Guilty by clerk:	35
Guilty by default:	14
Acquitted or dismissed:	5
Bond forfeiture:	2
Deferred/diversion:	9
Other:	2

4. Distracted Driver Diversion Program (DDDP): As stated in last year’s annual report, a major court goal for CY 2014 was to work with the Tigard Police Department in establishing and administering the DDDP to provide safety education for defendants who plead no contest or are convicted of cellphone violations and other offenses arising from inattentive driving.

The DDD program has been in operation for approximately six months and appears to be making a positive contribution to safety education. With a doubling in the number of cellphone violations during CY 2014, court referrals to the new program began and continued at a brisk pace through the last months of the year.

The court requirements for successful completion of the DDD program are strictly enforced. They include:

- A personal appearance at either arraignment or at the court counter to verify eligibility; the program is not offered by mail.
- No convictions for any moving violations for the previous two years.

- Payment of a court diversion fee of \$120 (an amount equal to the minimum fine under court rules) within 90 days.
- Proof of attendance at one of the monthly classes, taught by Tigard police officers, within 90 days.
- Payment of the police department's \$25 class fee within 90 days.

Upon completion of all requirements, the citation is dismissed and the record of a conviction is not forwarded to DMV. The two-year "lookback" rule was requested by TPD; it reflects a substantial reduction below our usual five-year lookback for diversion eligibility.

As of December 2014, 223 drivers had attended Tigard's DDDP. Of those, 83% were referred by the court. The attendance rate (95%) was impressively high. Based on our attendance at a recent class, the presentation by two Traffic Safety officers was quite effective and the large audience was attentive.

5. Existing diversion programs: In last year's report, we addressed the policy basis for diversion programs that have been offered to a small percentage (7% in 2014) of defendants who meet strict requirements similar to those described above. [Background information on policy issues from last year's report is provided in the attachment.] Before the creation of the DDDP last summer, diversion programs were aimed at those who could most clearly benefit from traffic safety education: teens, seniors, and safety-belt offenders. Classes for teens may reduce some of the effects of inexperience, while classes for seniors can enhance awareness of the effects of aging.

Unfortunately, we could find no recent large-scale studies that assess the long-term effectiveness of traffic safety programs in reducing recidivism and the overall number of collisions.

6. Diversion expansion option: Based on the success of the DDDP's expansion of eligibility standards and the policy considerations set forth in the attachment, the court recommends that Council consider a resolution formally adopting an expanded diversion program effective July 1, 2015. The program could have the following features:

- Any licensed driver with no moving violations or participation in a court diversion program for the previous five years would be eligible to participate. The criterion for the existing DDDP would remain unchanged at two years. Please note that holders of a commercial drivers' license are ineligible for diversion under state and federal law.
- Defendants would be required to appear at the scheduled arraignment and enter a "no contest" plea but the court would not enter a conviction or judgment unless the defendant failed to complete all diversion requirements within 90 days.
- Court diversion fee: Equal to 75% of the Presumptive Fine (the amount on the front of a citation) established by statute.
- Class: The court will refer defendants to a suitable program in its sole discretion, and the fee for that program must be timely paid to the provider.
- If a defendant fails to satisfy all requirements, the court will enter a "guilty" finding

and enter a judgment equal to the 75% of the Presumptive Fine. Any court diversion fee paid by the defendant will be converted into a judgment when a “guilty” finding is entered and the \$61 statutory assessment¹ will be forwarded to the Oregon Department of Revenue (ODR) as it is under existing practices.

5. Fiscal impact of expanded diversion programs: Based on a recent sampling, we assume that about 35-40% of our current traffic caseload will be eligible for an offer of diversion. Since fines are based on the four classes of violations (A-D) under Oregon law, the fiscal impacts will depend on the proportions of those classes in our caseload.

The administration of an expanded diversion program will require additional staff time to monitor compliance, though it could also reduce some costs (such as preparation of conviction abstracts for submission to DMV). The COT may recoup these costs by retaining the \$61 assessment as a court diversion fee. The full state assessment would be imposed and forwarded to the ODR if the diversion fee is converted to a judgment for noncomplying defendants.

By retaining the statutory assessment as part of the court diversion fee, the COT will realize additional revenue beyond the process currently in place. If 2,300 defendants complete diversion, for example, the court fee may generate about \$140,000 in additional revenue compared to the existing model.

If Council would like to proceed with the expanded diversion program, we can schedule another meeting to discuss a resolution well in advance of the projected implementation date of July 1st. The feasibility of continuing such a program from month-to-month will depend on such factors as caseload, administrative burdens, budgetary considerations, and any changes in relevant statutes during the current legislative session. The expanded program could easily be revised or discontinued at any time.

6. 2014 budget highlights: The court imposed fines and assessments totaling \$1,209,617; an 8% increase over 2013. Total collections for the year were \$1,083,821 with \$373,696 being paid to the state and county for mandatory assessments. A number of factors affect collection rates, including continuing installment payments for fines imposed in prior years, and ongoing monthly payments for fines imposed in 2014. For defendants who fail to appear for arraignment or trial, the court imposes the full presumptive fine and an additional 25% surcharge. If a case is sent to a collection agency, an additional 18% is added as permitted by state statute. Collection rates for defendants who are in default or fail to appear tend to be relatively low in all courts, distorting collection rates considerably.

7. New legislation: Several legislative measures that could affect municipal courts are under consideration early in the session, including one (Legislative Concept 2242) that would impose potentially burdensome reporting and auditing requirements relating to “caseload, fine revenue and other information.” Proposed Senate Bill 363 could limit nonstatutory fees

¹ The \$61 assessment or “replacement fine” appears to be comparable to a “user fee” reflecting an estimate of the cost of services provided to cities by state agencies such as DMV and the Department of Public Safety Standards and Training.

charged by courts. A third proposal would require all judges to be licensed members of the Oregon State Bar, but it would affect few jurisdictions because membership is already required by most city codes or charters (including Tigard's). The Oregon Municipal Judges Association (OMJA) will propose legislation and present testimony during the session in cooperation with the League of Oregon Cities and representatives of Oregon cities.

8. **Public information programs:** The court continues to actively provide public information on Oregon's legal system, court processes and traffic safety. The court has participated in the City's recent upgrade of its website by providing greater public access to extensive information about court rules and procedures. The judge's monthly "Rules of the Road" column in Cityscape is now in its 9th year, and it is regularly reposted on the court's website.

9. **Staff development:** The judge and Court Clerk Brenda Annis attended the Oregon Department of Transportation's Judicial Education Program in March. The judge also attended the annual conference of the OMJA in September, where he was elected to serve on its Board of Directors. Court clerks Chris Snodgrass and Morgan McFadden attended the annual conference of the Oregon Association for Court Administration.

In closing, we wish to again acknowledge the court staff's hard work and professionalism during 2014: Chris Snodgrass, Brenda Annis and Morgan McFadden.

Please let us know if you require any additional information.

Attachment: Policy basis for diversion programs

A. Overall court goals and judicial philosophy. When complaints are filed with the court by TPD or Code Enforcement officers, the court's first objective is to provide an impartial forum for adjudication in a fair, professional and efficient manner, consistently applying relevant statutes and ordinances. Where an offense has been committed, the court strives to: 1) Enter appropriate sanctions in order to deter subsequent offenses, taking into account individual circumstances to the extent allowed by law and workload constraints; and, 2) Provide education about public safety, relevant statutes and the legal process.

B. Traffic diversion programs: Oregon law confers broad authority on judges to resolve cases, including specific statutory authority under ORS 135.755 to dismiss a case "in furtherance of justice." But the court's policy towards traffic diversions is not, strictly speaking, just a legal question: it forms one component of the City's interactions with citizens and community goals in promoting traffic safety. Diversion programs could therefore be expanded or left in their present limited form.

TMC and many other Oregon courts have traditionally maintained diversion programs to educate defendants convicted of specified traffic violations. These programs generally allow citations to be dismissed upon completion of all requirements, with no record of a conviction transmitted to DMV.

Many defendants, aware of programs in other Oregon courts or other states, request "traffic school" at arraignment in order to prevent a conviction from appearing on their driving records. Under current criteria (as described in Section 5), however, the request is usually denied and the vast majority of TMC convictions are forwarded to DMV. A court offer of diversion is rarely declined.

C. Advantages of limited diversion programs currently in place:

- Complete driving histories are useful to courts in determining future sanctions and, potentially, to auto insurance companies in setting rates.
- Diversions "mask" convictions so they become, in effect, invisible to DMV's Driver Improvement Program (DIP) and to judges in other courts. The DIP restricts or suspends the driving privileges of those who receive multiple violations over an 18- to 24-month period. "Masking" convictions through multiple diversions could undermine the DIP's impact and prevent other judges from having access to a defendant's full driving history.
- By statute, participation in traffic diversion programs is not noted on DMV driving records, unlike diversions for Driving Under the Influence of Intoxicants. Defendants, in the worst case, could have multiple "invisible" convictions that do not appear on the DMV record after participation in one or more diversion programs in various courts. This risk could be greatly reduced by requiring defendants to sign declarations that they have not participated in other diversion programs during the applicable eligibility period.

D. Advantages of expanded diversion programs as proposed:

- Traffic schools like Tigard's DDDP and Legacy's "Trauma Nurses Talk Tough" are designed to educate drivers about safe driving and relevant laws that highway users are expected to obey, enhancing public safety and reducing recidivism.
- Eligible defendants pay a fee to the court equal to the fine they would otherwise pay, along with a fee for the class they will attend. If a defendant fails to successfully complete all requirements, the fee will be simply converted into a judgment, the \$61 state assessment will be imposed and the conviction will be forwarded to DMV.
- Diversion fees could be restructured by resolution to enhance general-fund revenues to compensate COT for additional costs incurred in monitoring compliance.
- Some drivers who might otherwise plead "not guilty" only to avoid having a conviction on their records may choose diversion instead, relieving pressure on the court's trial dockets.

E. Illustration of expanded diversion program: An adult defendant is cited for speeding (\$160 presumptive fine), appears for her scheduled arraignment and pleads "no contest." She is offered diversion when her record shows that she has had no moving violations for at least five years. Court staff refers her to a specific program and reviews all program requirements with her in detail. She is required to certify, by her signature, that she has not participated in any court-sponsored diversion programs for at least five years. Her citation will be dismissed if she does all of the following, with no exceptions: 1) pays a court diversion fee of \$120; 2) pays the class fee (typically \$25-75) to the provider within 90 days; and, 3) submits proof of attendance within the 90 days. If she fails to timely comply with all requirements, the \$120 diversion fee will be converted into a court judgment and the \$61 state assessment will be forwarded to the Oregon Department of Revenue. If the \$120 has not been paid in part or in full, the court can suspend defendant's right to drive and pursue the standard collections process.

(Adapted from the 2014 Annual Report)

City
of
Tigard



Respect and Care | Do the Right Thing | Get it Done

2015 Annual Report to Council

Tigard Municipal Court

Michael J. O'Brien, Presiding Judge

Nadine Robinson, Manager

Presented to: Tigard City Council

February 17, 2015



Municipal Court Programs

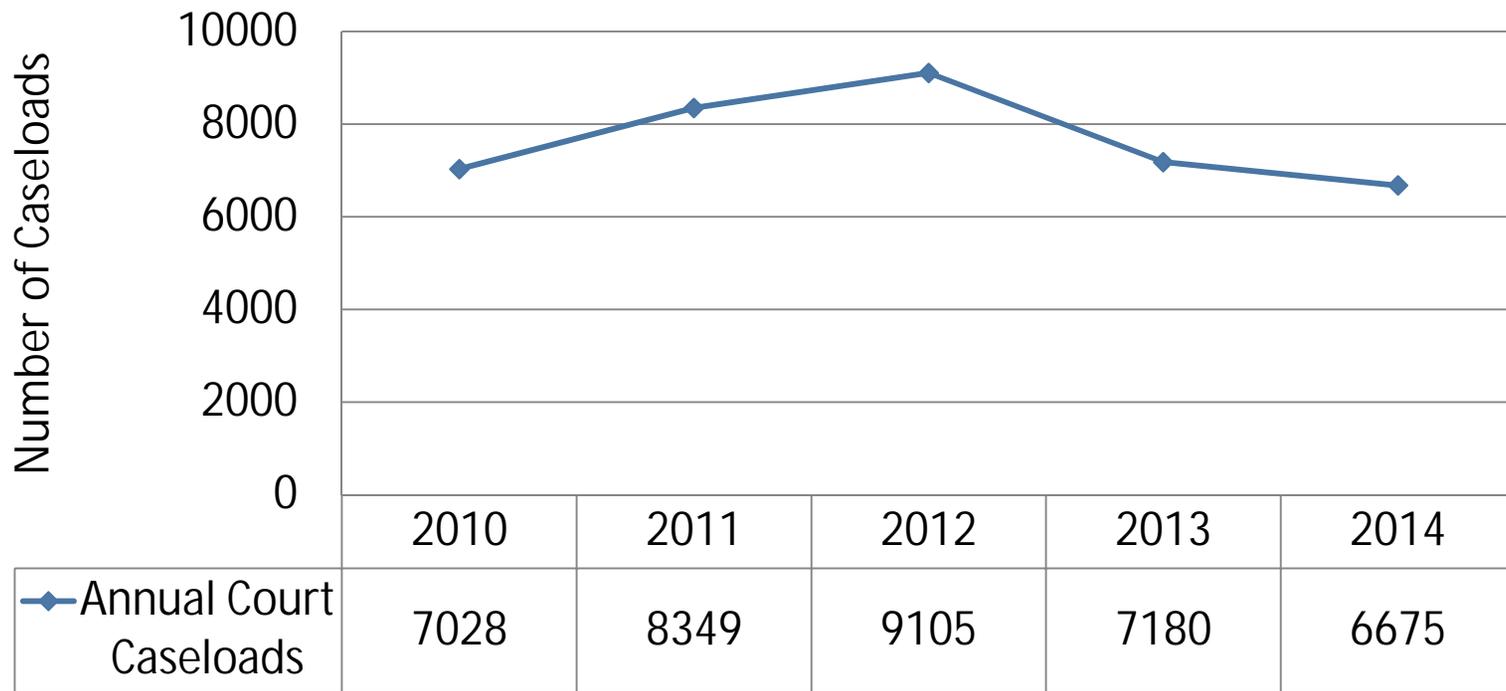
1. Traffic
2. Civil infractions
3. Public information

2014 Calendar Year Highlights

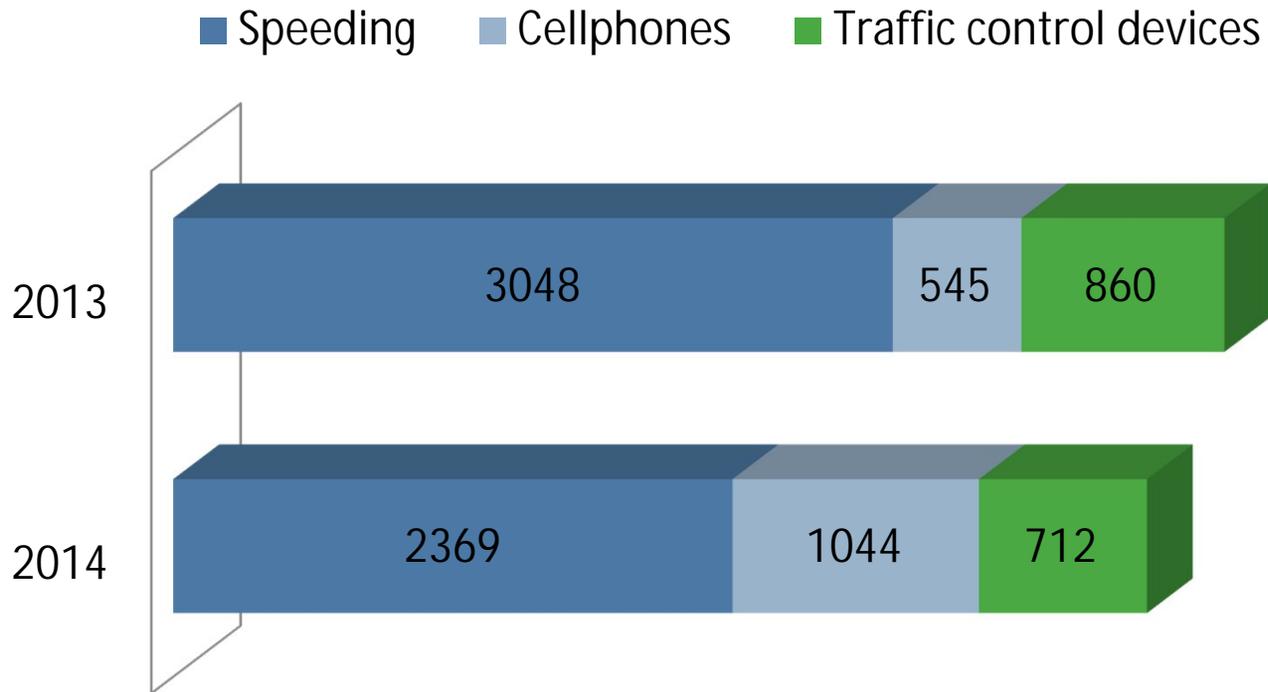
- ▶ 6,675 violations filed
- ▶ 16% below 4-year average
- ▶ Cellphone citations doubled
- ▶ TPD Distracted Driver Diversion: 223 drivers (83% referred by court)
- ▶ Diversion Program expansion proposal

Violations Filed 2010 – 2014

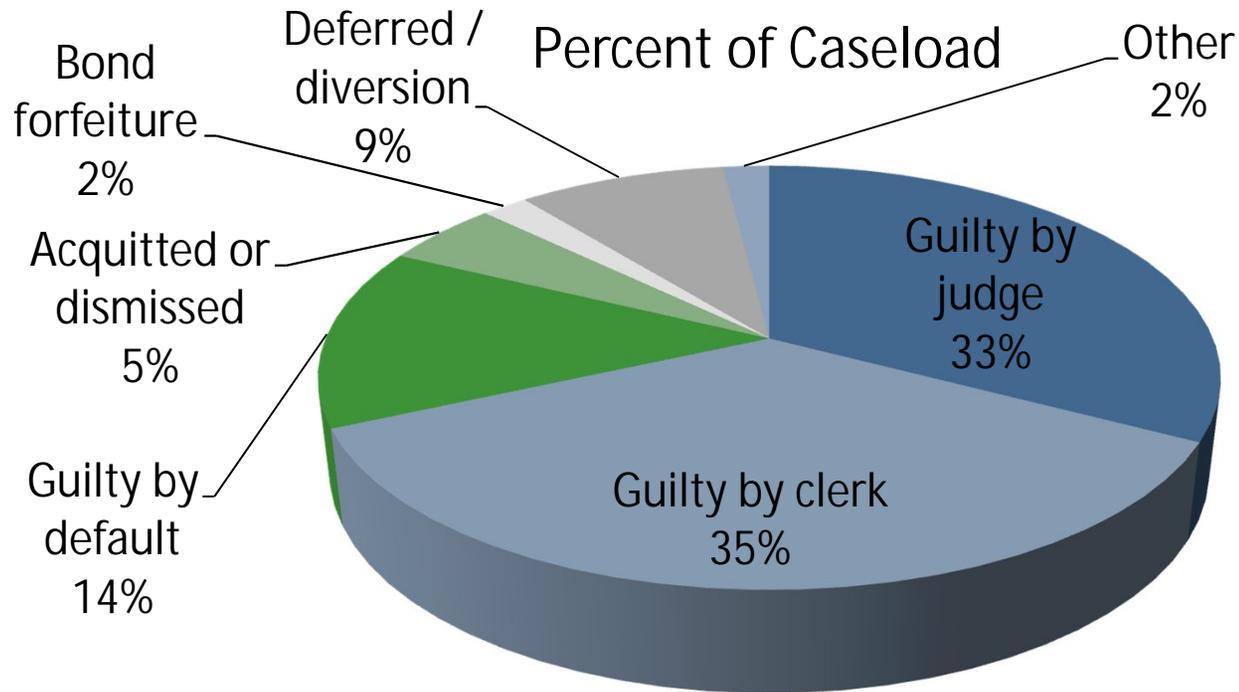
Annual Court Caseloads



Three Most Common Violations



2014 Dispositions



Philosophy and Goals

- ▶ Provide an impartial forum for adjudications
- ▶ Respectful courtroom and administrative process for all parties and witnesses
- ▶ Full opportunity to be heard and considered in court
- ▶ Fair, professional and efficient dispositions

Sanctions Philosophy

- ▶ Proportionate sanctions to deter subsequent offenses
- ▶ Consider individual circumstances as permitted by law and workloads
- ▶ Reduce recidivism through education about public safety, relevant laws and legal processes
- ▶ Diversion programs to provide traffic safety education

Diversion Programs – 2014

- ▶ 9% offered diversion
- ▶ Distracted Driver Diversion Program
- ▶ Teen drivers 18 and under
- ▶ Seniors 60 and older
- ▶ Safety belt violations

