



City of Tigard  
**Tigard Business Meeting – Agenda**

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**TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD**

**MEETING DATE AND TIME:** January 12, 2016 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

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

**PUBLIC NOTICE:**

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are *estimated*; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. *Business agenda items can be heard in any order after 7:30 p.m.*

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 503-718-2419, (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: 503-718-2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

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**VIEW LIVE VIDEO STREAMING ONLINE:**

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

**CABLE VIEWERS:** The regular City Council meeting is shown live on Channel 28 at 7:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday	6:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.



City of Tigard

## Tigard Business Meeting – Agenda

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### **TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD**

**MEETING DATE AND TIME:** January 12, 2016 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

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

6:30 PM

#### STUDY SESSION

- **EXECUTIVE SESSION:** The Tigard City Council will go into Executive Session to discuss real property transactions under ORS 192.660(2) (e). 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. **6:30 p.m. estimated time**

COUNCIL LIAISON REPORTS **6:45 p.m. estimated time**

RECEIVE UPDATE FROM METRO COUNCILOR DIRKSEN **7:00 p.m. estimated time**

7:30 PM

1. BUSINESS MEETING
  - A. Call to Order
  - B. Roll Call
  - C. Pledge of Allegiance
  - D. Call to Council and Staff for Non-Agenda Items
2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
  - A. Follow-up to Previous Citizen Communication
  - B. Tigard High School Student Envoy
  - C. Tigard Area Chamber of Commerce
  - D. Citizen Communication – Sign Up Sheet

3. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to: **7:35 p.m. estimated time**

A. RECEIVE AND FILE:

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

B. APPROVE CITY COUNCIL MINUTES:

- November 24, 2015
- December 8, 2015

C. LOCAL CONTRACT REVIEW BOARD: CONSIDER IGA WITH WASHINGTON COUNTY FOR ROY ROGERS ROAD IMPROVEMENTS

D. CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN THE TIGARD/LAKE OSWEGO ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT

• *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council/City Center Development Agency has voted on those items which do not need discussion.*

4. CONSIDER RESOLUTION APPOINTING CITY CENTER ADVISORY COMMISSION MEMBERS **7:40 p.m. estimated time**

5. CONSIDER RESOLUTION APPOINTING A PLANNING COMMISSION MEMBER **7:45 p.m. estimated time**

6. LEGISLATIVE PUBLIC HEARING: CONSIDERATION OF A PARK MAINTENANCE FEE **7:50 p.m. estimated time**

7. LEGISLATIVE PUBLIC HEARING: CONSIDER COMPREHENSIVE PLAN AMENDMENTS AND ZONING CHANGES TO PRESERVE MEDIUM DENSITY (R-12) RESIDENTIAL LAND **8:35 p.m. estimated time**

8. CONSIDER AMENDMENT TO CITY MANAGER EMPLOYMENT CONTRACT **9:05 p.m. estimated time**

9. LOCAL CONTRACT REVIEW BOARD CONSIDERATION OF A CONTRACT AWARD TO MURRAY, SMITH AND ASSOCIATES FOR HUNZIKER PROJECT ENGINEERING **9:10 p.m. estimated time**

10. DISCUSS PROPOSED FY 2017 CITY COUNCIL BUDGET **9:20 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. NON AGENDA ITEMS
13. ADJOURNMENT **9:30 p.m. estimated time**

**AIS-2473**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 15 Minutes

**Agenda Title:** RECEIVE UPDATE FROM METRO COUNCILOR DIRKSEN

**Submitted By:** Carol Krager, Central Services

**Item Type:** Update, Discussion, Direct Staff      **Meeting Type:** Council  
Business  
Mtg -  
Study  
Sess.

**Public Hearing:** No

**Publication Date:**

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**Information**

**ISSUE**

Metro Councilor Dirksen will give council a briefing on Metro activities as they relate to Tigard.

**STAFF RECOMMENDATION / ACTION REQUEST**

N/A

**KEY FACTS AND INFORMATION SUMMARY**

Councilor Dirksen will discuss Metro items of interest to council.

**OTHER ALTERNATIVES**

N/A

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

N/A

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

Councilor Dirksen gave council an update on February 24, 2015.