Advantages of Current Diversions

- ▶ Focus on those most in need of safety education
- ▶ Accountability: convictions appear on DMV driving record – no “masking” from other judges
- ▶ DMV Driver Improvement Program: frequent offenders face license restrictions, suspensions
- ▶ Staff time to monitor compliance relatively low

Advantages to Expanding Diversions

- ▶ Traffic schools educate more drivers to change behavior
- ▶ Enhanced public safety, reduced recidivism
- ▶ Financial sanctions remain the same for defendants
- ▶ Masking much less likely with signed certifications
- ▶ Restructured fees: Increase revenues to general fund
- ▶ 90-day collection rate potentially higher
- ▶ Reduced docket pressure: Some may prefer diversion to trial

Proposed Diversion Expansion

- ▶ Eligibility: licensed adults with clear records for 5 years (35-40% of caseload)
 - ▶ DDD Program: 2-year “lookback”
- ▶ Administrative fee equal to minimum fine – becomes a judgment if noncompliant
- ▶ Pay for and attend approved safety class within 90 days
- ▶ Citation then dismissed – no DMV entry

Diversion Procedures

- ▶ Eligibility determined at or before arraignment
- ▶ Staff reviews requirements, defendant signs certification
- ▶ Pay administrative fee equal to minimum fine
- ▶ If noncompliant: “guilty” finding, fee converted to judgment, \$61 assessment forwarded to ODR
- ▶ Usual collections procedures, suspension

Budget Highlights — 2014

- ▶ Total fines imposed: \$1,209,617 (8% increase over 2013)
- ▶ Total collections: \$1,083,821
- ▶ Remitted \$373,696 in statutory assessments to state and local agencies

Compliance Program - 2014

- ▶ Driving While Suspended / No Operator's License: 531 violations filed
- ▶ Insurance violations: 316 violations filed – dismissed under ORS if valid at stop
- ▶ Fines reduced upon proof of compliance after stop
- ▶ Fix-It program for equipment violations – \$40 administrative fee

Public Information Program

- ▶ Information provided in the courtroom, at the counter and online
- ▶ Safety education promoted through diversions
- ▶ Trial brochure for “not guilty” pleas
- ▶ Online court rules for attorneys, general public
- ▶ “Rules of the Road:” over 90 columns since 2007
- ▶ Provided content for website redesign

2015 Legislative Session

- ▶ OMJA monitors legislation and provides information to elected officials
- ▶ LC 2242: Potentially burdensome reporting and auditing requirements on “caseload, fine revenue and other information.”
- ▶ SB 363: Could limit nonstatutory fees charged by courts
- ▶ Proposed legislation requires all judges to be licensed members of Oregon State Bar (Tigard not affected)

Other Court Activities

- ▶ Judge attended ODOT's annual Judicial Education Conference and OMJA Fall Conference
- ▶ Judge elected to OMJA Board of Directors
- ▶ Court clerks received education through the Oregon Association for Court Administration conference and the ODOT Conference

Tigard Municipal Court

13125 SW Hall Blvd.

Tigard, Oregon 97223

Court staff:

Chris Snodgrass

Brenda Annis

Morgan McFadden

www.tigard-or.gov/court

AIS-2100

3.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 15 Minutes

Agenda Title: RECEIVE TVF&R STATE OF THE DISTRICT PRESENTATION FROM CHIEF DUYCK

Submitted By: Carol Krager, City Management

Item Type: Update, Discussion, Direct Staff

Meeting Type: Council Workshop Mtg.

Public Hearing: No

Publication Date:

Information

ISSUE

TVF&R Chief Duyck gives his annual State of the District presentation at a Tigard City Council meeting annually.

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

TVF&R Chief Duyck will give his annual State of the District presentation which will cover:

- Year in Review
- Planning for the Future
- Creating Safer Communities

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

4/8/2014

Attachments

PowerPoint

TVF&R 2015

Full Speed Ahead



Tonight's Topics

*Year
in
Review*

*Planning
for the
Future*

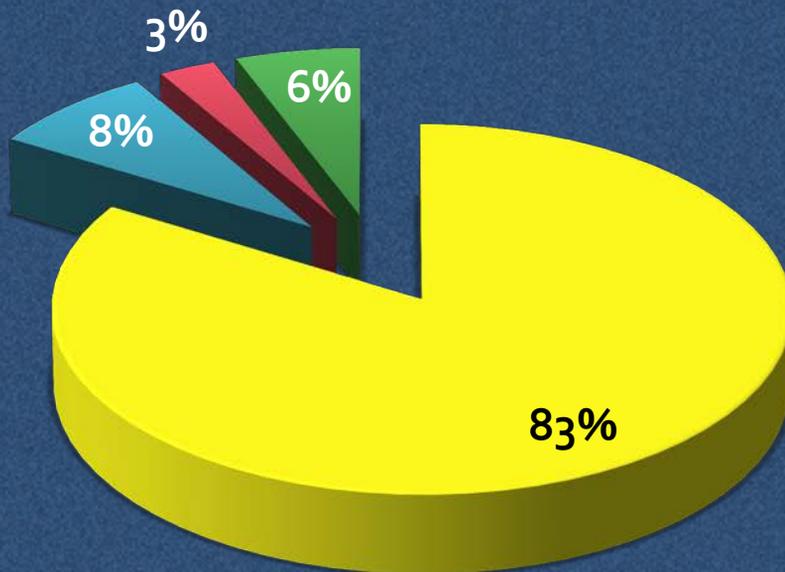
*Creating
Safer
Communities*

2014 Review

Response, Prevention & Education



Tigard Incidents in 2014: **5,354**



■ Medical Calls: 4474

■ Fires: 422

■ HazMat: 143

■ Public Assist: 315

District-wide Response

Incidents

40k

35,093

30k

20k

10k

2010

2011

2012

2013

201





Programs

In the past year.....

SKID demonstrations: at high schools: **4**

Students trained in CPR: **4,713**

Inspections: **6,318**

Investigations: **170**

Landlords Trained: **141**

Attendance at our safety events: **50,960**



Accomplishments

- ✓ *Remodel of Tigard Station*
- ✓ *Passed Local Option Levy*
- ✓ *Trained 25 Recruit Firefighters*
- ✓ *Deployed Two Medic Units*
- ✓ *Purchased Station 70 (Raleigh Hills)*
- ✓ *Opened Station 68 (Bethany)*
- ✓ *Completed St. Vincent's Pilot*
- ✓ *Improved Response Times*
- ✓ *New Transport Partnerships*



Planning the Future

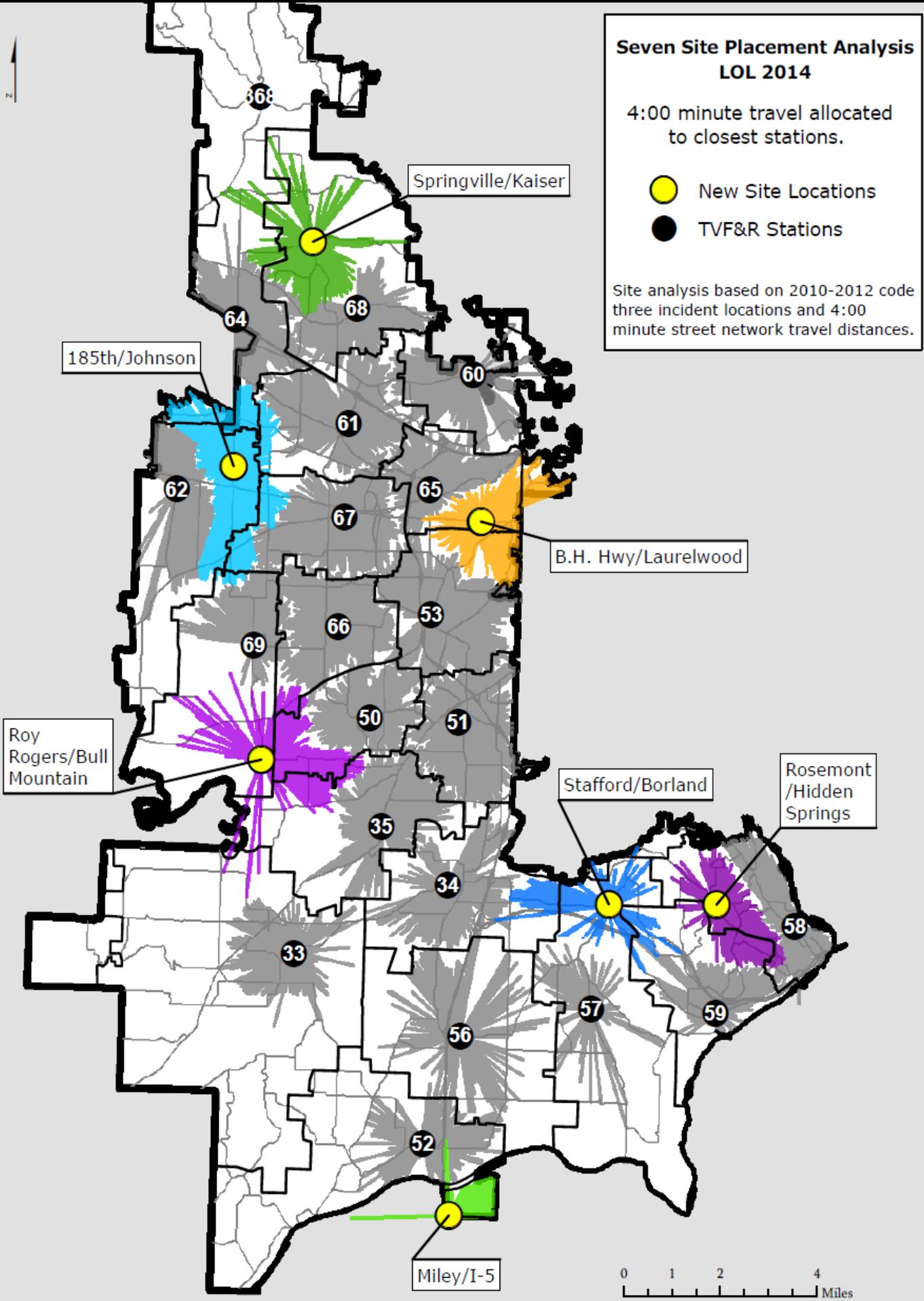
Fast & Effective Response

Seven Site Placement Analysis LOL 2014

4:00 minute travel allocated
to closest stations.

- New Site Locations
- TVF&R Stations

Site analysis based on 2010-2012 code
three incident locations and 4:00
minute street network travel distances.



In Process

- ❑ *Recruit firefighter academy*
- ❑ *Volunteer recruitment*
- ❑ *West Bull Mt. station planning*
- ❑ *Six medic units*
- ❑ *Three trucks*
- ❑ *New volunteer apparatus*
- ❑ *Seismic retrofit 62,64,69 (grant)*
- ❑ *Wilsonville station remodel*
- ❑ *Station 70 buildout (Raleigh Hills)*
- ❑ *Land purchases*



COMING
SOON

Tustin Valley
Fire & Rescue
PARAMEDIC UNIT
Advanced Life Support

TVFR

TVFR

62018

Tigard Station 51



Remodel complete in March.

Open house this summer!

Technology



*Leveraging technology & data
for better outcomes.*

Creating Safer Communities

Video of cardiac survivor.

AIS-1998

4.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 60 Minutes

Agenda Title: Discussion on Parks and Transportation System
Development Charges

Prepared For: Toby LaFrance

Submitted By: Debbie Smith-Wagar
Financial and Information Services

Item Type: Update, Discussion, Direct Staff
Meeting Type: Council
Workshop
Mtg.

Public Hearing No

Newspaper Legal Ad Required?:

Public Hearing Publication

Date in Newspaper:

Information

ISSUE

Discussion of Parks and Transportation System Development Charges.

STAFF RECOMMENDATION / ACTION REQUEST

Staff is seeking direction from Council on policy issues related to System Development Charges (SDCs) for Parks and Transportation.

KEY FACTS AND INFORMATION SUMMARY

Staff has been reviewing system infrastructure funding over the last year. This effort is being done for citywide purposes and in concert with the River Terrace Funding Strategy, which was adopted by Council on December 16, 2014. The River Terrace Funding Strategy identifies a course of action and specific funding options to fund needed infrastructure in River Terrace. Many of the identified funding options in this strategy need Council action to implement, including updated and new System Development Charges (SDC) for Parks and Transportation.

The city currently has a citywide Parks SDC. The Funding Strategy recommends updating this SDC and creating an area-specific Parks SDC for River Terrace. The city does not have its own Transportation SDC, but it uses the Washington County Transportation Development Tax (TDT) for a similar purpose. A citywide Transportation SDC would provide additional needed resources to help build and improve the city's road network. The Funding Strategy recommends creating a citywide Transportation SDC and an area-specific Transportation

SDC for River Terrace

This workshop will present Council with the progress on the SDC studies that staff has been working on with FCS Group. The workshop presentation is attached to this AIS and will:

- Provide Council with background information on the calculation and use of SDCs.
- Discuss the SDC recommendations adopted in the River Terrace Funding Strategy and how they work with other funding tools to pay for infrastructure.
- Present Council with methodology and policy decisions, including:
 - A lower citywide SDC with additional area-specific SDCs (such as River Terrace) vs. a higher blended citywide SDC without area-specific SDCs.
 - Full cost SDCs vs. discounted SDCs and the impact on other funding tools and project lists.
 - Standard TDT credit policy vs. N Bethany credit policy for developers who build city road facilities. Will the city have a standard policy where developers receive credit for the portion of the facility that is more than the local portion required for their development? Or will the developer receive an additional credit to include all (or part) of the local portion resulting in either a higher SDC to make up for the lost revenue or more unfunded projects?

Staff and the city's SDC rate consultants, FCS Group, need guidance from Council on these policy areas in order to remain on schedule. The key upcoming dates include:

- 2/26 – 60 day notice of the city's proposed SDC methodology
- 3/17 – Workshop with Council to present and discuss remaining issues and their impact on draft SDCs. Council to provide final guidance on issues.
- 4/28 – Hearing to adopt SDC methodology, policies and procedures, and new charges.

OTHER ALTERNATIVES

Council can request additional information from staff and consultants prior to providing direction on the SDC methodology. This will result in a delay in implementing the SDCs.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

Infrastructure Financing Project (River Terrace and Citywide)

- Council briefing
- SDC notice and methodology
- Council hearing

DATES OF PREVIOUS CONSIDERATION

05/20/2014 - River Terrace Funding Strategy Introduction

06/17/2014 - River Terrace Preliminary Funding Strategy and Parks and Transportation System Plan Addenda Briefing

07/08/2014 - Infrastructure Financing Project (River Terrace & Citywide) Discussion

08/12/2014 - LCRB award to FCS Group for Infrastructure Financing Study

09/23/2014 - River Terrace Draft Funding Strategy Briefing

10/21/2014 - River Terrace Draft Funding Strategy Plan Briefing Follow-up

12/16/2014 - River Terrace Funding Strategy Adoption

Attachments

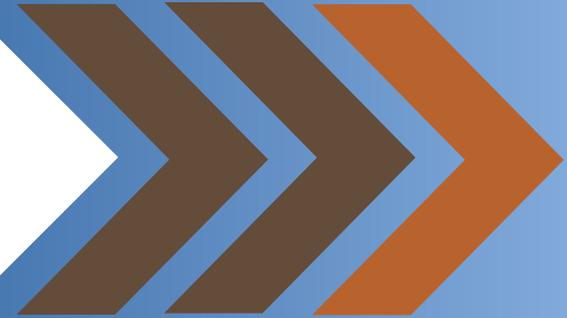
[SDC PowerPoint Presentation](#)

[Parks 20 Year Project List](#)

[Transportation 20 Year Project List](#)



City of Tigard



System Development Charges for Parks and Transportation

Council Workshop
February 17, 2015



 **FCS GROUP**
Solutions-Oriented Consulting



Presentation Agenda

- ◆ River Terrace Funding Strategy Direction
- ◆ SDC Basics
- ◆ SDC Analysis
 - Parks
 - Transportation
- ◆ Credit Policy Issues
 - Current Tigard Practice
 - North Bethany Practice
 - Hybrid Approach



RT Funding Strategy: Parks

Funding Mechanism	Payment Base	Rate	Near Term Funding	Long Term Funding	Total Revenue	New?	If existing fee, does it increase?
City General Fund	Citizens		\$ 250,000	\$ -	\$ 250,000	<input type="checkbox"/>	N/A
SDC- Citywide	Developers	Parks SDCs = \$6,451 perSFD (est. avg.)	\$ 2,000,000	\$ 9,263,400	\$ 11,263,400	<input type="checkbox"/>	No
SDC - RT	Developers	Parks SDCs = \$1,200 perSFD (est. avg.)	\$ -	\$ 2,794,000	\$ 2,794,000	<input checked="" type="checkbox"/>	
Utility Fee	Customers	+/- \$1.11 permonth (est. avg.)	\$ -	\$ 3,000,000	\$ 3,000,000	<input checked="" type="checkbox"/>	
G.O. Bond	Citizens	Bond costs \$63/year for \$311,000 median home (est.)	\$ -	\$ 9,100,000	\$ 9,100,000	<input checked="" type="checkbox"/>	
Grants	Other entities		\$ -	\$ 1,024,000	\$ 1,024,000	<input checked="" type="checkbox"/>	
Total			\$ 2,250,000	\$ 25,181,400	\$ 27,431,400		

Source: FCS GROUP.

- ◆ Mix of citywide and RT district overlay SDCs in near-term
- ◆ Uniform citywide fee (base charge) plus RT district overlay charge
- ◆ New citywide parks utility fee and new G.O. bond needed to reduce SDC amounts



RT Funding Strategy: Transportation

Funding Mechanism	Payment Base Rate	Near Term Funding	Long Term Funding	Total Revenue	New?	If existing fee, does it increase?
Fund Transfers	Citizens Avg. \$150,000 a year contributions	\$ 1,000,000	\$ 2,000,000	\$ 3,000,000	<input type="checkbox"/>	N/A
TDT Revenue**	Developers TDT = \$6,323 per dwelling (avg)	\$ -	\$ 3,040,000	\$ 3,040,000	<input type="checkbox"/>	No
SDC - Citywide	Developers \$5,000 per dwelling (avg)	\$ 2,025,000	\$ 6,705,000	\$ 8,730,000	<input checked="" type="checkbox"/>	
SDC - RT	Developers Subdistrict Transportation SDCs = \$467 per dwelling (avg)	\$ 252,000	\$ 835,000	\$ 1,087,000	<input checked="" type="checkbox"/>	
Transportation Utility Fee Surcharge	Citizens within RT \$5/month surcharge	\$ 100,000	\$ 1,300,000	\$ 1,400,000	<input checked="" type="checkbox"/>	
Private Cost***	Developers	\$ 3,700,000	\$ 13,820,000	\$ 17,520,000	<input type="checkbox"/>	N/A
Developers***	Developers	\$ 4,000,000	\$ 4,000,000	\$ 8,000,000	<input type="checkbox"/>	N/A
WA County (cost share)	County property to be determined owners/citizens	tbd	tbd	tbd	<input type="checkbox"/>	N/A
ODOT/Metro grants (cost share)	State/Metro citizens	\$ -	\$ 900,000	\$ 900,000	<input type="checkbox"/>	N/A
Total		\$ 11,077,000	\$ 32,600,000	\$ 43,677,000		

** Net after credits.

*** Non-credit eligible; excludes Roy Rogers Road improvements.

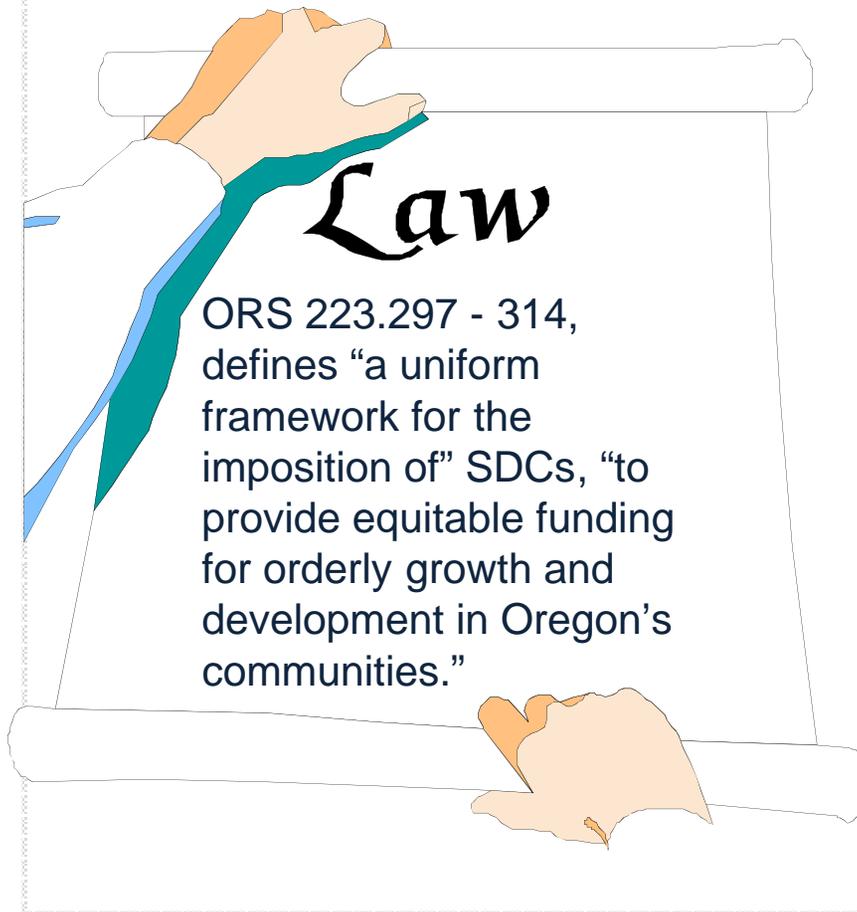
**** Includes TDT credits for Roy Rogers Road improvements.

Source: FCS GROUP.

- ◆ Mix of TDT, citywide and RT district SDCs, RT overlay district transportation utility fee, developer street dedications, and WA County participation
- ◆ Uniform citywide fee (base charge) plus district overlay charge
- ◆ Maintain current Credit policy



SDC Basics: Oregon Law

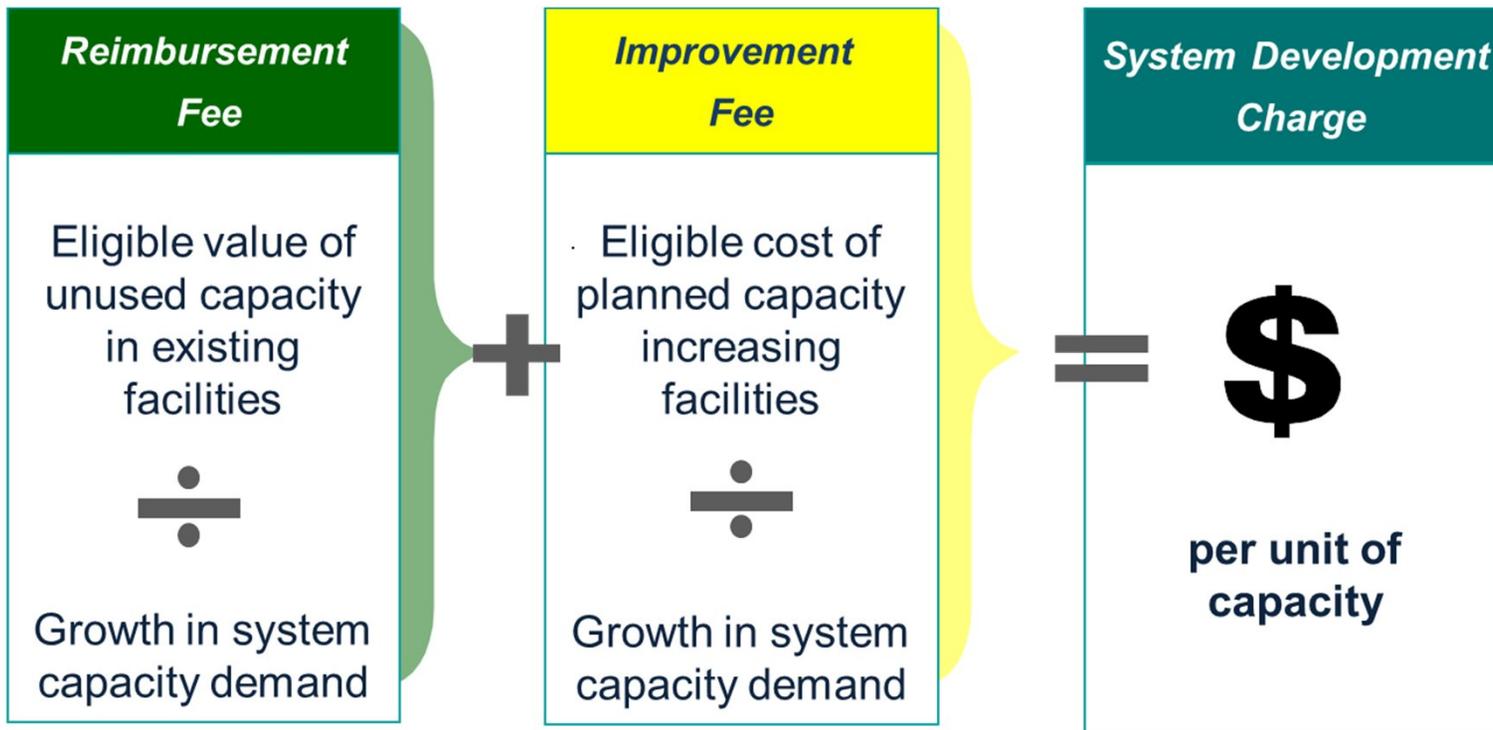


Key Characteristics

1. SDCs are one-time charges, not ongoing rates.
2. SDCs are for capital only, in both their calculation and in their use.
3. Properties which are already developed do not pay SDCs unless they “redevelop.”
4. SDCs include both future and existing cost components.
5. SDCs are for general facilities, not “local” facilities.

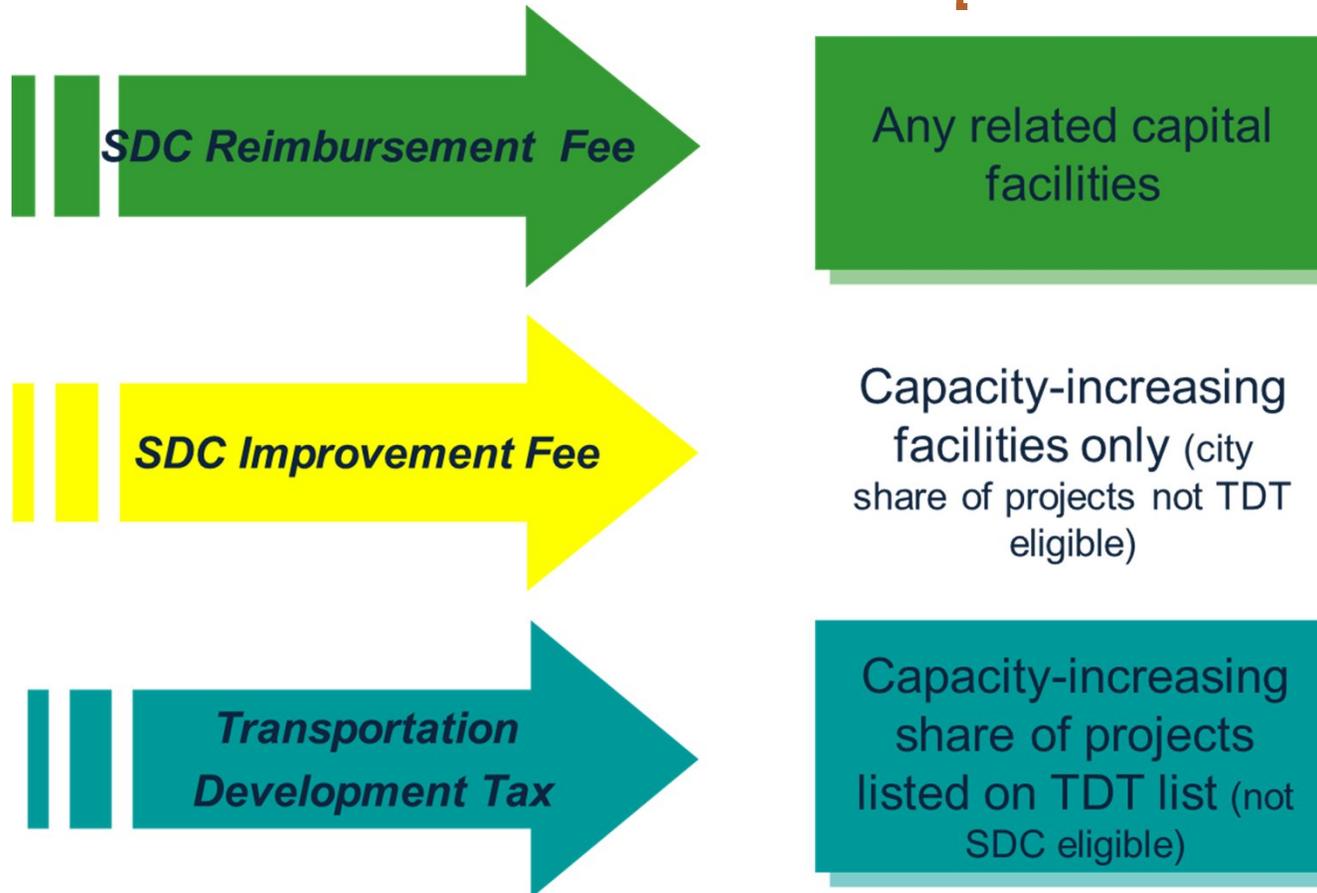


SDC Basics: Methodology





SDC Basics: Allowable Expenditures





Parks SDC Analysis

- ◆ Capital Improvements
- ◆ Improvement fee cost basis
- ◆ Reimbursement fee cost basis
- ◆ Current and Draft SDCs
 - Scenario 1: Discount SDCs per RT Strategy
 - Scenario 2: Full SDCs



Parks Capital Improvements

- ◆ Total capital cost of \$84 M for 25+ projects*
- ◆ \$69.6 M in SDC-eligible project cost (SDC-i cost basis)
- ◆ SDC project cost equates to 82% of total project cost

	of projects	total Cost	SDCi Eligible Cost	SDC Eligible
Projects with Citywide Benefit	25	\$69,520,000	\$60,196,362	
Projects with River Terrace Benefit	note 1	\$14,908,087	\$9,382,597	
Total		\$84,428,087	\$69,578,959	82%

Note 1: 19.25 community park is included with citywide projects. River Terrace projects include: 9.62 acres of neighborhood parks; 8.02 acres of linear parks; 3.01 miles of trails; and 65 acres of natural areas per River Terrace Parks Master Plan, 2014.

* Based on capital projects included in Tigard Parks and Trails master plans, and River Terrace Parks Master Plan.



Parks SDCs: Scenarios

- ◆ Scenario 1: Discount SDCs with grants, new monthly parks utility fee, bonds, developer dedications, and selected project deferrals to close funding gap (\$4.8 M)
 - Option A Districts: Requires \$6,451 per DU (citywide and \$7,671 per DU in RT district overlay).
 - Option B Uniform: Requires uniform citywide SDC of \$6,794 per DU

- ◆ Scenario 2: Full-Cost SDCs with grants, new monthly parks utility fee and bonds (no funding gap)
 - Option A Districts: Requires \$6,601 per DU (citywide and \$10,378 per DU in RT district overlay).
 - Option B Uniform: Requires uniform citywide SDC of \$7,562 per DU



Parks Scenario 1: Discounted SDCs

Scenario 1: Discount SDCs using new utility fee, grants and bond to close funding gap					
	total	City wide	river terrace	SDC i ption Districts avg	SDC i ption B niform C arge avg
Total Cost (Land & Improvements)	\$ 85,088,087	\$ 70,180,000	\$ 14,908,087		
Less SDC Eligible Revenue**	\$ 60,549,069	\$ 57,489,309	\$ 3,059,760	per D city ide per D in overlay	niform city ide SDC
Remaining Funding Required					
† er Potential	nding So rces	otes			
Grants	\$ 1,024,000		\$ 1,024,000	Potential Metro, State or foundation grants	
Parks Utility Fees (\$1.11/month)	\$ 5,756,000	\$ 1,359,000	\$ 4,397,000	Assumes 100% of RT utility fees, and 75% of citywide fee	
New Citywide Park Bond	\$ 13,000,000	\$ 6,572,673	\$ 6,427,327	Equates to levy of \$0.20 per \$1,000 AV; or \$63/year for average homeowner	
total † er nding	\$ 19,780,000	\$ 7,931,673	\$ 11,848,327		
et nding ap			\$ -		
* Total project costs to complete long-range capital improvements consistent with River Terrace and other citywide planning documents. ** SDC revenue adjusted to exclude remaining bond principal and include administrative costs.					
nding ap So rces	Percent of gap	mo nt	otes		
Delay project constr ction			City co ld re establis capital		
ait non local grants					
e ire developer dedications			is may limit development		
City Bond s					
City nd ransfers					
City Par s fility ee increase			e ires	mont par s	
	total				

Amounts shown are estimated average SDC-i charges; actual charges will vary by dwelling type



Parks Scenario 2: Full-Cost SDCs

Scenario 2: Full Cost SDCs and new parks utility fee and bonds to close funding gap

	Total	Citywide	River Terrace	SDC i ption Districts avg	ption B niform Carge avg
Total Cost (Land & Improvements)*	\$ 85,088,087	\$ 70,180,000	\$ 14,908,087	per D citywide per D in overlay	niform citywide SDC
Less SDC Eligible Revenue**	\$ 66,528,423	\$ 57,145,826	\$ 9,382,597		
Remaining Funding Required					
† Potential Funding Sources					
Grants	\$ 1,024,000		\$ 1,024,000	Potential Metro, State or foundation grants	
Parks Utility Fees (\$1.11/month)	\$ 5,756,000	\$ 1,359,000	\$ 4,397,000	Assumes 100% of RT utility fees, and 75% of citywide fee revenue to be allotted to RT projects	
New Citywide Park Bond	\$ 12,803,664	\$ 11,675,174	\$ 1,128,490	Equates to levy of \$0.20 per \$1,000 AV; or \$63/year for average homeowner	
total † funding	\$ 18,559,664	\$ 13,034,174	\$ 5,525,490		
net funding gap	\$ -	\$ -	\$ -		

Amounts shown are estimated average SDC-i charges; actual charges will vary by dwelling type

* Total project costs to complete long-range capital improvements consistent with River Terrace and other citywide planning documents. ** SDC revenue adjusted to exclude remaining bond principal and include administrative costs.



Parks SDC-r: Reimbursement Fee

- ◆ Tigard's existing parks facilities investment includes \$13.5 M in excess capacity
- ◆ This supports per capita SDC-r fees citywide of \$502 per resident and \$132 per job
- ◆ Equates to additional charge of \$1,278 per new SFD and \$951 per new multifamily dwelling unit

Reimbursement Fee	Single SDC
Cost Basis	
Cost by facility type	
Community parks	\$ 11,979,666
Open space	1,489,040
Total	\$ 13,468,705
Allocation to residential growth:	
Community parks	\$ 9,910,685
Open space	1,231,871
Total allocation to residential growth	\$ 11,142,556
Allocation to non-residential growth:	
Community parks	\$ 2,068,981
Open space	257,169
Total allocation to non-residential growth	\$ 2,326,149
Adjustments and Allocation Summaries	
Adjustments:	
Compliance costs	\$ -
Donated or grant-funded assets	(533,974)
Remaining debt service	(80,621)
Fund balance	-
Total adjustments	\$ (614,595)
Allocation to residential growth:	
Facilities	\$ 11,142,556
Adjustments	(508,450)
Total allocation to residential growth	\$ 10,634,106
Allocation to non-residential growth:	
Facilities	\$ 2,068,981
Adjustments	(106,145)
Total allocation to non-residential growth	\$ 1,962,835
Calculated SDCs	
Residential reimbursement fee per capita	\$ 502
Non-residential reimbursement fee per employee	\$ 132



Parks SDCs: Current and Draft charges

Current

Current Individual Parks Trails SDCs	
SDC type	SDC Current
SDC per single family dwelling	
SDC per multifamily dwelling	
Non-residential SDC per employee	

Draft SDC-i update scenarios

Scenario	Discounted SDCs per Strategy			Option B Citywide Uniform SDCs
	Citywide Base SDC	Districts Overlay	Total SDCs	
SDC type				
SDC per single family dwelling	\$ 7,007	\$ 1,263		\$ 7,380
SDC per multifamily dwelling	\$ 5,212	\$ 940		
Non-residential SDC per employee				

Scenario	All SDCs included			Option B Citywide Uniform SDCs
	Citywide Base SDC	Districts Overlay	Total SDCs	
SDC type				
SDC per single family dwelling	\$ 7,15	\$ 3,591		
SDC per multifamily dwelling	\$ 5,322	\$ 2,671		
Non-residential SDC per employee	\$ 689			

Draft SDC-r proposal

Proposed Parks Trails Reimbursement SDCs	
SDC type	SDC rate
SDC per single family dwelling	
SDC per multifamily dwelling	
Non-residential SDC per employee	



Transportation SDC Analysis

- ◆ Capital Improvement Assumptions
- ◆ Improvement fee cost basis
- ◆ Reimbursement fee cost basis
- ◆ Current and Draft SDCs
 - Scenario 1: Discount SDCs in line with RT Strategy
 - Scenario 2: Full SDCs
 - Option A: partial credits allowed per current policy
 - Option B: full credits allowed per N. Bethany policy
 - Option C: hybrid credit approach



Transportation Capital Improvements

- ◆ \$625.3 M in total project capital costs (91 projects) expected by year 2035 in City of Tigard*
- ◆ \$282.2 M in SDC-eligible project costs, equates to about 51% of city total cost share
- ◆ SDC-eligible projects are adjusted to exclude WA County TDT funds
- ◆ Expected Tigard cost shares are adjusted to account for anticipated ODOT and County funding
- ◆ Base case assumes current Tigard credit policy

* Based on long-term capital projects included in Tigard Transportation System Plan, Metro Regional Transportation Plan, and Washington County TDT Appendix C.



SDC Eligible Capital Improvements

Total Project Costs in City of Tigard								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	3,040,000	-	
River Terrace	-	-	37,850,000	500,000	-	1,800,000	-	
Other in City	425,091,850	54,500,000	29,000,000	-	15,000,000	30,990,000	17,500,000	
total								

B Total County Bonded Project Costs								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	-	-	
River Terrace	-	-	-	-	-	-	-	
Other in City	48,500,000	4,800,000	-	-	-	-	-	
total								

C Total Private on Creditable Project Costs								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	-	-	
River Terrace	-	-	19,647,000	-	-	-	-	
Other in City	-	-	-	-	-	-	-	
total								

D Total City Project Costs B C D								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	3,040,000	-	
River Terrace	-	-	18,203,000	500,000	-	1,800,000	-	
Other in City	376,591,850	49,700,000	29,000,000	-	15,000,000	30,990,000	17,500,000	
total								



Transportation Capital Improvements

D Total City Project Costs								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	3,040,000	-	
River Terrace	-	-	18,203,000	500,000	-	1,800,000	-	
Other in City	376,591,850	49,700,000	29,000,000	-	15,000,000	30,990,000	17,500,000	
total								

E Total SDC Eligible Project Costs								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	395,000	-	
River Terrace	-	-	14,622,750	-	-	-	-	
Other in City	187,926,804	34,891,013	9,669,378	-	5,250,000	5,515,760	13,882,267	
total								

Total D Eligible Project Costs								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	-	-	
River Terrace	-	-	3,509,750	-	-	-	-	
Other in City	97,154,918	2,508,987	16,620,622	-	-	3,731,740	3,542,733	
total								

on D SDC Eligible City Costs D E								
Project Location	Arterial	Arterial/Collector	Collector	Street	Bridge	Bike/Ped	TSM	total
Downtown	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Triangle	-	-	-	-	-	2,645,000	-	
River Terrace	-	-	70,500	-	-	1,800,000	-	
Other in City	91,510,128	12,300,000	2,710,000	-	9,750,000	21,742,500	75,000	
total								



Transportation SDCs: Scenarios

- ◆ Scenario 1: Discount SDCs with grants, County/ODOT funding, utility fees, developer funding, city fund transfers and project deferrals to close funding gap (\$420 M)
 - Option A Districts: Requires \$5,000 per DU (citywide and \$5,497 per DU in RT district overlay).
 - Option B Uniform: Requires uniform citywide SDC of \$5,131 per DU

- ◆ Scenario 2: Full-Cost SDCs with grants, County/ODOT funding, utility fees, developer funding, city fund transfers and project deferrals. Generates additional \$240 M. Reduces gap to \$180 M
 - Option A Districts: Requires \$14,671 /DU citywide; \$20,447 /DU in RT district; \$19,296 /DU in Downtown; \$14,785 /DU in Triangle.
 - Option B Uniform: Requires uniform citywide SDC of \$16,100 per DU