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**Attachments**

*No file(s) attached.*

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**AIS-2511**

**3. A.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** Consent Item

**Agenda Title:** Receive and File: Council Calendar and Council Tentative Agenda

**Submitted By:** Carol Krager, Central Services

**Item Type:** Receive and File

**Meeting Type:** Consent -  
Receive and  
File

**Public Hearing:** No

**Publication Date:**

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**Information**

**ISSUE**

Receive and file the Council Calendar and the Tentative Agenda for future council meetings.

**STAFF RECOMMENDATION / ACTION REQUEST**

No action is requested; these are for information purposes.

**KEY FACTS AND INFORMATION SUMMARY**

Attached are the Council Calendar and the Tentative agenda for future Council meetings.

**OTHER ALTERNATIVES**

N/A

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

N/A

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

N/A - Receive and File Items

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**Attachments**

Three-month Council Calendar

Tentative Agenda

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# MEMORANDUM

TO: Honorable Mayor & City Council/City Center Development Agency Board

FROM: Carol A. Krager, City Recorder

RE: Three-Month Council/CCDA Meeting Calendar

DATE: January 4, 2016

## January

1	Friday	New Year's Day Holiday – City Offices & <b>Library Closed</b>
5	Tuesday	Special Council Meeting – 6:00 p.m., Red Rock Creek Conference Room
12*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall
18	Monday	Martin Luther King Jr. Day – City Offices Closed, <b>Library Open</b>
19*	Tuesday	Council Workshop/Business Meeting – 6:30 p.m., Town Hall
26*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall
28	Thursday	Council Outreach – 7-8:30 p.m., Summerfield Clubhouse

## February

2	Tuesday	City Center Development Agency – 6:30 p.m., Town Hall
9*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall
15	Monday	Presidents' Day Holiday – City Offices Closed, <b>Library Open</b>
16*	Tuesday	Council Workshop/Business Meeting – 6:30 p.m., Town Hall
23*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall

## March

1	Tuesday	City Center Development Agency – 6:30 p.m., Town Hall
8*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall
15*	Tuesday	Council Workshop/Business Meeting – 6:30 p.m., Town Hall
22*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall

Regularly scheduled Council meetings are marked with an asterisk (\*).

Meeting Banner  Business Meeting   
 Study Session  Special Meeting   
 Consent Agenda  Meeting is Full   
 Workshop Meeting  CCDA Meeting

**City Council Tentative Agenda  
 1/4/2016 10:07 AM - Updated**

Form #	Meeting Date	Submitted By	Meeting Type	-----Title----- -----	Department	Inbox or Finalized
2470	01/05/2016	Norma Alley	AAA	January 5, 2016 Special Council Meeting 6:00 p.m., Red Rock Creek Conference Room		
2402	01/12/2016	Carol Krager	AAA	January 12, 2016 Business Meeting		
2462	01/12/2016	Lloyd Purdy	ACCSTUDY	15 Minutes - Executive Session per ORS 192.660(2)(e) - Real Property Transaction	Community Development	11/05/2015
2425	01/12/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
2473	01/12/2016	Carol Krager	ACCSTUDY	15 Minutes - RECEIVE UPDATE FROM METRO COUNCILOR DIRKSEN	Central Services	12/24/2015
<b>Total Time: 45 of 45 Minutes Scheduled STUDY SESSION FULL</b>						
2467	01/12/2016	Susan Shanks	ACONSENT	Consent Item - IGA with WA County for Funding Roy Rogers Rd Improvements	Community Development	01/04/2016
2489	01/12/2016	Lloyd Purdy	ACONSENT	Consent Item - Authorize the City Manager to sign the Tigard/Lake Oswego Enterprise Zone Intergovernmental Agreement	Community Development	12/09/2015
2510	01/12/2016	Carol Krager	ACONSENT	Consent Item - Approve City Council Meeting Minutes	Central Services	12/17/2015
2511	01/12/2016	Carol Krager	ACONSENT	Consent Item - Receive and File: Council Calendar and Council Tentative Agenda	Central Services	12/17/2015
2474	01/12/2016	Sean Farrelly	CCBSNS	1 5 Minutes - Appoint City Center Advisory Commission Members	Community Development	12/23/2015
2328	01/12/2016	Norma Alley	CCBSNS	2 45 Minutes - Legislative Public Hearing: Consideration of a Park Maintenance Fee	Finance and Information Services	Newton L, Assistant City Manager
2463	01/12/2016	Gary Pagenstecher	CCBSNS	3 30 Minutes - Medium Density Residential (R-12) Preservation	Community Development	01/04/2016