TSDC-i Scenario 1: Discounted SDCs

	total	City wide	Do ntion	riangle	iver terrace	SDC i ption Districts avg	SDC i ption B niform C arge avg	
Total Cost (Land & Improvements)*	\$ 625,271,850	\$ 572,081,850	\$ 10,000,000	\$ 3,040,000	\$ 40,150,000			
Less SDC Eligible Revenue	\$ 45,729,684	\$ 22,385,127	\$ 7,534,826	\$ 2,098,494	\$ 13,711,236	per D city ide per D in overlay	niform city ide SDC	
Remaining Funding Required	\$ 579,5 2,166	\$ 5 9,696,723	\$ 2, 65,17	\$ 9 1,506	\$ 26, 38,76			
† er Potential nding So rces							otes	
TDT Revenue	\$ 84,388,993	\$ 79,490,550	\$ 2,465,174	\$ 941,506	\$ 1,491,764	Based on current TDT		
ODOT/County/Developer Funded	\$ 72,947,000	\$ 53,300,000			\$ 19,647,000	Possible regional funding solutions in future		
Grants	\$ 900,000				\$ 900,000	Metro or state grants available		
City Fund Transfers	\$ -				\$ 3,000,000			
Transp. Utility Fee Surcharge (\$5/month RT only)	\$ 1,400,000				\$ 1,400,000	\$5/month TUF fee overlay in RT District		
Other	\$ -							
Total Other unding								
Remaining nding e ired		\$ (416,906,173)	\$ -	\$ -	\$ -			
* Total project costs to complete long-range capital improvements consistent with River Terrace and other citywide planning documents. Assumes City's current credit policy.								
Possible alternatives	Percent of gap		nding e ired		otes			
Delay project constr ction					City co ld reestablis capital e ires ne			
ait non local contrib tions D Co nty rants					is may limit development			
e ire developer dedications may be credit eligible								
City Bond s								
City nd rnsfers					E ates to abo t per year			
City increase					increase city ide			

Amounts shown are estimated average SDC-i charges; actual charges will vary by dwelling type



TSDC-i Scenario 2: Full-Cost SDCs

Scenario 2: Full TSDCs with current credit policy						SDC i p tion Districts avg	SDC i p tion B niform C arge avg
	total	City ide	Do nto n	riangle	iver terrace		
Total Cost (Land & Improvements)*	\$ 625,271,850	\$ 572,081,850	\$ 10,000,000	\$ 3,040,000	\$ 40,150,000	City base SDC	niform city ide SDC
Less SDC Eligible Revenue	\$ 282,152,972	\$ 257,135,222	\$ 10,000,000	\$ 395,000	\$ 14,622,750	Do nto n	
Remaining Funding Required	\$ 3,318,878	\$ 31,96,628	\$	\$ 2,65,000	\$ 25,527,250	riangle	
† er Potential nding So rces						otes	
TDT Revenue	\$ 84,388,993	\$ 78,154,988		\$ 2,653,756	\$ 3,580,250	Based on current TDT	
ODOT/County/Developer Funded	\$ 72,947,000	\$ 53,300,000	\$ -	\$ -	\$ 19,647,000	Possible regional funding solutions in future	
Grants	\$ 900,000				\$ 900,000	Metro or state grants available	
City Fund Transfers	\$ 3,000,000	\$ 3,000,000					
Transp. Utility Fee Surcharge (River Terrace District)	\$ 1,400,000				\$ 1,400,000	\$5/month TUF fee overlay in RT District	
	\$ -						
Total Other unding							
emaining nding e ired		\$ (180,491,640)	\$ -	\$ 8,756	\$ -		
* Total project costs to complete long-range capital improvements consistent with River Terrace and other citywide planning documents							
Possible alternatives	Percent of gap		mo nt		otes		
Defer project constr ction					City co ld re establis capital		
ait non local contrib tions D Co nty rants					ay re ire ne		
ait developer dedications may be credit eligible					is may limit development activity		
City Bonds							
City nd transfers							
City ncrease					e ires mont		

Amounts shown are estimated average SDC-i charges; actual charges will vary by dwelling type



TSDC-i Analysis: Scenario 2

- Scenario 2 Calculations: Full Cost Recovery

Preliminary TSDC Calculations by District				
Improvement Fee Calculations Adjusted	SDC Eligible Project Costs Related to Total	Total in Pea e icle rips	SDC Fee per Pea e icle rip	SDC Fee per Single family residence
It rea specific SDCs				
City of TSDC base charge	\$257,135,222	9,908	\$25,952	
Overlaid overlay total TSDC	\$14,622,750	1,431	\$10,217	\$5,776
Downtown overlay	\$10,000,000	1,222	\$8,181	\$4,625
TSDC triangle overlay	\$395,000	1,954	\$202	\$114
It niform improvement fee city wide	\$282,152,972	9,908	\$28,477	

Source: Previous tables. * Costs stated in 2014 dollars. ** growth share based on person trip growth expected between 2014 and 2035.

Note: costs exclude potential TSDC reimbursement fee and administration fee options.



Transportation TDT and SDCs: Current and Draft

Current TDT

Current Transportation TDT	
Development type	TDT Current
Charge per single family dwelling	
Charge per multifamily dwelling	
Charge per Retail (000 sf)*	
Charge per Non-Retail (000 sf)*	

* Retail TDT rate represents ITE code #820 shopping center; Non-retail SDC rate represents ITE code #710 general office.

Draft SDC-i scenarios

Scenario	Discounted SDC i per	Strategy if current credit policy				Option B
		Citywide Base SDC i	Ever Terrace SDC i overlay	Do not n SDC i overlay	igard riange SDC i overlay	
Development type	TDT Current				Citywide niform SDC i	
Charge per single family dwelling	\$ 8,036					
Charge per multifamily dwelling	\$ 4,806					
Charge per Retail (000 sf)*	\$ 11,034					
Charge per Non-Retail (000 sf)*	\$ 8,433				\$ 5,688	

Scenario	II SDC i mo nt if c rrent credit policy	ption Districts				ption B
		Citywide Base SDC i	iver Terrace SDC i overlay	Do not n SDC i overlay	igard riange SDC i overlay	
Development type	TDT Current				Citywide niform SDC i	
Charge per single family dwelling	\$ 8,036					
Charge per multifamily dwelling	\$ 4,806					
Charge per Retail (000 sf)*	\$ 11,034					
Charge per Non-Retail (000 sf)*	\$ 8,433				\$ 19,228	

Draft SDC-r proposal

Draft Transportation reimbursement	
Development type	Citywide SDC r
Charge per single family dwelling	
Charge per multifamily dwelling	
Charge per Retail (000 sf)*	
Charge per Non-Retail (000 sf)*	

Total charges will include TDT & SDCs



Credit Policy issues



ORS 223 requirement. Credits against the improvement fee must be provided for the construction of a capital improvement that is:

- ◆ required as a condition of development,
- ◆ identified in an adopted capital facilities plan, and
- ◆ either off-site or, if on-site; and is required to provide more capacity than needed by the development in question.



Credit Policy Issues

Local governments can vary policies that impact credit value and SDC amounts, such as:

- ◆ allowing credits to exceed what would have been required to serve development that requires the facility
- ◆ transferability of credits
- ◆ consistency with established credit policies
- ◆ Buy back of credits

Current Tigard Practice 	North Bethany Practice 	Hybrid Approach 
Credit for exceeding "local development requirements"	100% credit for actual cost of project: \$24.4M gap increase = RT SDC increase +/- \$5,200 / DU	Apply 75% max credit cap allowance on RT Blvd. cost: \$11.6M gap increase = RT SDC increase +/- \$3,000/DU



Discussion and Next Steps

- ◆ Confirm Preferred Scenario and Credit Policy
- ◆ Draft SDC Methodology Report
- ◆ Public Input
- ◆ Council Workshop in March
- ◆ SDC Adoption Hearing in April

Contact FCS GROUP:
Todd Chase
Oregon Branch Manager
503.841.6543 ext. 12

www.fcsgroup.com



City of Tigard

Parks SDC

Exhibit P-1

Planned Projects	SDCi		SDCi		SDCi Cost Basis	
	City Cost for Land	Eligibility for Land	City Cost for Development	Eligibility for Development		
Projects with Citywide Benefit						
Neighborhood/pocket parks:	Cannot exceed 32.13 acres.		Cannot exceed 55.13 acres.			
Bonita Park	\$ -	98.84%	\$ 75,000	57.61%	\$ 43,207	
Metzger Elementary School	-	98.84%	437,000	57.61%	251,754	
Northview Park	-	98.84%	367,000	57.61%	211,427	
Proposed Local Park (P12)	549,840	98.84%	927,000	57.61%	1,077,522	
Proposed Local Park (P9)	1,202,775	98.84%	927,000	57.61%	1,722,905	
Future Neighborhood Park	4,811,100	98.84%	2,947,800	57.61%	6,453,672	
Total neighborhood/pocket parks					9,760,487	
Community parks:	Cannot exceed 38.27 acres.		Cannot exceed 57.27 acres.			
Sunrise Community Park	-	100.00%	2,468,000	100.00%	2,468,000	
New Community Park (P11)	100,000	100.00%	900,000	100.00%	1,000,000	
New Community Park Complex	6,108,325	100.00%	10,084,000	100.00%	16,192,325	
Fanno Creek Park: Urban Plaza	687,300	100.00%	4,100,000	100.00%	4,787,300	
Community park in River Terrace	7,508,000	100.00%	8,386,000	100.00%	15,894,000	
Total community parks					40,341,625	
Linear parks:	Cannot exceed 35.45 acres.		Cannot exceed 35.45 acres.			
Tigard Triangle Area (P3)	-	74.68%	250,000	74.68%	186,688	
Commercial Park	-	74.68%	545,000	74.68%	406,981	
Englewood Park	-	74.68%	1,340,000	74.68%	1,000,650	
Fanno Creek Park: Park Gateway	-	74.68%	850,000	74.68%	634,741	
Fanno Creek Park: Upland Park	-	74.68%	1,100,000	74.68%	821,429	
Undeveloped Linear Park (P7)	-	74.68%	275,000	74.68%	205,357	
Total linear parks					3,255,847	
Open space:	Cannot exceed 60.71 acres.		Cannot exceed 60.71 acres.			
	0	412,380	100.00%	-	100.00%	412,380
	0	567,023	100.00%	-	100.00%	567,023
Total open space					979,403	
Trails:	Cannot exceed 6.92 miles.		Cannot exceed 6.92 miles.			
Fanno Creek (already funded) (trail project)	-	100.00%	670,000	100.00%	670,000	
Westside Trail	-	100.00%	-	100.00%	-	
Tigard Street (trail project A)	-	100.00%	634,000	100.00%	634,000	
Fanno Creek (trail project C)	-	100.00%	1,040,000	100.00%	1,040,000	
Fanno Creek & Tualatin River (trail project D)	-	100.00%	1,609,500	100.00%	1,609,500	
Summer Creek (trail project F)	-	100.00%	742,500	100.00%	742,500	
Fanno Creek (trail project G)	-	100.00%	-	100.00%	-	
Fanno Creek (trail project H)	-	100.00%	206,500	100.00%	206,500	
Tigard Street (trail project I)	-	100.00%	-	100.00%	-	
Ascension (trail project N)	-	100.00%	461,000	100.00%	461,000	
Krueger Creek & Summer Creek (trail project O)	-	100.00%	495,500	100.00%	495,500	
Total trails					5,859,000	
Total projects with citywide benefit					\$ 60,196,362	
Projects with River Terrace Benefit						
Neighborhood/pocket parks	\$ 3,752,000	98.84%	\$ 2,975,000	57.61%	\$ 5,422,491	
Linear parks	3,128,000	74.68%	228,000	74.68%	2,506,106	
Trails	690,000	100%	764,000	100%	1,454,000	
Total projects with River Terrace benefit					\$ 9,382,597	

Source: E-mail (attachment) from Steve Martin, 09/24/2014. **Abbreviation:** SDCi = improvement fee. **Note:** This list does not include projects whose timing as designated as either "completed" or "in process."

DRAFT TIGARD TRANSPORTATION PROJECT LIST

Project ID	Road	Road Classification	Description	Project Costs	% City Share	Local Private Funding	ODOT/ County Funding	Total City Cost	City Cost After Identified Local Funding	Capacity Related Percent	Growth Percent of Capacity	Total SDC/TDT Eligible Costs	Capacity Related City Cost (TDT)	Capacity Related City Cost (SDC)	TDT % of Eligible Project Costs	SDC % of Eligible Project Costs	Source
River Terrace Benefit																	
Project ID 23A	150th Ave	Collector	Improve 150th Ave. from Bull Mountain Rd. to Beef Bend Rd.	\$400,000	24%	\$306,000		\$94,000	\$94,000	50%	50%	\$23,500	\$0	\$23,500	0%	100%	RT TSP Addendum
Project ID 21A	Bull Mountain Rd	Collector	Upgrade to urban standards	\$1,200,000	29%	\$850,000		\$350,000	\$350,000	50%	50%	\$87,500	\$350,000	\$0	100%	0%	RT TSP Addendum
Project ID 18	Intersection	Collector	Bull Mountain Rd. / N-S collector intersection or roundabout	\$1,500,000	100%			\$1,500,000	\$1,500,000	100%	100%	\$1,500,000	\$0	\$1,500,000	0%	100%	RT TSP Addendum
Project ID 20	Intersection	Collector	Woodhue St. / 161st Ave. extension intersection or roundabout	\$2,000,000	0%	\$2,000,000		\$0	\$0	100%	100%	\$0	\$0	\$0			RT TSP Addendum
Project ID NA 2 I	Intersection	Street	Improvements where new streets meet existing streets - Phase 1	\$500,000	100%			\$500,000	\$0	50%	100%	\$0	\$0	\$0			RT TSP Addendum
Project ID 2	Lorenzo Ln	Collector	Extend Lorenzo Ln. from West UGB to Roy Rodgers Rd.	\$2,500,000	5%	\$2,380,000		\$120,000	\$120,000	100%	100%	\$120,000	\$0	\$120,000	0%	100%	RT TSP Addendum
Project ID 3	Lorenzo Ln	Collector	Extend Lorenzo Ln. from Roshak Rd. to Roy Rodgers Rd.	\$3,500,000	100%			\$3,500,000	\$3,500,000	100%	100%	\$3,500,000	\$0	\$3,500,000	0%	100%	RT TSP Addendum
Project ID NA 1 I	River Terrace Trail	Bike/Ped	River Terrace Trail from Roy Rodgers Rd. to 150th Ave.	\$1,800,000	100%			\$1,800,000	\$1,800,000	0%	100%	\$0	\$0	\$0			RT TSP Addendum
Project ID 5A	RT Blvd	Collector	3 lane N-S collector from Scholls Ferry to Lorenzo Ln. extension - Phase 1	\$6,030,000	43%	\$3,417,000		\$2,613,000	\$2,613,000	100%	100%	\$2,613,000	\$653,250	\$1,959,750	25%	75%	RT TSP Addendum
Project ID 5B	RT Blvd	Collector	3 lane N-S collector from Scholls Ferry to Lorenzo Ln. extension - Phase 2	\$2,970,000	100%			\$2,970,000	\$2,970,000	100%	100%	\$2,970,000	\$742,500	\$2,227,500	25%	75%	RT TSP Addendum
Project ID 6A	RT Blvd	Collector	3 lane N-S collector from Lorenzo Ln. extension to Bull Mountain Rd. - Phase 1	\$4,875,000	48%	\$2,550,000		\$2,325,000	\$2,325,000	100%	100%	\$2,325,000	\$581,250	\$1,743,750	25%	75%	RT TSP Addendum
Project ID 7A	RT Blvd	Collector	3 lane N-S collector from Bull Mountain Rd. to the south City limit - Phase 1	\$4,125,000	46%	\$2,244,000		\$1,881,000	\$1,881,000	100%	100%	\$1,881,000	\$470,250	\$1,410,750	25%	75%	RT TSP Addendum
Project ID 7B	RT Blvd	Collector	3 lane N-S collector from south City limit to the south UGB (phase 2)	\$6,250,000	46%	\$3,400,000		\$2,850,000	\$2,850,000	100%	100%	\$2,850,000	\$712,500	\$2,137,500	25%	75%	RT TSP Addendum
Project ID 8		Collector	2 lane E-W collector between Roy Rodgers Rd. and N-S collector	\$2,500,000	0%	\$2,500,000		\$0	\$0	0%	0%	\$0	\$0	\$0			RT TSP Addendum
Downtown Benefit																	
Metro Project ID	Ash Ave	Collector	Extend Ash Avenue from Burnham, across the RR, to Commercial Street	\$10,000,000	100%			\$10,000,000	\$10,000,000	100%	100%	\$10,000,000	\$0	\$10,000,000	0%	100%	TSP, RTP, CIP
Tigard Triangle Benefit																	
Beveland St 70th to 717 Beveland)	Beveland St	Bike/Ped	Fill 330' Sidewalk Gap	\$40,000	100%			\$40,000	\$40,000	50%	100%	\$20,000	\$0	\$20,000	0%	100%	City staff
Red Rock Creek Greenway	Trail	Bike/Ped	New trail parallel to and south of 99W in triangle	\$3,000,000	100%			\$3,000,000	\$3,000,000	25%	50%	\$375,000	\$0	\$375,000	0%	100%	City staff
Citywide Benefit																	
121st Ave, Whistler to Tippitt	121st Ave	Bike/Ped	Add Sidewalks and Bike Lanes	\$3,500,000	100%			\$3,500,000	\$3,500,000	50%	100%	\$1,750,000	\$3,500,000	\$0	100%	0%	City staff
121st Ave over Summer Creek	121st Ave	Bike/Ped	Pedestrian bridge on west side of road	\$50,000	100%			\$50,000	\$50,000	50%	100%	\$25,000	\$0	\$25,000	0%	100%	City staff
121st Street Widening	121st St	Collector	Walnut Street to North Dakota Street - two lanes with turn lanes where necessary plus bike lanes and sidewalks	\$6,000,000	100%			\$6,000,000	\$6,000,000	50%	100%	\$3,000,000	\$6,000,000	\$0	100%	0%	City staff

DRAFT TIGARD TRANSPORTATION PROJECT LIST

Project ID	Road	Road Classification	Description	Project Costs	% City Share	Local Private Funding	ODOT/ County Funding	Total City Cost	City Cost After Identified Local Funding	Capacity Related Percent	Growth Percent of Capacity	Total SDC/TDT Eligible Costs	Capacity Related City Cost (TDT)	Capacity Related City Cost (SDC)	TDT % of Eligible Project Costs	SDC % of Eligible Project Costs	Source
Metro Project ID 10755	72nd Ave	Arterial	Widen 72nd Ave. to 5 lanes from Hunziker Rd. to Hwy. 99	\$35,000,000	100%			\$35,000,000	\$35,000,000	80%	100%	\$28,000,000	\$9,269,598	\$18,730,402	33%	67%	TSP, RTP, CIP
Metro Project ID 10756	72nd Ave	Arterial	Widen 72nd Ave. to 5 lanes from Hunziker Rd. to Bonita	\$28,166,850	100%			\$28,166,850	\$28,166,850	80%	100%	\$22,533,480	\$7,261,185	\$15,272,295	32%	68%	TSP, RTP, CIP
Metro Project ID 10757	72nd Ave	Arterial	Widen 72nd Ave. to 5 lanes from Bonita Rd. to Durham Rd.	\$15,425,000	100%			\$15,425,000	\$15,425,000	80%	100%	\$12,340,000	\$9,269,598	\$3,070,402	75%	25%	TSP, RTP, CIP
72nd Avenue	72nd Ave	TSM	Provide Arterial Corridor Management along Corridor #19 (Hwy 217) (Hwy 217) in the Metro TSMO Plan	\$1,700,000	100%			\$1,700,000	\$1,700,000	100%	100%	\$1,700,000	\$0	\$1,700,000	0%	100%	City staff
72nd Avenue	72nd Ave	TSM	Provide Arterial Corridor Management on 72nd Avenue along Corridor #2 (I-5) (I-5) near the Upper Boones Ferry Road Interchange in the Metro TSMO Plan	\$1,600,000	100%			\$1,600,000	\$1,600,000	100%	100%	\$1,600,000	\$1,368,928	\$231,072	86%	14%	City staff
Barrows Road	Barrows Rd	Bike/Ped	Add Sidewalks and bike lanes	\$3,000,000	100%			\$3,000,000	\$3,000,000	50%	100%	\$1,500,000	\$0	\$1,500,000	0%	100%	City staff
Metro Project ID 10752	Bonita Rd	Arterial	Widen Bonita Rd. to 4 lanes from Bangy to Hall Blvd.	\$45,000,000	100%			\$45,000,000	\$45,000,000	80%	90%	\$32,400,000	\$5,272,615	\$27,127,385	16%	84%	TSP, RTP, CIP
Bull Mountain Road (Hwy 99W to Benchview Terr)	Bull Mountain Rd	Collector	Widen to three lanes with bike lanes and sidewalks	\$8,000,000	100%			\$8,000,000	\$8,000,000	50%	100%	\$4,000,000	\$8,000,000	\$0	100%	0%	RT TSP Addendum
Cascade Ave	Cascade Ave	Bike/Ped	Pave northbound bike lane gap	\$30,000	100%			\$30,000	\$30,000	50%	100%	\$15,000	\$0	\$15,000	0%	100%	City staff
Metro Project ID 10759	Dartmouth St	Collector	Widen Dartmouth St. to 4 lanes from 72nd Ave. to 68th Ave.	\$5,000,000	100%			\$5,000,000	\$5,000,000	80%	100%	\$4,000,000	\$1,853,920	\$2,146,080	46%	54%	TSP, RTP
Metro Project ID 10753	Durham Rd	Arterial	Widen Durham Rd. to 5 lanes from Boones Ferry to Hall Blvd.	\$20,000,000	100%			\$20,000,000	\$20,000,000	80%	90%	\$14,400,000	\$0	\$14,400,000	0%	100%	TSP, RTP, CIP
Metro Project ID 10764	Durham Rd	Arterial	Widen Durham Rd. to 5 lanes from Hall Blvd. To Hwy. 99	\$25,000,000	100%			\$25,000,000	\$25,000,000	80%	95%	\$19,000,000	\$0	\$19,000,000	0%	100%	TSP, RTP, CIP
Durham Road	Durham Rd	TSM	Provide Arterial Corridor Management along Corridor #19 (Hwy 217) in the Metro TSMO Plan	\$1,500,000	100%			\$1,500,000	\$1,500,000	100%	95%	\$1,425,000	\$0	\$1,425,000	0%	100%	City staff
Fanno Creek Trail	Fanno Creek Trail	Bike/Ped	Durham Rd to Tualatin River Trail	\$1,500,000	100%			\$1,500,000	\$1,500,000	25%	100%	\$375,000	\$0	\$375,000	0%	100%	City staff
Metro Project ID 10748	Greenburg Rd	Arterial	Widen Greenburg Rd. from Shady Lane to North Dakota	\$7,000,000	100%			\$7,000,000	\$7,000,000	80%	95%	\$5,320,000	\$6,745,098	\$0	100%	0%	City staff
Metro Project ID 10750	Greenburg Rd	Arterial	Widen Greenburg Rd. to 5 lanes from Tideman Ave. to Hwy. 99	\$12,000,000	100%			\$12,000,000	\$12,000,000	80%	100%	\$9,600,000	\$9,269,598	\$330,402	97%	3%	TSP, RTP
Metro Project ID 11220	Hall Blvd	Arterial	Hall Blvd. Improvements from Locust to Durham	\$16,000,000	100%			\$16,000,000	\$16,000,000	50%	100%	\$8,000,000	\$0	\$8,000,000	0%	100%	TSP, RTP, CIP
Hall Blvd / Fanno Creek Bridge	Hall Blvd	Bridge	Replace with wider bridge with sidewalks and bike lanes	\$6,000,000	100%			\$6,000,000	\$6,000,000	50%	100%	\$3,000,000	\$0	\$3,000,000	0%	100%	City staff
Hall Boulevard	Hall Blvd	TSM	Provide Arterial Corridor Management and Transit Signal Priority on Hall Boulevard from Highway 217 to Highway 99W	\$3,700,000	100%			\$3,700,000	\$3,700,000	100%	100%	\$3,700,000	\$0	\$3,700,000	0%	100%	City staff
Hall Boulevard	Hall Blvd	Arterial	Add an eastbound through lane on Hall Blvd. from Pamelad Road to Greenburg Road	\$500,000	100%			\$500,000	\$500,000	100%	95%	\$475,000	\$0	\$475,000	0%	100%	City staff
Hunziker St (72nd to 77th) Sidewalk	Hunziker St	Bike/Ped	Add sidewalk on north side; completes sidewalk from 72nd to Hall	\$1,000,000	100%			\$1,000,000	\$1,000,000	50%	100%	\$500,000	\$0	\$500,000	0%	100%	City staff

DRAFT TIGARD TRANSPORTATION PROJECT LIST

Project ID	Road	Road Classification	Description	Project Costs	% City Share	Local Private Funding	ODOT/ County Funding	Total City Cost	City Cost After Identified Local Funding	Capacity Related Percent	Growth Percent of Capacity	Total SDC/TDT Eligible Costs	Capacity Related City Cost (TDT)	Capacity Related City Cost (SDC)	TDT % of Eligible Project Costs	SDC % of Eligible Project Costs	Source
Hwy 217 Northbound Aux Lane	Hwy 217	Arterial	Add a northbound through lane under the Hwy 99W overpass to address a capacity pinch point	\$20,000,000	0%		\$20,000,000	\$0	\$0	50%	100%	\$0	\$0	\$0			City staff
Metro Project ID 10770	Hwy 99	Arterial	Hwy. 99 intersection improvements from 64th Ave. to Durham Rd.	\$50,000,000	100%			\$50,000,000	\$50,000,000	80%	95%	\$38,000,000	\$9,860,000	\$28,140,000	26%	74%	TSP, RTP
Project ID 13	Intersection	Arterial	Roy Rogers Road / E-W collector traffic signal	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	100%	\$1,000,000	\$0	\$1,000,000	0%	100%	RT TSP Addendum
Project ID 14	Intersection	Arterial	Roy Rogers Road / Bull Mountain Rd traffic signal	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	95%	\$950,000	\$0	\$950,000	0%	100%	RT TSP Addendum
Project ID 16	Intersection	Arterial	Scholls Ferry Road / N-S collector traffic signal	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	100%	\$1,000,000	\$0	\$1,000,000	0%	100%	RT TSP Addendum
Metro Project ID 10769	Intersection	Arterial	Intersection improvements at Hall Blvd. And Tiedman Ave.	\$8,000,000	100%			\$8,000,000	\$8,000,000	25%	80%	\$1,600,000	\$0	\$1,600,000	0%	100%	TSP, RTP
Metro Project ID 11223	Intersection	Arterial	Hall/Hunziker/Scoffins Intersection Realignment	\$5,000,000	100%			\$5,000,000	\$5,000,000	75%	100%	\$3,750,000	\$3,862,332	\$0	100%	0%	TSP, RTP, CIP
Metro Project ID 11224	Intersection	Arterial/Collector	Greenburg/Tiedeman/N. Dakota Reconfiguration	\$10,000,000	100%			\$10,000,000	\$10,000,000	50%	80%	\$4,000,000	\$0	\$4,000,000	0%	100%	TSP
Hwy 99W/72nd Ave Intersection	Intersection	Arterial	Turn lanes, aux lanes, sidewalks, bike lanes, crossings; transit improvements	\$8,000,000	100%			\$8,000,000	\$8,000,000	80%	100%	\$6,400,000	\$772,466	\$5,627,534	12%	88%	City staff
Highway 217 SB / Hall Blvd Interchange Improvements	Intersection	Arterial	SB right-turn lane at Hall Blvd/OR 217 ramp	\$5,000,000	100%			\$5,000,000	\$5,000,000	25%	100%	\$1,250,000	\$0	\$1,250,000	0%	100%	City staff
Hwy 99W/68th Ave	Intersection	Arterial	Intersection Improvements. Provide protected left at 68th; transit queue bypass	\$4,000,000	100%			\$4,000,000	\$4,000,000	80%	100%	\$3,200,000	\$2,394,646	\$805,354	75%	25%	City staff
Hall Blvd / Pffaffe St Traffic Signal	Intersection	TSM	Install new traffic signal; maintain existing lane configuration	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	100%	\$1,000,000	\$1,000,000	\$0	100%	0%	City staff
68th/Atlanta/Haines	Intersection	TSM	Install a traffic signal and add turn lanes where necessary	\$500,000	100%			\$500,000	\$500,000	100%	100%	\$500,000	\$173,805	\$326,195	35%	65%	City staff
I-5 / Upper Boones / Carman Interchange	Intersection	Arterial	Add turn lanes and/or auxiliary through lanes, sidewalks, etc	\$10,000,000	100%			\$10,000,000	\$10,000,000	80%	90%	\$7,200,000	\$0	\$7,200,000	0%	100%	City staff
Scholls Ferry / Nimbus Intersection Improvements	Intersection	Arterial/Collector	Retain eastbound right-turn lane when 3rd lane added on Scholls Ferry Rd; Retain westbound right-turn lane when 3rd lane added on Scholls Ferry Rd; southbound right-turn lane; Reconfigure northbound and southbound lanes to create exclusive left-turn lanes	\$6,000,000	20%		\$4,800,000	\$1,200,000	\$1,200,000	100%	100%	\$1,200,000	\$1,200,000	\$0	100%	0%	City staff
Scholls Ferry Rd / North Dakota St / 125th Ave	Intersection	Arterial/Collector	Intersection Improvement	\$1,500,000	100%			\$1,500,000	\$1,500,000	80%	100%	\$1,200,000	\$0	\$1,200,000	0%	100%	City staff
72nd/Upper Boones Ferry (Carman)	Intersection	Arterial/Collector	Intersection Improvement	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	100%	\$1,000,000	\$1,000,000	\$0	100%	0%	City staff
Bonita / Sequoia Intersection	Intersection	TSM	Traffic Signal	\$1,000,000	100%			\$1,000,000	\$1,000,000	80%	100%	\$800,000	\$1,000,000	\$0	100%	0%	City staff
Tiedeman Street/Tigard Street	Intersection	Collector	Install a traffic signal; construct left-turn lanes, sidewalk, and bike lanes	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	100%	\$1,000,000	\$0	\$1,000,000	0%	100%	City staff
121st/ North Dakota	Intersection	Bike/Ped	Traffic signal	\$500,000	100%			\$500,000	\$500,000	100%	100%	\$500,000	\$231,740	\$268,260	46%	54%	City staff

DRAFT TIGARD TRANSPORTATION PROJECT LIST

Project ID	Road	Road Classification	Description	Project Costs	% City Share	Local Private Funding	ODOT/ County Funding	Total City Cost	City Cost After Identified Local Funding	Capacity Related Percent	Growth Percent of Capacity	Total SDC/TDT Eligible Costs	Capacity Related City Cost (TDT)	Capacity Related City Cost (SDC)	TD % of Eligible Project Costs	SDC % of Eligible Project Costs	Source
McDonald/Hall RT Lane	Hall Blvd	Collector	Add turn lanes and auxiliary lanes with bike lanes and sidewalks on Hall, McDonald, and Bonita to improve traffic flow	\$9,000,000	100%			\$9,000,000	\$9,000,000	90%	90%	\$7,290,000	\$766,702	\$6,523,298	11%	89%	City staff
Durham/Upper Boones	Intersection	Bike/Ped	Sidewalk on NW Corner, Curb Ramp	\$40,000	100%			\$40,000	\$40,000	50%	100%	\$20,000	\$0	\$20,000	0%	100%	City staff
Greenburg Rd / Shady Ln	Intersection	Bike/Ped	Pedestrian Islands to facilitate crossing Shady Ln on east side of Greenburg	\$30,000	100%			\$30,000	\$30,000	50%	100%	\$15,000	\$0	\$15,000	0%	100%	City staff
Bonita Rd near 79th Ave	Intersection	Bike/Ped	Enhanced Ped Crossing - RRFB?	\$20,000	100%			\$20,000	\$20,000	25%	100%	\$5,000	\$0	\$5,000	0%	100%	City staff
Greenburg Rd	Intersection	Bike/Ped	Enhanced Crossing between Tiedeman and Center St - at 95th?	\$20,000	100%			\$20,000	\$20,000	25%	100%	\$5,000	\$0	\$5,000	0%	100%	City staff
Hwy 217 SB Ramps/Highway 99W	Intersection	Arterial	Intersection Capacity Improvements including 2nd right turn lane from off ramp	\$2,500,000	100%			\$2,500,000	\$2,500,000	100%	100%	\$2,500,000	\$0	\$2,500,000	0%	100%	City staff
Hwy 217 NB Ramps/Highway 99W	Intersection	Arterial	Add a second northbound left turn lane	\$1,500,000	100%			\$1,500,000	\$1,500,000	100%	100%	\$1,500,000	\$0	\$1,500,000	0%	100%	City staff
Metro Project ID 11217	McDonald Rd	Arterial	McDonald Rd. improvements from Hall Blvd. To Hwy. 99	\$8,000,000	100%			\$8,000,000	\$8,000,000	50%	50%	\$2,000,000	\$0	\$2,000,000	0%	100%	TSP, RTP, CIP
McDonald St	McDonald Rd	Bike/Ped	Enhanced Crossing between Hall and Hwy 99W - at O'Mara? 97th?	\$30,000	100%			\$30,000	\$30,000	25%	50%	\$3,750	\$0	\$3,750	0%	100%	City staff
Project ID 22A	Roy Rodgers Rd	Arterial	Widen Roy Rodgers Rd. to 5 Ln. from N of Scholls Ferry Rd. to S. of Beef Bend Rd. , Phase 1 (half-tree segments)	\$4,000,000	100%			\$4,000,000	\$4,000,000	100%	100%	\$4,000,000	\$3,000,000	\$1,000,000	75%	25%	RT TSP Addendum
Project ID 22B	Roy Rodgers Rd	Arterial	Widen Roy Rodgers Rd. to 5 Ln. from N of Scholls Ferry Rd. to S. of Beef Bend Rd. , Phase 2 (half-tree segments)	\$4,000,000	100%			\$4,000,000	\$4,000,000	100%	100%	\$4,000,000	\$3,000,000	\$1,000,000	75%	25%	RT TSP Addendum
Scholls Ferry Rd Widening, Hwy 217 to 121st	Scholls Ferry Rd	Arterial	Widen to 7 lanes with bike lanes and sidewalks	\$50,000,000	75%		\$12,500,000	\$37,500,000	\$37,500,000	100%	100%	\$37,500,000	\$18,745,186	\$18,754,814	50%	50%	City staff
Scholls Ferry Rd	Scholls Ferry Rd	TSM	Provide Arterial Corridor Management from River Road to Hall Boulevard	\$4,200,000	100%			\$4,200,000	\$4,200,000	100%	100%	\$4,200,000	\$0	\$4,200,000	0%	100%	City staff
Tiedeman Ave	Tiedeman Ave	Bike/Ped	Sidewalks from Tigard St to Greenburg Rd	\$1,000,000	100%			\$1,000,000	\$1,000,000	50%	50%	\$250,000	\$0	\$250,000	0%	100%	City staff
Tigard St (Fanno Creek) Bridge Replacement	Tigard St	Bridge	New bridge with bike lanes and sidewalks	\$3,000,000	100%			\$3,000,000	\$3,000,000	50%	50%	\$750,000	\$0	\$750,000	0%	100%	City staff
Metro Project ID 11227	Trail	Bike/Ped	Neighborhood Trails & Regional Trail Connections	\$1,100,000	100%			\$1,100,000	\$1,100,000	25%	50%	\$137,500	\$0	\$137,500	0%	100%	TSP, RTP
Metro Project ID 11228	Trail	Bike/Ped	Portland & Western Rail Trail from Tideman Ave. to Main St.	\$1,250,000	100%			\$1,250,000	\$1,250,000	25%	50%	\$156,250	\$0	\$156,250	0%	100%	TSP, RTP
Tualatin River Trail	Trail	Bike/Ped	Complete multiuse path from Cook Park to the Powerlines Corridor	\$10,000,000	100%			\$10,000,000	\$10,000,000	25%	50%	\$1,250,000	\$0	\$1,250,000	0%	100%	City staff
Fanno Creek Trail	Trail	Bike/Ped	Woodard Park to Grant	\$670,000	100%			\$670,000	\$670,000	25%	50%	\$83,750	\$0	\$83,750	0%	100%	City staff
Fanno Creek Trail	Trail	Bike/Ped	Tiedeman Crossing Realignment	\$250,000	100%			\$250,000	\$250,000	25%	50%	\$31,250	\$0	\$31,250	0%	100%	City staff
Fanno Creek Trail	Trail	Bike/Ped	Complete gaps along the Fanno Creek multiuse path from the Tualatin River to City Hall and from Highway 99W to Tigard Street	\$6,000,000	100%			\$6,000,000	\$6,000,000	25%	50%	\$750,000	\$0	\$750,000	0%	100%	City staff

DRAFT TIGARD TRANSPORTATION PROJECT LIST

Project ID	Road	Road Classification	Description	Project Costs	% City Share	Local Private Funding	ODOT/County Funding	Total City Cost	City Cost After Identified Local Funding	Capacity Related Percent	Growth Percent of Capacity	Total SDC/TDT Eligible Costs	Capacity Related City Cost (TDT)	Capacity Related City Cost (SDC)	TDI % of Eligible Project Costs	SDC % of Eligible Project Costs	Source
Upper Boones (Durham to Sequoia)	Upper Boones	Arterial	Widen to five lanes with bike lanes and sidewalks	\$10,000,000	100%			\$10,000,000	\$10,000,000	90%	90%	\$8,100,000	\$4,106,784	\$3,993,216	51%	49%	City staff
Upper Boones Ferry Road	Upper Boones Ferry Rd	TSM	Provide Arterial Corridor Management along Corridor #2 (I-5) in the Metro TSMO Plan	\$1,300,000	100%			\$1,300,000	\$1,300,000	100%	100%	\$1,300,000	\$0	\$1,300,000	0%	100%	City staff
Metro Project ID 11229	Walnut St	Arterial	Widen Walnut St. to 3 lanes from Hwy. 99 to Tiedeman Ave	\$8,000,000	100%			\$8,000,000	\$8,000,000	40%	100%	\$3,200,000	\$4,325,812	\$0	100%	0%	TSP, RTP, CIP
Metro Project ID 10751		Arterial/Collector	Hwy. 217 overcrossing Hunziker-72nd Ave.	\$30,000,000	100%			\$30,000,000	\$30,000,000	80%	100%	\$24,000,000	\$0	\$24,000,000	0%	100%	TSP
Hwy 99W/Dartmouth St.		Arterial/Collector	Turn lanes, aux lanes, sidewalks, bike lanes, crossings; transit improvements	\$6,000,000	100%			\$6,000,000	\$6,000,000	100%	100%	\$6,000,000	\$308,987	\$5,691,013	5%	95%	City staff
Greenburg Rd. (Hwy 217 to Hall Blvd)		Arterial	Widen to 5 lanes from Locust St to Greenburg Rd; add turn/aux lanes; add bike lanes and sidewalks throughout corridor	\$20,000,000	20%		\$16,000,000	\$4,000,000	\$4,000,000	80%	100%	\$3,200,000	\$0	\$3,200,000	0%	100%	City staff
108th Street Crossing of Tualatin River		Bridge	New bridge crossing north-south over the Tualatin River near 108th Avenue	\$3,000,000	100%			\$3,000,000	\$3,000,000	50%	50%	\$750,000	\$0	\$750,000	0%	100%	City staff
North Dakota St / Fanno Creek		Bridge	Replace with wider bridge with sidewalks and bike lanes	\$3,000,000	100%			\$3,000,000	\$3,000,000	50%	50%	\$750,000	\$0	\$750,000	0%	100%	City staff
Dirksen - 121st Ave Trail	Trail	Bike/Ped	New trail along Summer Creek from Dirksen Nature Park to 121st Ave	\$1,000,000	100%			\$1,000,000	\$1,000,000	25%	50%	\$125,000	\$0	\$125,000	0%	100%	City staff
Washington Square Area Signals		TSM	Adaptive Signal Coordination	\$1,000,000	100%			\$1,000,000	\$1,000,000	100%	100%	\$1,000,000	\$0	\$1,000,000	0%	100%	City staff

AIS-2105

5.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 10 Minutes

Agenda Title: Pacific Highway/Gaarde/McDonald Waterline Contract Discussion

Prepared For: Joseph Barrett

Submitted By: Joseph Barrett, Financial and Information Services

Item Type: Update, Discussion, Direct Staff **Meeting Type:** Local Contract Review Board

Public Hearing No

Newspaper Legal Ad Required?:

Public Hearing Publication

Date in Newspaper:

Information

ISSUE

A discussion of an upcoming contract for the city's Pacific Highway/Gaarde/McDonald Waterline project.

STAFF RECOMMENDATION / ACTION REQUEST

Staff is seeking Council direction on any additional information they would like to see in preparation of an award decision for this proposed contract.

KEY FACTS AND INFORMATION SUMMARY

Project Background and Development:

This project is included as Project #96036 in the adopted Capital Improvement Program as a project to integrate water from the Lake Oswego/Tigard Water Partnership into Tigard's water supply system. The original project was to install a 36-inch casing for a future waterline to cross under Pacific Highway near the intersection of Pacific Highway / Gaarde Street / McDonald Street. To take advantage of economies of scale, it was proposed that the casing be installed as part of the road construction project at the intersection.

As the Oregon Department of Transportation (ODOT) was designing their project at the intersection, they decided that the work to install this large pipe casing would be too large and too different from the highway work for ODOT to include it with the intersection project. Consequently, it became a City of Tigard project. It is still necessary to bore the casing under the road, as traditional trench-construction of a water line would necessitate significant

highway closures with unacceptable traffic impacts.

Staff then considered other necessary water work in the area and decided to add two elements: a) construction of the water line within the casing; and b) relocation of an existing water line that would conflict with the intersection project. Each of these are similar types of work, and a combined project would be more efficient and less disruptive to the community than separate projects.