Meeting Banner  Business Meeting   
 Study Session  Special Meeting   
 Consent Agenda  Meeting is Full   
 Workshop Meeting  CCDA Meeting

**City Council Tentative Agenda  
1/4/2016 10:07 AM - Updated**

2376	01/12/2016	Dana Bennett	CCBSNS	4 5 Minutes - Consider Amendment to Contract	City Management	01/04/2016
2486	01/12/2016	Joseph Barrett	CCBSNS	5 10 Minutes - Hunziker Engineering Contract Placeholder	Finance and Information Services	Barrett J, Sr Mgmt Analyst
2509	01/12/2016	Carol Krager	CCBSNS	6 10 Minutes - City Council Proposed Budget FY17	City Management	01/04/2016
<b>Total Time: 110 Minutes Scheduled MEETING OVERSCHEDULED</b>						
2403	01/19/2016	Carol Krager	AAA	January 19, 2016 Workshop Meeting <b>Mayor Cook Absent</b>		
2506	01/19/2016	Judy Lawhead	CCWKSHOP	15 Minutes - Briefing on Capital Improvement Plan (CIP) Projects	Public Works	Rager B, PW Director
<b>Total Time: 15 of 180 Minutes Scheduled</b>						
2404	01/26/2016	Carol Krager	AAA	January 26, 2016 Business Meeting		
2426	01/26/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
2483	01/26/2016	Joseph Barrett	ACCSTUDY	15 Minutes - Discussion of Upcoming Contracts	Finance and Information Services	Barrett J, Sr Mgmt Analyst
2493	01/26/2016	Steve Martin	ACCSTUDY	10 Minutes - Briefing on Bull Mountain Park Agreements	Public Works	Rager B, PW Director
2514	01/26/2016	Carol Krager	ACCSTUDY	5 Minutes - PLACEHOLDER FOR ADMIN ITEM	City Management	Newton L, Assistant City Manager
<b>Total Time: 45 of 45 Minutes Scheduled STUDY SESSION FULL</b>						
2394	01/26/2016	Lisa Shaw	ACONSENT	Consent Item - Intellectual Property Crimes Task Force - IGA	Police	Shaw L, Police Business Manager
2494	01/26/2016	Steve Martin	ACONSENT	Consent Item - Amendment to an IGA with Metro to Install Regional Trail Signage	Public Works	MartyW, City Manager

Meeting Banner  Business Meeting   
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 Workshop Meeting  CCDA Meeting 

**City Council Tentative Agenda**  
**1/4/2016 10:07 AM - Updated**

2528	01/26/2016	Liz Lutz	ACONSENT	Consent Item - Consent Agenda-Resolution Waiving Temporary Sign Permit Fees for Southwest Metro Babe Ruth Baseball	Finance and Information Services	MartyW, City Manager
2491	01/26/2016	Cheryl Caines	CCBSNS	1 10 Minutes - QJ Public Hearing: Franske/Ririe Annexation - ZCA2015-00002	Community Development	Caines C, Assoc Planner
2498	01/26/2016	Louis Sears	CCBSNS	2 10 Minutes - INFORMATIONAL PUBLIC HEARING - Adding City of Beaverton to the CenturyLink Franchise Agreement	Finance and Information Services	Sears L, IT Network Admin
2492	01/26/2016	Carissa Collins	CCBSNS	3 15 Minutes - Info. Public Hearing: FY 2016 Second Quarter Budget Supplemental	Finance and Information Services	Collins C, Sr Mgmt Analyst
2501	01/26/2016	Carol Krager	CCBSNS	4 10 Minutes - LEGISLATIVE PUBLIC HEARING: Consider Smoking Ban in City Parks and Trails	City Management	MartyW, City Manager
2502	01/26/2016	Carol Krager	CCBSNS	5 20 Minutes - LEGISLATIVE PUBLIC HEARING: Consider Smoking Ban on City Property	City Management	Newton L, Assistant City Manager
<b>Total Time: 65 of 100 Minutes Scheduled</b>						
	01/28/2016			January 28, 2016 Council Outreach Summerfield Club House (10650 Summerfield Dr.) 7-8:30 p.m.		
2420	02/02/2016	Carol Krager	AAA	February 2, 2016 CCDA Meeting		
2503	02/02/2016	Sean Farrelly	CCDA	1 45 Minutes - Joint Meeting with the City Center Advisory Commission	Community Development	Farrelly S, Redev Project Manager
2125	02/02/2016	Sean Farrelly	CCDA	2 15 Minutes - Fanno Creek Overlook Update	Community Development	Farrelly S, Redev Project Manager
2134	02/02/2016	Sean Farrelly	CCDA	3 20 Minutes - Downtown Housing Inventory and Report	Community Development	Farrelly S, Redev Project Manager