Schedule of Project:

This work needs to progress quickly so that a contract can be awarded in time for the contractor to complete the water work in March in order to not delay the major intersection construction work that will start in April.

Project Scope:

The project scope consist of the following:

- Boring a casing approximately 120 linear feet under Oregon State Highway 99W at the intersection of SW Gaarde/McDonald Streets including furnishing and installing 16-inch diameter ductile iron carrier pipe, complete with spacers, grout fill and all work required to complete the waterline highway crossing as shown;
- Furnishing and installing approximately 130 linear feet of 16-inch diameter and 315 linear feet of 8-inch diameter ductile iron, trench installed and buried waterline including valves, fittings, and connections to existing waterlines;
- Disposal of contaminated media from excavations;
- Provision of traffic control, surface restoration, erosion control, and all work required to complete the waterline crossing;
- Coordination with others working adjacent to project including the ODOT OR99W highway improvements project.

Solicitation Process:

The city issued an Invitation to Bid on January 26, 2015. Notice was published in both the Daily Journal of Commerce and The Oregonian. As of Wednesday, February 4th, eight (8) firms have downloaded or picked up the bid packet and expressed interest in the work. The closing date for the bids is Tuesday, February 10, 2015 at 2:00 pm. This is in order to keep the project on schedule and ahead of the street work being performed by ODOT. This timeframe results in staff not having the bid results for the project available for this agenda item summary. Staff will have the results available for the discussion of the potential contract at the February 17th meeting. Staff will also take all possible steps, and expedition of those steps, to include the results in the Council's Thursday (February 12th) news packet. As this is a construction contract and an Invitation to Bid was used, the lowest responsible bidder will receive staff's recommendation for contract award per the Local Contract Review Board's Public Contracting Rules.

OTHER ALTERNATIVES

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

This is the first time the Local Contract Review Board has discussed this potential contract.

Fiscal Impact

Cost:

Budgeted (yes or no): Yes

Where budgeted?: Water CIP - Various

Additional Fiscal Notes:

The estimated cost of project #96036 is \$536,000 with this proposed contract being the bulk of that cost (around \$360,000). The original casing project has a current budget of \$286,000. Additional funding for the waterline installation and relocation will come from the following programs which have adequate funds available in the current fiscal year: \$100,000 from 96034; New Water Source Systemwide Improvements Program \$50,000 from 96024; Water Line Replacement Program \$100,000 from 96028; Fire Hydrant Replacement Program numbers 96034 and 96024 are intended to fund this type of waterline work. The planned hydrant replacement work (project number 96028) for this fiscal year has been completed, leaving adequate funds available to cover this portion of the work.

AIS-2049

6.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 10 Minutes

Agenda Title: Briefing on an Agreement to Facilitate Governance of the Willamette River Water Supply

Prepared For: John Goodrich, Public Works

Submitted By: Judy Lawhead, Public Works

Item Type:

Meeting Type: Council Workshop Mtg.

Public Hearing:

Publication Date:

Information

ISSUE

Briefing on an agreement to help facilitate governance of a Willamette River water supply system.

STAFF RECOMMENDATION / ACTION REQUEST

No action required; formal consideration of the agreement is scheduled on a future consent agenda.

KEY FACTS AND INFORMATION SUMMARY

The city has been engaged in various programs and projects relating to the Willamette Water Supply Program (WWSP) through its membership in the Willamette River Water Coalition (WRWC). Tualatin Valley Water District (TVWD), City of Wilsonville (Wilsonville), and City of Sherwood (Sherwood) own varied interests in land, water rights, water system assets and capacity in water system assets as part of the existing Willamette River Water Treatment Plant (WRWTP) in Wilsonville. The cities of Hillsboro, Beaverton, Tigard, and Tualatin are participating in preliminary design for future expansion of this water supply system with TVWD.

An “ad-hoc” technical committee with staff representing each entity is addressing governance issues relating to the WWSP. This committee has engaged in discussions regarding the following:

- planning and evaluation of use of the Willamette River to jointly meet future water supply demands, including water treatment plant master planning;

- evaluating existing water system assets including the WRWTP and future water system assets;
- sizing and location of transmission pipelines and reservoir; and
- ownership share, governance and operation of the WRWTP and second plant, and other facilities

Through these discussions and meetings over the last year, this group developed a “bridge” memorandum of understanding (MOU) to help facilitate the next steps in future discussions as this group formalizes. The exhibits for this MOU provide proposed topics, schedule, and cost allocations. The WRWC is paying Tigard’s share through membership.

The purpose of this MOU is to reaffirm the city's commitment, with other parties to continue participation in developing a mutually acceptable agreement or MOU related to ownership, finance, design and construction of water system facilities, governance, use, operation, maintenance repair and replacement of those facilities.

The “bridge” MOU recognizes and acknowledges that each participant agency, based upon a determination of its own needs and resources, will evaluate the benefits of becoming a party to any future agreements should the city find it is in its best interests to do so. Through this MOU, the city will be able to continue in future discussions relating to resolving issues regarding the future WWSP expansion.

The WWSP is a cooperative project to produce and transmit finished drinking water from the WRWTP to TVWD and Hillsboro and other municipalities as may elect to participate in the program. All parties, except Wilsonville and Sherwood, have entered into an intergovernmental agreement regarding predesign, design, public affairs and public outreach in the WWSP.

Tigard city charter requires city voter approval to use Willamette River as a water supply source. Signing the MOU and continuing city participation regarding governance and future agreements does not commit Tigard to use the Willamette River as a water source.

The city attorney is reviewing the MOU for comments.

OTHER ALTERNATIVES

The council could propose changes to the agreement or could decide not to approve the agreement. Should the council decide not to approve the agreement, this may affect city participation in future governance discussions and agreements regarding Willamette River water supply with other participating agencies.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard City Council – Goals and Milestones

September 2013 – December 2014

Water

Develop Willamette River Water Sources

- Rewrite Willamette River Water Coalition (WRWC) member contract

- Continue to consider other sources: Sherwood , Tualatin Valley Water District (studies)
- Develop “roadmap” for Tigard’s future water decisions through 2026

DATES OF PREVIOUS COUNCIL CONSIDERATION

This is the first time council has been briefed on a facilitation agreement regarding Willamette River water supply governance.

Council has been briefed numerous times regarding Willamette River water supply issues and items:

- On October 14, 2014, the council was briefed on an MOU regarding Tigard’s participation in the master planning process for the Willamette River Water Treatment Plant located in Wilsonville.
- On May 27, 2014, the council was briefed on the development of a Willamette River water supply.
- On October 22, 2013, the council adopted the fiscal year 2014 First Quarter Supplemental Budget via Resolution No. 13-44. The supplemental budget included the allocation of \$100,000 from the water fund to participate in the preliminary design of the TVWD/Hillsboro Willamette Water Supply Program.
- At its July 16, 2013, workshop meeting, the council discussed and elected to participate in the preliminary design of the TVWD/Hillsboro Willamette Water Supply Program; the council limited Tigard's financial contribution to \$100,000.
- On June 15, 2010, the council discussed an agreement with Sherwood to develop a water supply pipeline and other improvements. This agreement was never finalized.

Fiscal Impact

Fiscal Information:

The agreement refers to future costs regarding an outside consultant facilitator to help develop future governance agreements. There is no direct cost to Tigard. As a member of the Willamette River Water Coalition (WRWC), Tigard costs associated with participation through this agreement are covered through WRWC. These costs are indirect to Tigard through membership fees, which are budgeted each fiscal year.

Attachments

Bridge MOU

Exhibits to Bridge MOU

BRIDGE MEMORANDUM OF UNDERSTANDING

This Bridge Memorandum of Understanding (MOU) is effective this ____ day of _____, 2014 by and between Tualatin Valley Water District, a domestic water supply district organized under ORS Chapter 264 (TVWD) the City of Wilsonville, an Oregon municipal corporation (Wilsonville), the City of Beaverton, an Oregon Municipal Corporation (Beaverton), the City of Hillsboro, an Oregon municipal corporation, acting by and through its Utilities Commission (Hillsboro), the City of Sherwood, an Oregon municipal corporation (Sherwood), the City of Tigard, an Oregon municipal corporation, (Tigard), and the City of Tualatin, an Oregon municipal corporation (Tualatin).

RECITALS

TVWD, the City of Wilsonville (Wilsonville) and the City of Sherwood (Sherwood) own varied interests in land, water rights, water system assets and capacity in water system assets as part of the existing Willamette River Water Treatment Plant (WRWTP) in Wilsonville.

The original design of the WRWTP Lower Plant allowed for expansion from its current capacity of 15 million gallons per day to produce up to 70 million gallons per day in the future. The real property upon which the Lower Plant is situated could accommodate a second water treatment plant, Upper Plant, with capacity to be determined.

TVWD, Wilsonville and Sherwood have been engaged in discussions with the cities of Beaverton, Hillsboro, Tigard and Tualatin regarding planning and evaluation of use of the Willamette River to jointly meet future water supply demands, the evaluation of existing water system assets including the Lower Plant and future water system assets such as the Upper Plant, the sizing and location of transmission pipeline(s) and reservoirs and discussion concerning ownership, governance and operation of the Lower and Upper Plants and other facilities.

A Master Plan for the WRWTP was completed in December, 2006. In order to facilitate the evaluation of existing and planning for future water system facilities, and to assist in future decision-making by the above named entities, all parties except Tualatin have entered into separate MOUs with TVWD to solicit and negotiate a contract with a consultant to update the Master Plan for the WRWTP and develop a Master Plan for the proposed Upper Plant (collectively referenced hereinafter as the “Master Plan”).

The Willamette Water Supply Program (WWSP) is a cooperative project to produce and transmit finished drinking water from the WRWTP to TVWD and Hillsboro and such other municipalities as may elect to participate in the program. All parties, except Wilsonville and Sherwood, have entered into an Intergovernmental Agreement regarding Predesign, Design, Public Affairs and Public Outreach in Furtherance of the Willamette Water Supply Program (Supply Agreement). The Supply Agreement is comprehensive in all aspects to accomplish tasks to achieve preliminary design of the WWSP and final design of the S.W. 124th Avenue Pipeline Project.

The Parties have been engaged in mutual and cooperative discussions regarding the WRWTP, the WWSP, the Master Plan and other issues relating to meeting the Parties' long-term need for finished drinking water. The purpose of this Bridge MOU is to reaffirm the Parties' commitment to continue to participate in the discussions with the goal of developing mutually acceptable Agreement(s) or MOUs related to ownership, finance, design and construction of water system facilities, including the Upper and Lower Plants and the governance, use, operation, maintenance repair and replacement of those facilities (collectively referred to as "Future Agreements"). The Parties recognize and acknowledge that each Party, based upon a determination of its own needs and resources, will evaluate the benefits of becoming a party to those Future Agreements and preserve the opportunity to fully participate with the other Parties if the individual Party finds it is in its best interests to do so.

THE PARTIES AGREES AS FOLLOWS:

1. **Participation.** The Parties recognize and agree that each Party may participate in some, all or none of the Future Agreements. To that end, the Parties anticipate that the Future Agreement(s), if any, will contain a provision that allows a Party to participate upon giving notice with participation to be effective at an agreed upon date.
2. **Tigard and Tualatin Participation.** All Parties recognize and agree that the Tigard and Tualatin Charters require voter approval prior to using the Willamette River as a drinking water source. All Parties recognize and agree that Tigard's or Tualatin's participation in this MOU does not evidence a decision to use the Willamette River as a drinking water source, nor does it require their respective city councils to authorize an election to vote on whether to use the Willamette River as a drinking water source. All Parties recognize and agree that Tigard and Tualatin intend to participate in this MOU in an effort to develop Future Agreements that will provide a mechanism for either to join with the other Parties, if a decision is made by their city councils and voters to use the Willamette River as a drinking water source.
3. **Future Agreements.** The Parties agree to continue to meet, discuss and develop the Future Agreement(s). Development of the Future Agreement(s) does not obligate a Party to approve and enter into Future Agreement(s). The obligation of this MOU is for all Parties to continue to work in good faith and cooperation to allow those Parties that so desire to achieve their water supply system goals and complete construction by 2025. Each Party specifically recognizes that ultimately it or another Party may decline to approve and participate in the future agreement(s) but, until that decision is made, each Party will continue to participate in a cooperative and timely manner.

- 3.1 **Governance Agreement.** All Parties agree to make reasonable and good faith efforts to develop a Governance Agreement that is mutually beneficial and suitable for submission and recommendation to the Parties governing bodies by the end of 2016. Among other things, the Governance Agreement shall provide methods for identifying and describing ownership of existing assets; construction and contribution of new assets; fair and equitable decision making; management, operation, maintenance, repair and replacement of assets; cost of service rate - making principles integration and system operation, so that existing assets and new assets work together in an efficient and effective manner; internal dispute resolution processes; progressive methods to achieve compliance with the Governance Agreement; and a provision to allow joinder of local government water providers including, but not limited to, a provision to address equitable cost recovery.
- 3.2 **Other Future Agreements.** Other Future Agreements may include, but not be limited to, topics such as the S.W. 124th Avenue Pipeline Project, the Transmission Pipeline Agreement, Reservoir Agreement, Willamette River Water Treatment Plant Agreement(s) and Right of Way Usage Agreements for City rights of way occupied by water facilities.
4. **Anticipated Schedule.** The Parties will make reasonable good faith efforts to complete the final draft of the Governance Agreement by December 31, 2016 and other Future Agreements as necessary to complete the Willamette Water Supply Program by 2025, as set forth in Exhibits 1 and 2, attached hereto and incorporated by reference as though fully set forth.
5. **Protocols for Development of the Governance Agreement.** The Parties goal is to develop a mutually acceptable Governance Agreement while recognizing that approval by a Party's governing body is completely discretionary. To reach this goal, each Party agrees:
- 5.1 To share in the costs of facilitating the discussions for the Future Agreement(s) according to the current cost share formula attached hereto as Ex. 3 and incorporated by reference herein as though fully set forth. The estimated cost of future facilitation services is \$209,400, and the Parties agree to update and review the cost share formula if necessary. While a Party is not obligated to execute the Governance Agreement, it is obligated to pay its share of facilitation costs. Reimbursement of facilitation or negotiation costs will not be made.

- 5.2 To follow the facilitator's rules of conduct during project meetings and to provide information to all Parties as to the results of any discussion of issues between less than all Parties when such limited discussions could have an impact on the terms of the Governance Agreement.
 - 5.3 To use best efforts to avoid hindering the schedule to enable the water supply project to be built and on line by 2025.
 - 5.4 To commit staff to attend meetings as appropriate and staff members shall be prepared to discuss and apply the information from the HDR Preliminary Design, the WRWTP Master Plan Update, other studies and work product of the Parties or consultants regarding meeting topics.
 - 5.5 To identify information necessary to enable staff or the governing body of a Party to review, consider and make decisions in a timely manner.
6. **Cooperation By All Parties.** The Parties agree that each will cooperate with the other Parties as reasonably necessary to:
- 6.1 Provide advice and comment on the Willamette Water Supply Program as it affects a Party and its residents and customers.
 - 6.2 Provide advice, suggested solutions and comment on methods or strategies to protect a Party's interests or reasonable actions to mitigate impacts to the Party's interests.
 - 6.3 Recognize and assist in reasonable mitigation strategies during temporary construction activities within a Party's boundary that may impact the community.
 - 6.4 Assist in developing and implementing a public information and outreach process regarding WWSP activities to residents within the Party's boundary.
 - 6.5 To evaluate the Upper Plant and Lower Plant site configuration and, if requested, to assist in developing Upper Plant site layout alternatives for consideration by those Parties that will use water from the Upper Plant.
 - 6.6 If the preferred Upper Plant site layout requires acquisition of additional property, exchange of property or other action to accommodate the preferred alternative, the affected Parties will cooperate in contacting property owners and affected neighbors, provide detail of the WWSP site needs and otherwise cooperate to

facilitate discussions. However, nothing in this MOU is intended to prevent or hinder Wilsonville from performing its government function in evaluating and issuing development applications or permits.

- 6.7 The Parties to this Agreement recognize the position of Wilsonville and Sherwood as the only Parties currently using water from the WRWTP. Therefore, any water supply facilities that may be designed and constructed to divert and treat raw water and to convey finished drinking water from the Upper Plant or Lower Plant to a Party's service area must function in a manner that does not adversely impact or impair Wilsonville's or Sherwood's ability to obtain water and serve their respective users, except for temporary impacts during construction that are reasonably mitigated.

7. **General Provisions.**

- 7.1 **Future Agreements.** The Parties acknowledge that some or all of the terms and conditions of this MOU may be superseded or replaced by the Future Agreement(s).
- 7.2 **Withdrawal.** Effective 90 days after written notice to all other Parties, a Party may withdraw from this MOU. The withdrawing Party will be obligated to pay its share of facilitation costs under Section 5.1 through the effective date of withdrawal with no refund. The Parties may mutually agree to another withdrawal date.
- 7.3 **Assignment.** No Party to this MOU may assign its interest in this MOU (or any portion thereof) without the prior written consent of the other Parties.
- 7.4 **Counterparts.** This Agreement may be executed in any number of counterparts by the parties which shall constitute an agreement between and among the parties.
- 7.5 **Notices.** Any notice herein required and permitted to be given shall be given in writing, shall be effective when actually received, and may be given by hand delivery or by United States mail, first class postage prepaid, addressed to the parties as follows:

City of Wilsonville
Delora Kerber, P.E.
Public Works Director
29799 SW Town Center Loop E
Wilsonville, OR 97070

Tualatin Valley Water District
Mark Knudson, P.E., CEO
1850 S.W. 170th
Beaverton, Oregon 97003

City of Sherwood
Craig Sheldon
Public Works Director
15527 Southwest Willamette Street
Sherwood, OR 97140

City of Hillsboro
Kevin Hanway
Water Department Director
150 E. Main Street
Hillsboro, Oregon 97123

City of Beaverton
David Winship, P.E.
City Utilities Engineer
P.O. Box 4755
Beaverton, OR 97076

City of Tigard
Dennis Koellermeier
Public Works Director
13125 SW Hall Blvd.
Tigard, OR 97223

City of Tualatin
Jerry Postema
Public Works Director
City Administration
18880 SW Martinazzi Avenue #200
Tualatin, OR 97062

- 7.6 **Amendment.** This MOU may be amended only by mutual written agreement of all Parties, signed by an authorized representative of each Party.

- 7.7 **Books, Reports and Accounting.** TVWD, as the contracting party, shall maintain books and records which shall show all income, receipts, expenses and costs in connection with any Consultant contract and this MOU. All such books of account or other records may be examined and copies of books and records made by TVWD staff at reasonable times upon reasonable notice. TVWD will provide a report at least semi-annually showing receipts and expenditures hereunder.

- 7.8 **Waiver.** The failure of a Party to insist on the strict performance of any provision of this MOU or to exercise any right, power or remedy upon a breach of any provision of this MOU shall not constitute a waiver of any provision of this MOU or limit the Party's right thereafter to enforce any provision or exercise any right.

- 7.9 **Governing Law.** This MOU shall be governed by and interpreted in accordance with the laws of the State of Oregon.

- 7.10 **Time is of the Essence.** A material consideration of the Parties entering into this MOU is that the Parties will make all payments as and when due and will perform all other obligations under this MOU in a timely manner. Time is of the essence of each and every provision of this Agreement.

7.11 **Term.** This MOU shall be in effect until the earlier of the execution of the Governance Agreement or December 31, 2016.

THE UNDERSIGNED, PURSUANT TO AUTHORIZATION FROM THE GOVERNING BODY, HEREBY EXECUTES THIS MEMORANDUM OF UNDERSTANDING ON BEHALF OF HIS/HER RESPECTIVE ENTITY

CITY OF WILSONVILLE
An Oregon Municipal Corporation

TUALATIN VALLEY WATER DISTRICT
A Domestic Water Supply District

By: _____

Its: _____

Chief Executive Officer

APPROVED AS TO FORM

APPROVED AS TO FORM

City Attorney

District Counsel

CITY OF TUALATIN
An Oregon Municipal Corporation

CITY OF SHERWOOD
An Oregon Municipal Corporation

By: _____

By: _____

Its: _____

Its: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

City Attorney

City Attorney

CITY OF BEAVERTON
An Oregon Municipal Corporation

CITY OF HILLSBORO
An Oregon Municipal Corporation

By: _____

By: _____

Its: _____

Its: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

City Attorney

City Attorney

CITY OF TIGARD
An Oregon Municipal Corporation

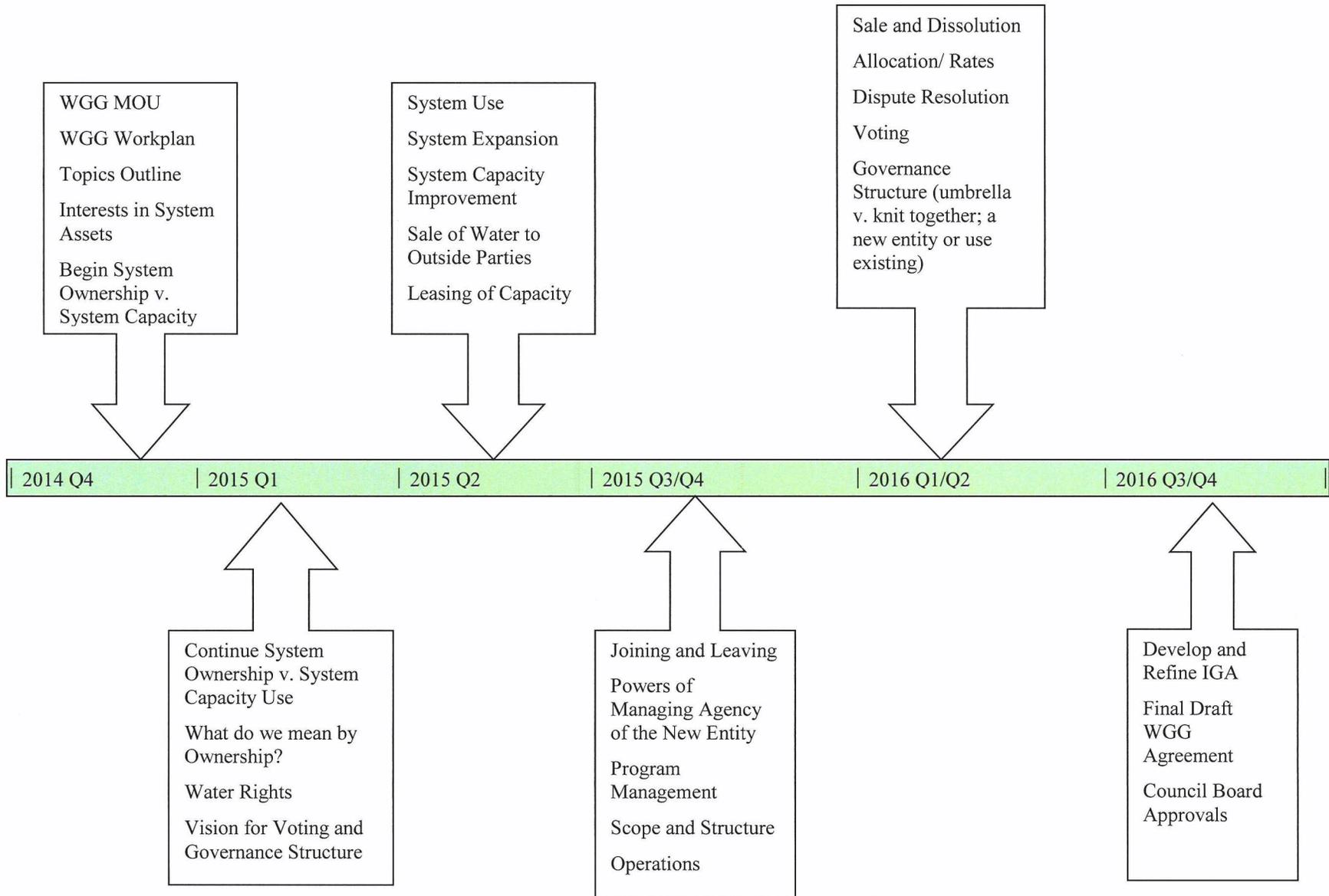
By: _____

Its: _____

APPROVED AS TO FORM

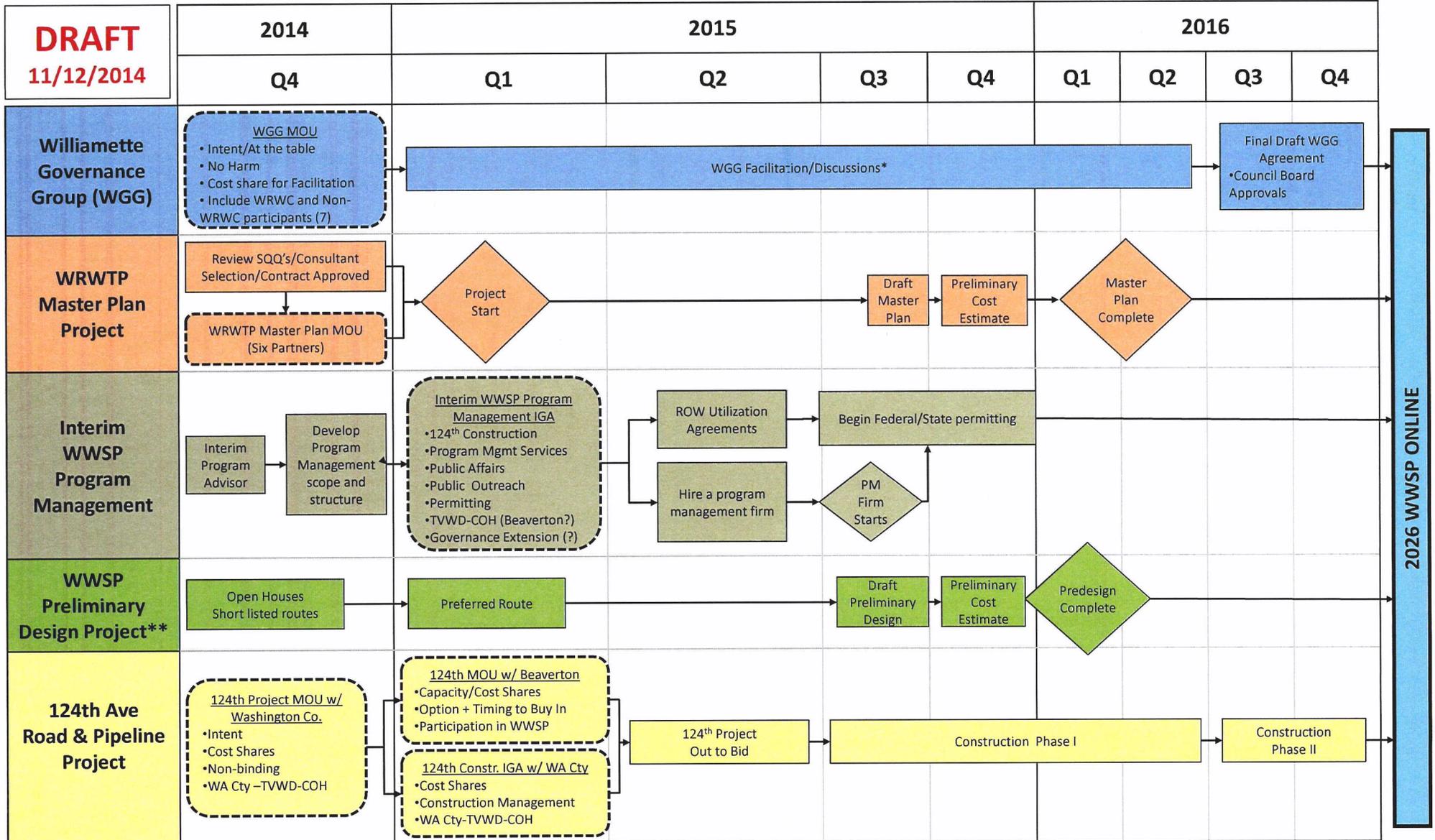
City Attorney

**Willamette Governance Group
Proposed Topics Timeline
12.10.14**



2026 WWSP Online Planning Schedule

Exhibit 2



2026 WWSP ONLINE

* See WGG Topics Outline
 ** See Detailed Project Schedule

Willamette Governance Facilitation Cost Shares:

Exhibit 3

Current Cost Distribution (Total Project)

Facilitation Fee:	\$ 209,400.00			
	Connections	Portion of Connections	Connection Amount	Equal Amount
Beaverton	17,700	12.9%	\$ 13,550.87	\$ 14,957.14
Hillsboro	24,793	18.1%	\$ 18,981.17	\$ 14,957.14
Sherwood	5,610	4.1%	\$ 4,294.94	\$ 14,957.14
Tigard	18,035	13.2%	\$ 13,807.34	\$ 14,957.14
Tualatin	6,668	4.9%	\$ 5,104.93	\$ 14,957.14
TVWD	58,883	43.1%	\$ 45,080.00	\$ 14,957.14
Wilsonville	5,069	3.7%	\$ 3,880.76	\$ 14,957.14
Total Connections	136,758		\$ 104,700.00	\$ 104,700.00

Amount for Phase 3 of Governance Process (December 2014 through December 2016)

Total Amount	
\$ 28,508.01	Beaverton
\$ 33,938.31	Hillsboro
\$ 19,252.08	Sherwood*
\$ 28,764.49	Tigard*
\$ 20,062.07	Tualatin*
\$ 60,037.14	TVWD*
\$ 18,837.90	Wilsonville

\$ 209,400.00

* \$ 128,115.77 Amount to be Paid by WRWC

Estimate of Additional FY 2014-2015 Amount Using Cost Distribution

Facilitation Fee:	\$ 58,650.00			
	Connections	Portion of Connections	Connection Amount	Equal Amount
Beaverton	17,700	12.9%	\$ 3,795.41	\$ 4,189.29
Hillsboro	24,793	18.1%	\$ 5,316.36	\$ 4,189.29
Sherwood	5,610	4.1%	\$ 1,202.95	\$ 4,189.29
Tigard	18,035	13.2%	\$ 3,867.24	\$ 4,189.29
Tualatin	6,668	4.9%	\$ 1,429.82	\$ 4,189.29
TVWD	58,883	43.1%	\$ 12,626.27	\$ 4,189.29
Wilsonville	5,069	3.7%	\$ 1,086.95	\$ 4,189.29
Total Connections	136,758		\$ 29,325.00	\$ 29,325.00

Amount for Phase 3 of Governance Process (December 2014 through December 2016)

Total Amount	
\$ 7,984.69	Beaverton
\$ 9,505.65	Hillsboro
\$ 5,392.24	Sherwood*
\$ 8,056.53	Tigard*
\$ 5,619.10	Tualatin*
\$ 16,815.56	TVWD*
\$ 5,276.23	Wilsonville

\$ 58,650.00

* \$ 35,883.43 Amount to be Paid by WRWC

Estimate of FY 2015-2016 Amount Using Cost Distribution

Facilitation Fee:	\$ 100,500.00			
	Connections	Portion of Connections	Connection Amount	Equal Amount
Beaverton	17,700	12.9%	\$ 6,503.64	\$ 7,178.57
Hillsboro	24,793	18.1%	\$ 9,109.87	\$ 7,178.57
Sherwood	5,610	4.1%	\$ 2,061.32	\$ 7,178.57
Tigard	18,035	13.2%	\$ 6,626.73	\$ 7,178.57
Tualatin	6,668	4.9%	\$ 2,450.07	\$ 7,178.57
TVWD	58,883	43.1%	\$ 21,635.81	\$ 7,178.57
Wilsonville	5,069	3.7%	\$ 1,862.54	\$ 7,178.57
Total Connections	136,758		\$ 50,250.00	\$ 50,250.00

Amount for Phase 3 of Governance Process (December 2014 through December 2016)

Total Amount	
\$ 13,682.21	Beaverton
\$ 16,288.45	Hillsboro
\$ 9,239.90	Sherwood*
\$ 13,805.30	Tigard*
\$ 9,628.64	Tualatin*
\$ 28,814.39	TVWD*
\$ 9,041.11	Wilsonville

\$ 100,500.00

* \$ 61,488.23 Amount to be Paid by WRWC

Estimate of FY 2016-2017 Amount Using Cost Distribution

Facilitation Fee:	\$ 50,250.00			
	Connections	Portion of Connections	Connection Amount	Equal Amount
Beaverton	17,700	12.9%	\$ 3,251.82	\$ 3,589.29
Hillsboro	24,793	18.1%	\$ 4,554.94	\$ 3,589.29
Sherwood	5,610	4.1%	\$ 1,030.66	\$ 3,589.29
Tigard	18,035	13.2%	\$ 3,313.37	\$ 3,589.29
Tualatin	6,668	4.9%	\$ 1,225.04	\$ 3,589.29
TVWD	58,883	43.1%	\$ 10,817.91	\$ 3,589.29
Wilsonville	5,069	3.7%	\$ 931.27	\$ 3,589.29
Total Connections	136,758		\$ 25,125.00	\$ 25,125.00

Amount for Phase 3 of Governance Process (December 2014 through December 2016)

Total Amount	
\$ 6,841.11	Beaverton
\$ 8,144.22	Hillsboro
\$ 4,619.95	Sherwood*
\$ 6,902.65	Tigard*
\$ 4,814.32	Tualatin*
\$ 14,407.19	TVWD*
\$ 4,520.56	Wilsonville

\$ 50,250.00

* \$ 30,744.11 Amount to be Paid by WRWC

AIS-2055

7.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 10 Minutes

Agenda Title: Briefing on an Agreement with CWS Regarding the Right of Way at the Southern End of 85th Avenue

Prepared For: Mike McCarthy

Submitted By: Judy Lawhead,
Public Works

Item Type:

Meeting Type: Council Workshop Mtg.

Public Hearing

Newspaper Legal Ad Required?:

Public Hearing Publication

Date in Newspaper:

Information

ISSUE

Briefing on an agreement with Clean Water Services (CWS) regarding the right of way at the southern end of 85th Avenue.

STAFF RECOMMENDATION / ACTION REQUEST

No action required; formal consideration of the agreement is scheduled on a future consent agenda.

KEY FACTS AND INFORMATION SUMMARY

This is an intergovernmental agreement (IGA) between the city and CWS regarding the south end of 85th Avenue, which bisects the property of the CWS Durham Advanced Wastewater Treatment Facility.

Key elements of the agreement are:

- CWS wishes to modify the southern portion of 85th Avenue in order to improve facility efficiency and public safety by restricting vehicular traffic to facility traffic only.
- CWS regularly operates large facility equipment on and across 85th Avenue, and will be constructing significant pipeline crossings of 85th Avenue. CWS desires these vehicular restrictions to reduce the probability of a collision between a public vehicle and this equipment.

- Exhibit A shows a schematic of the proposed changes including the location of the proposed new cul-de-sac just south of the existing business park. CWS will provide any additional right of way necessary for a standard cul-de-sac at this location.
- CWS will design and construct the project and bear all costs associated with it. Plans will be provided for public facility improvement permit review, and will address city concerns through design and construction.
- The project design will include continued bicycle and pedestrian access from the new vehicular traffic terminus to the existing Cook Park trail, and will include new landscaping and planted medians to enhance the pedestrian experience.
- The project design will maintain the emergency access to Waverley Drive to Tualatin Valley Fire and Rescue (TVF&R) standards. Removable bollards will be placed at the terminus of 85th for TVF&R emergency access.
- 85th Avenue will remain public right of way and the city can require CWS, at CWS's sole cost, to return this section of street to its current configuration.

OTHER ALTERNATIVES

The council could propose changes to the agreement or could decide not to approve the agreement.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

None

DATES OF PREVIOUS CONSIDERATION

This is the first time this agreement has come before the council.

Fiscal Impact

Cost: \$0
Budgeted (yes or no): N/A
Where Budgeted (department/program): N/A

Additional Fiscal Notes:

There would be no cost to the city for this project or from this agreement.

Attachments

IGA for 85th Ave
Exhibit A to IGA - Drawing

**INTERGOVERNMENTAL AGREEMENT
BETWEEN CITY OF TIGARD AND CLEAN WATER SERVICES
FOR MODIFICATIONS TO SOUTHWEST 85TH AVENUE WITHIN THE
DURHAM ADVANCED WASTEWATER FACILITY PLAN DISTRICT**

This Agreement, dated _____, 2015, is between Clean Water Services (District) and the City of Tigard (City).

A. RECITALS

WHEREAS, ORS 190.003 - 190.110 encourages intergovernmental cooperation and authorizes local governments to delegate to each other authority to perform their respective functions as necessary; and

WHEREAS, District and City collaborate on projects that involve wastewater treatment, stormwater and erosion control, and general civil engineering projects in an effort to improve water quality in the Tualatin Basin; and

WHEREAS, District and City entered into an Intergovernmental Agreement dated January 25, 2005 (2005 IGA) that articulates the procedures for working together on projects; and

WHEREAS, District and City entered into an Intergovernmental Agreement dated June 12, 2012 where District and City agreed to work together to establish a City Plan District associated with the Durham Advanced Wastewater Treatment Facility (Durham Facility); and

WHEREAS, District and City worked together to establish the Durham Facility Plan District pursuant to Chapter 18.650 of City's Development Code (Plan District); and

WHEREAS, District and City desire to enhance security and public safety within and in the vicinity of the Durham Facility; and

WHEREAS, District and City wish to maintain and improve safety of pedestrian and bicycle access to Cook Park via SW 85th Avenue and the existing Cook Park pathway; and

WHEREAS, District is in the process of designing the Durham Facility Phase 5B2 plant improvements project that will require construction of utilities across SW 85th Avenue within the Plan District; and

WHEREAS, District and City wish to work cooperatively in modifying the southern portion of SW 85th Avenue within the Plan District to restrict vehicular access to achieve

the goals of increased Durham Facility security and safety of District staff and the general public;

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

B. PROJECT DESCRIPTION AND BACKGROUND

The Durham Facility Phase 5B2 Project (Project) will primarily include hydraulic and odor control improvements for the treatment facility. The Project impacts SW 85th Avenue in that there will be significant pipeline crossings of the street that will require the street to be torn up at times and not accessible. During the preliminary planning for this Project District and City Planning and Engineering staff met several times to discuss the upcoming Project. During these meetings District and City Engineering staff developed a concept to address the concerns of Durham Facility security and safety for both the general public and District employees. The general concept is to limit vehicular traffic on that portion of SW 85th Avenue located within the Plan District and that bisects the treatment facilities within the Operations Subdistrict as shown in Map 18.650.A of City's Development Code. The concept also includes traffic calming and redirection at the point where access will be restricted through the use of a cul-de-sac type terminus of regular vehicle traffic while maintaining pedestrian and bicycle access along SW 85th Avenue and the Cook Park path. Finally, the Project will result in access improvements off of SW 85th Avenue to the RV dump station that the Durham Facility provides for the community. The concept is generally depicted in Exhibit A.

C. DISTRICT OBLIGATIONS

District will construct its Project to include modifying SW 85th Avenue within City's right-of-way, by completing the following activities:

1. Design and construct the Project.
2. Provide, for City review, progress submittals of the design at the 60 percent, 90 percent, and final bidding document production milestones for the Project.
3. Provide a design that allows continued pedestrian and bicycle access from the new vehicular traffic terminus (new cul-de-sac) to the existing Cook Park path that includes the following features (generally as shown in Exhibit A): a) a planted median in section 1 of the modified street, and b) a reduced section of planted median in section 2 of the modified street that will allow convenient District access to the Facility's existing Headworks building.
4. Commit to providing similar planted median in section 3 of the street (Exhibit A) at a future time that is convenient to District and is in conjunction with future Durham Facility construction projects that would impact this section of street.

5. Coordinate with City on the design details of the new offset cul-de-sac that will be the terminus of regular vehicular traffic, including any appropriate traffic calming features and appropriate signage and barricading.
6. Cooperate with City and Tualatin Valley Fire & Rescue (TVF&R) to ensure that TVF&R emergency access is maintained to the existing Waverly Drive emergency access road.
7. Acknowledge City's existing SW 85th Avenue right-of-way and that City may, upon two years' notice, require District, at the District's sole cost, to return this section of street to its current configuration (see D.5 below). District will provide City any additional Right of Way needed as a result of the new cul-de-sac.
8. Maintain the section of street south of the new cul-de-sac in a manner acceptable to City.
9. District's Project manager shall be Randy Naef, Principal Engineer, or as assigned.

D. CITY OBLIGATIONS

City will:

1. Review and provide input into the 60% and 90% design submittals within 10 working days of receipt, unless otherwise discussed, and consider the Project a Public Facilities Improvement.
2. Provide design assistance including meeting with District's designer during the design phase regarding the design details of the new cul-de-sac, and associated street closure, traffic calming, signage and barricading design details.
3. Allow District the following restricted access provisions during construction of its Project: a) total closure of the portion of SW 85th Avenue within the Plan District during a two-week period for construction of the pipelines that cross the street, and b) allow continuous access for only pedestrian and bicycle for all other times with the exception of sporadic closures during the workday necessitated by construction or for public safety reasons. No restriction of pedestrian or bicycle access will be allowed during special occasions such as the Tigard Balloon Festival as directed by City.
4. Cooperate with District and TVF&R in determining TVF&R's emergency access requirements to the existing Waverly Drive emergency access road.
5. Make a finding that the proposal is in the public interest prior to directing the District to return this section of SW 85th Avenue back to its pre-modified condition.

6. Give the District two years' notice prior to requiring the District, at the District's sole cost, to return this section of street to its current configuration (see D.5 above)
7. City's project manager shall be Kim McMillan, Assistant City Engineer, or as assigned.

E. COMPENSATION

The Project as outlined above will be funded by the District. Standard permit and plan review fees, as specified in the 2005 IGA Section 3.C.8, will apply.