Meeting Banner  Business Meeting   
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**City Council Tentative Agenda  
 1/4/2016 10:07 AM - Updated**

2135	02/02/2016	Sean Farrelly	CCDA	4 20 Minutes - Downtown Jobs Inventory and Report	Community Development	Farrelly S, Redev Project Manager
<b>Total Time: 100 of 180 Minutes Scheduled</b>						
2419	02/09/2016	Carol Krager	AAA	February 9, 2016 Business Meeting		
2427	02/09/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
2505	02/09/2016	Sean Farrelly	ACCSTUDY	10 Minutes - Metro IGA for Downtown Grant Award	Community Development	Farrelly S, Redev Project Manager
<b>Total Time: 25 of 45 Minutes Scheduled</b>						
2480	02/09/2016	Carol Krager	CCBSNS	30 Minutes - Legislative Public Hearing: Consider Ordinance Amending TMC Chapter 15.20 Street Maintenance Fee	Finance and Information Services	LaFrance T, Fin/Info Svcs Director
2481	02/09/2016	Carol Krager	CCBSNS	35 Minutes - Info. Public Hearing: Consider Resolution to Adopt Increased Street Maintenance Fee	Finance and Information Services	LaFrance T, Fin/Info Svcs Director
<b>Total Time: 65 of 100 Minutes Scheduled</b>						
2421	02/16/2016	Carol Krager	AAA	February 16, 2016 Workshop Meeting		
2374	02/16/2016	Liz Lutz	CCWKSHOP	1 30 Minutes - City of Tigard Financial Audit Report	Finance and Information Services	Lutz L, Conf Exec Asst
2417	02/16/2016	Marissa Grass	CCWKSHOP	2 30 Minutes - Community Development Block Grant (CDBG) Entitlement Status Discussion	Community Development	Grass M, Assoc Planner
2465	02/16/2016	John Goodrich	CCWKSHOP	3 30 Minutes - Willamette Water Supply Project - Project by Other Agencies – Update	Public Works	Goodrich J, Division Manager
2496	02/16/2016	Susan Shanks	CCWKSHOP	4 20 Minutes - Metro IGA for Tigard Triangle	Community	Shanks S, Senior

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**City Council Tentative Agenda  
 1/4/2016 10:07 AM - Updated**