F. GENERAL TERMS

1. Laws and Regulations. City and District agree to abide by all applicable laws and regulations.
2. Term of this Agreement. This Agreement is effective from the date the last party signs it and shall remain in effect until the Project is complete and the parties' obligations have been fully performed or the Agreement is terminated as provided herein.
3. Indemnification. Within the limits of the Oregon Tort Claims Act, codified at ORS 30.260 through 30.300, each of the parties shall indemnify and defend the others and their officers, employees, agents, and representatives from and against all claims, demands, penalties, and causes of action of any kind or character relating to or arising from this Agreement (including the cost of defense thereof, including attorney fees) in favor of any person on account of personal injury, death, damage to property, or violation of law, which arises out of, or results from, the negligent or other legally culpable acts or omissions of the indemnitor, its employees, agents, contractors or representatives.
4. Integration. This document constitutes the entire agreement between the parties on the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings, representations or communications of every kind on the subject. No course of dealing between the parties and no usage of trade shall be relevant to supplement any term used in this Agreement. Acceptance or acquiescence in a course of performance rendered under this Agreement shall not be relevant to determine the meaning of this Agreement and no waiver by a party of any right under this Agreement shall prejudice the waiving party's exercise of the right in the future.

5. Termination. This Agreement may be terminated immediately by mutual written agreement of both parties, or by either of the parties notifying the other in writing prior to award of a construction contract, with the termination being effective in 30 days. The obligations contained in sections C.7, D.5 and D.6 shall survive the termination or expiration of this Agreement.
6. Resolution of Disputes. If any dispute out of this Agreement cannot be resolved by the project managers from each party, the Mayor and Clean Water Service's General Manager will attempt to resolve the issue. If the Mayor and Clean Water Service's General Manager are not able to resolve the dispute, the parties will submit the matter to mediation, each party paying its own costs and sharing equally in common costs. In the event the dispute is not resolved in mediation, the parties will submit the matter to arbitration. The decision of the arbitrator shall be final, binding and conclusive upon the parties and subject to appeal only as otherwise provided in Oregon law.
7. Interpretation of Agreement.
 - A. This Agreement shall not be construed for or against any party by reason of the authorship or alleged authorship of any provision.
 - B. The paragraph headings contained in this Agreement are for ease of reference only and shall not be used in constructing or interpreting this Agreement.
8. Severability/Survival. If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired. In addition to the obligations contained in section F.5, all provisions concerning the limitation of liability, indemnity and conflicts of interest shall survive the termination of this Agreement for any cause.
9. Approval Required. This Agreement and all amendments, modifications or waivers of any portion thereof shall not be effective until approved by 1) District's General Manager or the General Manager's designee and, when required by applicable District rules, District's Board of Directors and 2) the Tigard City Council.

10. Choice of Law/Venue. This Agreement and all rights, obligations and disputes arising out of the Agreement shall be governed by Oregon law. All disputes and litigation arising out of this Agreement shall be decided by the state courts in Oregon. Venue for all disputes and litigation shall be in Washington County, Oregon.

CLEAN WATER SERVICES

CITY OF TIGARD, OREGON

By: _____
Bill Gaffi, General Manager

By: _____
Marty Wine, City Manager

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

District Counsel

Tigard Attorney

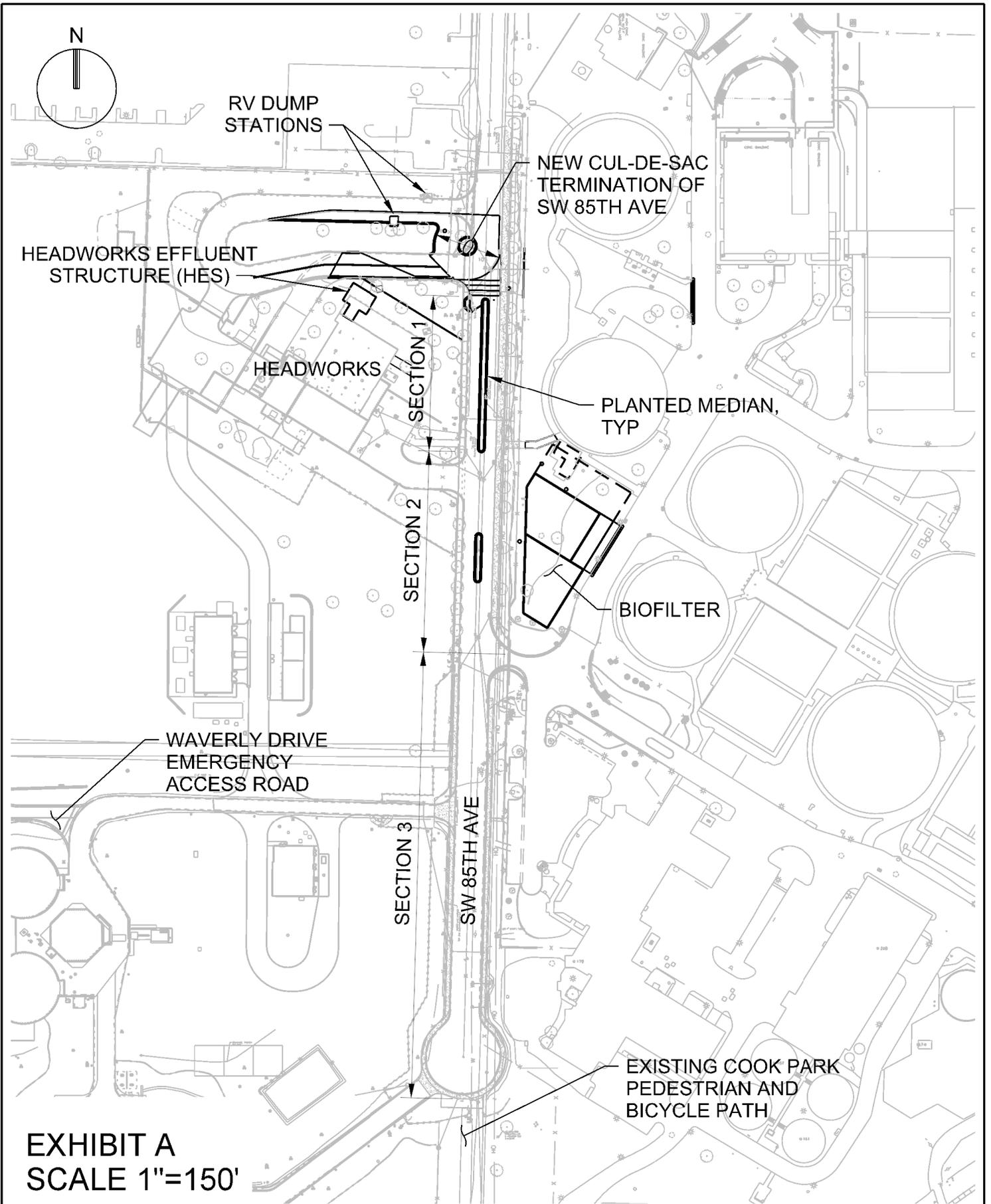


EXHIBIT A
SCALE 1"=150'

CLEAN WATER SERVICES
DURHAM AWWTF
PHASE 5B2

DATES OF PREVIOUS CONSIDERATION

Staff provides the council with regular briefings on the status of CIP projects. The last briefing was on Oct. 28, 2014.

Attachments

PowerPoint - Dirksen Nature Park

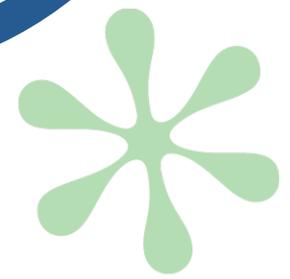
2nd Quarter CIP Delivery Project Summaries



Dirksen Nature Park



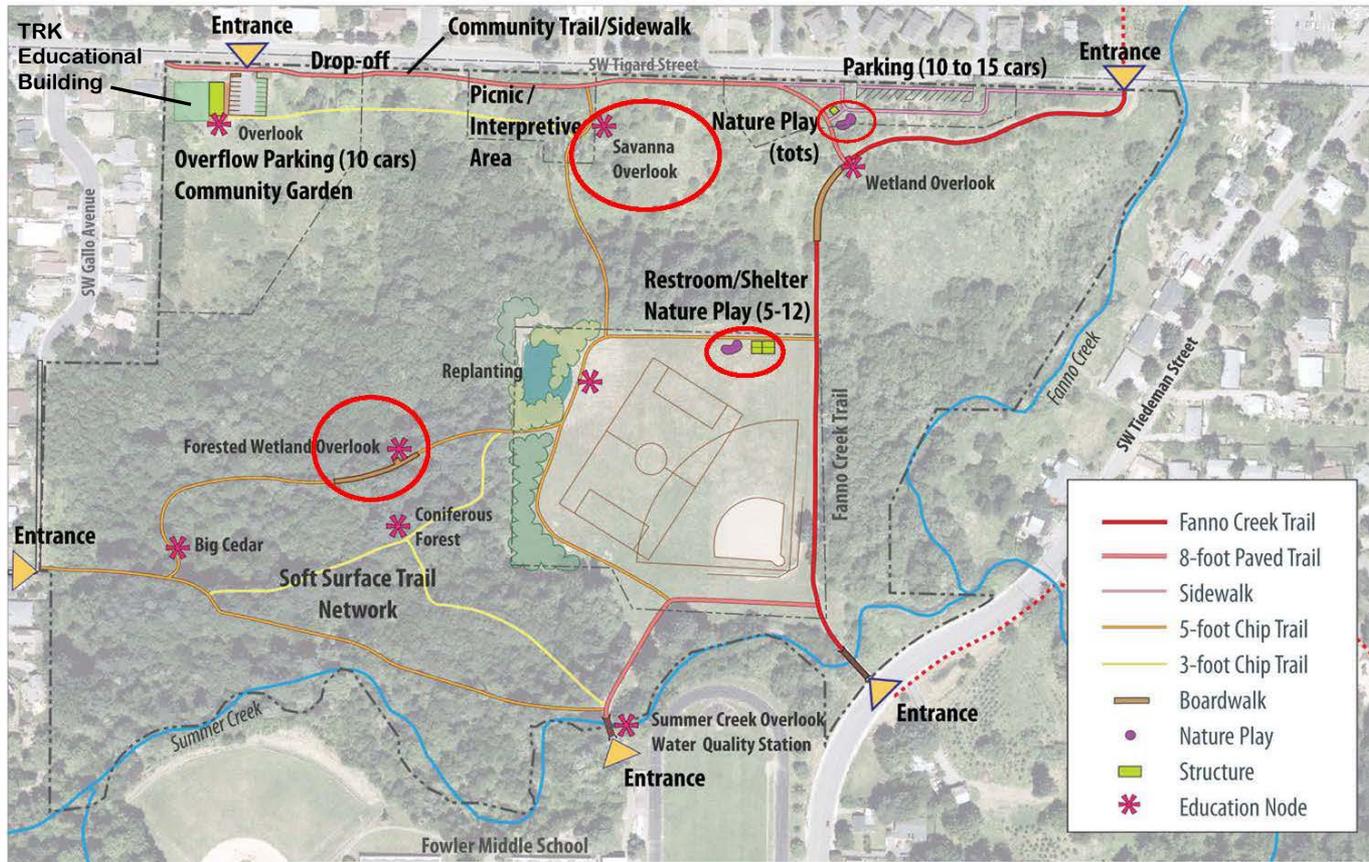
City of Tigard
Respect and Care | Do the Right Thing | Get it Done



SUMMER CREEK PROPERTY

Master Plan

June 2012



Tualatin River Keepers



Tualatin River Keepers



Trails



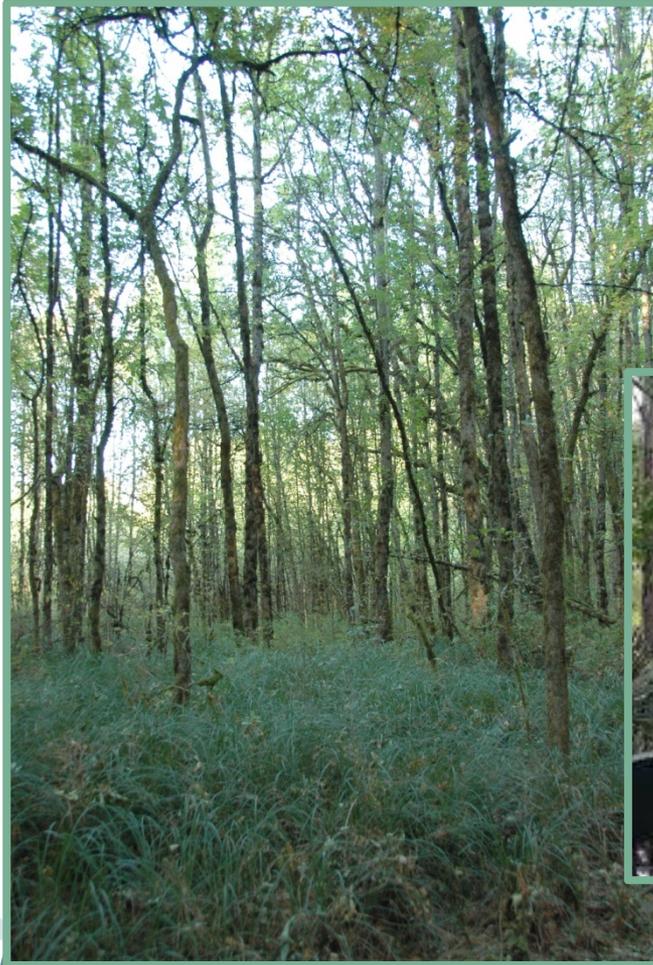
Wildflowers



Forested Wetlands



Wetland Boardwalk



Oak Savannah



Restroom & Shelter



Nature Education



Nature Play



AIS-2148

9.

Workshop Meeting

Meeting Date: 02/17/2015

Length (in minutes): 30 Minutes

Agenda Title: Discuss changes to the City Manager Evaluation for 2015

Prepared For: Dana Bennett, City Management **Submitted By:** Dana Bennett, City Management

Item Type: Public Hearing - Informational **Meeting Type:** Council Business Meeting - Main

Public Hearing: Yes

Publication Date:

Information

ISSUE

Council to discuss the effectiveness of the criteria used during the 2014 City Manager Evaluation and reach consensus on what changes they want to make to the criteria.

STAFF RECOMMENDATION / ACTION REQUEST

At Council direction, staff is seeking to open discussion on the criteria used during the 2014 City Manager Evaluation.

KEY FACTS AND INFORMATION SUMMARY

During Council's evaluation of the City Manager for calendar year 2014, a new format and criteria were developed and utilized. Council Woodard raised some suggestions for changes to make the criteria more focused on only those aspects of the City Manager role that Council oversee and feel they can effectively evaluate. To that end, Counselor Woodard's suggestions are attached, embedded into the 2014 evaluation form in section III subsections (a, b, and g). The goal is to determine, largely, what criteria Council will use for the 2015 calendar year evaluation.

Per statute the final evaluation criteria and format will be presented at an open public meeting to allow for public comment in late fall when Council is preparing to begin the 2015 calendar year evaluation process.

OTHER ALTERNATIVES

Council makes no changes to the evaluation criteria.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

The evaluation criteria will measure, in part, the City Manager against goals set by Council for calendar year 2015. The process of the evaluation is part of the Employment Contract between the City Manager and the City.

DATES OF PREVIOUS COUNCIL CONSIDERATION

Council met to evaluate the City Manager on January 27, 2015, in addition Council will consider an amendment to the City Manager's Employment Contract during the February 10, 2015 meeting. However, this Council Workshop will be the first meeting to formally discuss the evaluation criteria effectiveness and potential changes to the criteria for calendar year 2015 evaluation.

Attachments

City Manager 2014 Evaluation Form

CITY OF TIGARD
CITY MANAGER PERFORMANCE EVALUATION

Review period: January 2014- December 2014

- I. In completing this evaluation, please consider the City-wide core values adopted to set the standard for service excellence at the City of Tigard (“Get it Done”, “Do the Right Thing”, and “Respect and Care”).

Please use the following criteria: 4 = Exceeds Expectations; 3 = Fully Effective; 2 = Developing 1 = Needs Improvement; NA = Not applicable (have not observed this area during the evaluation period).

PERFORMANCE ASSESSMENT

- II. Evaluate and discuss the City Manager’s overall job performance in achievement of the GOALS set for the current review period. Base your evaluation upon the job requirements, achievement of the goals established during the past review period, and your assessment of the City Manager’s accomplishments.

1. GOAL 1 -Economic Development

- a. Establish an ED strategy so Tigard is organized to support developing the local economy
- b. Set up staff resources to carry out and support the strategy
- c. Engage a community committee or group to help with and carry out the strategy
- d. Create transportation connections by continuing to pursue Ash Avenue rail crossing
- e. Downtown Tigard and Urban Renewal District
- f. Advance plaza development through property acquisition
- g. Pursue a housing redevelopment project
- h. Pursue a retail and mixed-use project
- i. Create a bike/pedestrian connection with Tigard Triangle

RATING:	NA	1	2	3	4

2. GOAL 2 -Financial Stability: build the city's financial reserves

- a. Work with employees to establish "fair share" benefit contribution
- b. Defer or delay projects or find more efficient ways to do business
- c. Pursue local option levy in spring of 2014
- d. Find creative solutions to increase revenues
- e. Plan for Growth: River Terrace Community Plan substantially complete, bring entitlement/zoning decisions to Council as soon as possible (in calendar year 2013 if possible); communication with annexing residents to understand service desires
- f. Community recreation: find financing to support increasing recreation capacity in Tigard

RATING:	NA	1	2	3	4

3. GOAL 3 -LO-Tigard Water Partnership: continue to build partnership relationships and keep current sources and project on track

RATING:	NA	1	2	3	4

4. GOAL 4 -Community Engagement: develop venues to meet with the public quarterly to gather input on key issues facing the City, including:

- a. Annexation
b. Transportation/HCT

RATING:	NA	1	2	3	4

5. GOAL 5 -State and Regional Relations

- a. Effectively represent Tigard on revenue reform issues in 2013
b. Work with neighboring jurisdictions to advance joint transportation and economic development goals at the state and federal level

RATING:	NA	1	2	3	4

III. Evaluate and discuss the City Manager’s job performance for the current review period. Please provide specific examples to support your assessment/evaluation. Consider the City Manager’s performance in the following areas.

- a. Administrative Ability/Professional Skills including planning, organizing, time management, decision-making, and organizational/strategic thinking

RATING:	NA	1	2	3	4

I’m proposing changes to III[a] and the addition of a leadership subsection.

- 1) Keep III [a] make the rating measureable to another manager bench mark comparison if possible.
- 2) Add subsection for Leadership Performance rating – This I’ve not seen and an important rating at this level for any organizational operation.

I believe administrative/professional skills at this level of organization must have a Bench mark to measure against and a leadership component to rate. It’s too generalized or constructed wrong for me to rate objectively.

- b. Personnel Functions including supervision, delegation, labor relations, and leadership/management style

RATING:	NA	1	2	3	4

Since I addressed Leadership in III [a], it is not necessary to cover in this comments area. It’s too generalized or constructed wrong for me to rate objective.

Personally, I didn’t like the construct of the question. Organizational leadership and functional management and supervision all have separate roles, meanings and definitions and must be applied in construct separately. Since I addressed Leadership in III [a], it is not necessary to cover in this comments area.

- c. Budget and Finance including financial management and operational efficiency

RATING:	NA	1	2	3	4

- d. Community Relations including public service, sensitivity, public involvement, and media relations

RATING:	NA	1	2	3	4

- e. Intergovernmental Relations including representation and developing resources

RATING:	NA	1	2	3	4

- f. Interpersonal Skills/Individual Characteristics including professionalism, creativity, ethics, and adaptability

RATING:	NA	1	2	3	4

- g. Communications including community/public, employees, and Council

RATING:	NA	1	2	3	4

If this question is not changed I don't know how I can rate "communications with employees." I'm mostly exposed to a few supervisory staff on a limited basis.

Recommend the removal of "employees" and replace it with something else, or create a new evaluation line item. It's too generalized or constructed wrong for me to rate objectively.

- h. Economic Growth & Development including strategy, vision and community engagement

RATING:	NA	1	2	3	4

ADDITIONAL COMMENTS (OPTIONAL)

IV. Are there areas of exceptional performance that should be particularly noted? Provide specific examples.

V. Are there areas of performance needing more attention or improvement? Provide specific examples.

ESTABLISHMENT OF GOALS FOR UPCOMING RATING PERIOD

List and discuss your expectations and suggested goals for the City Manager for the upcoming performance evaluation period. Goals should be: (1) related to community goals, (2) may include new projects or ongoing fundamental portions of the position, and (3) should include specific measures including outcomes and timeframes.

ADDITIONAL COMMENTS (OPTIONAL)

Please provide any additional comments on the City Manager's performance review in the space provided here.