				Grant Award	Development	Planner
2512	02/16/2016	Gary Pagenstecher	CCWKSHOP	5 20 Minutes - Annual Annexation Policy Review	Community Development	Pagenstecher G, Assoc Planner
2389	02/16/2016	Judy Lawhead	CCWKSHOP	6 10 Minutes - Briefing on an IGA with ODOT for Design and Construction of New Sections of Fanno Cr. Trail	Public Works	Faha L, City Engineer
2526	02/16/2016	Judy Lawhead	CCWKSHOP	7 15 Minutes - Briefing on Stormwater Master Plan	Public Works	Staedter C, Project Coordinator
				<b>Total Time: 155 of 180 Minutes Scheduled</b>		
2422	02/23/2016	Carol Krager	AAA	February 23, 2016 Business Meeting		
2428	02/23/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
2499	02/23/2016	Susan Shanks	ACCSTUDY	20 Minutes - Contract with (Consultant Name) for Tigard Triangle Strategic Plan Implementation	Community Development	Shanks S, Senior Planner
				<b>Total Time: 35 of 45 Minutes Scheduled</b>		
2390	02/23/2016	Judy Lawhead	CCBSNS	Consent Item - Consider Authorizing the City Manager to Sign an IGA with ODOT for Design and Construction of New Sections of the Fanno Creek Trail	Public Works	McCarthy M, St/Trans Sr Proj Eng
2485	02/23/2016	Joseph Barrett	CCBSNS	10 Minutes - Contract Award - Phone System	Finance and Information Services	Barrett J, Sr Mgmt Analyst
2488	02/23/2016	John Floyd	CCBSNS	60 Minutes - Heritage Crossing Placeholder	Community Development	Floyd J, Associate Planner
2495	02/23/2016	Steve Martin	CCBSNS	10 Minutes - Council Consideration of an IGA with Metro for the Friends of Bull Mountain Park Improvements	Public Works	Martin S, Division Manager

Meeting Banner  Business Meeting   
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**City Council Tentative Agenda  
 1/4/2016 10:07 AM - Updated**

2497	02/23/2016	Susan Shanks	CCBSNS	10 Minutes - Metro IGA for Tigard Triangle Grant Award	Community Development	Shanks S, Senior Planner
2513	02/23/2016	Gary Pagenstecher	CCBSNS	10 Minutes - Annexation Incentives Resolution	Community Development	Pagenstecher G, Assoc Planner
<b>Total Time: 100 of 100 Minutes Scheduled MEETING FULL</b>						
2441	03/01/2016	Carol Krager	AAA	March 1, 2016 CCDA Meeting		
2504	03/01/2016	Sean Farrelly	CCDA	10 Minutes - Metro IGA for Downtown Grant Award	Community Development	Farrelly S, Redev Project Manager
<b>Total Time: 10 of 180 Minutes Scheduled</b>						
2442	03/08/2016	Carol Krager	AAA	March 8, 2016 Business Meeting <b>Councilors Woodard and Goodhouse Absent</b>		
2429	03/08/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
<b>Total Time: 15 of 45 Minutes Scheduled</b>						
1758	03/08/2016	Carol Krager	CCBSNS	15 Minutes - PLACEHOLDER - Google Franchise Agreement	City Management	Newton L, Assistant City Manager
2500	03/08/2016	Susan Shanks	CCBSNS	10 Minutes - Contract with (Consultant Name) for Tigard Triangle Strategic Plan Implementation	Community Development	Shanks S, Senior Planner
2516	03/08/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Finance and Information Services	Barrett J, Sr Mgmt Analyst
2527	03/08/2016	Judy Lawhead	CCBSNS	10 Minutes - Consider Approval of Stormwater Master Plan	Public Works	Staedter C, Project Coordinator
<b>Total Time: 55 of 100 Minutes Scheduled</b>						
2443	03/15/2016	Carol Krager	AAA	March 15, 2016 Workshop Meeting		

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**City Council Tentative Agenda  
1/4/2016 10:07 AM - Updated**

				<b>Councilor Woodard Absent</b>		
2460	03/15/2016	Lloyd Purdy	CCWKSHOP	20 Minutes - Economic Development Update	Community Development	Purdy, L, Econ Development Mgr
				<b>Total Time: 20 of 180 Minutes Scheduled</b>		
2444	03/22/2016	Carol Krager	AAA	March 22, 2016 Business Meeting		
2430	03/22/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
				<b>Total Time: 15 of 45 Minutes Scheduled</b>		
2517	03/22/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
2525	03/22/2016	Lloyd Purdy	CCBSNS	15 Minutes - Hunziker Infrastructure Project: Development Agreement	Community Development	Purdy, L, Econ Development Mgr
2529	03/22/2016	Liz Lutz	CCBSNS	10 Minutes - Consider a Resolution Granting Exemption from Property Taxes under TMC 3.50 for Four Non-Profit Low Income Housing Properties	Finance and Information Services	Lutz L, Conf Exec Asst
				<b>Total Time: 45 of 100 Minutes Scheduled</b>		
2459	04/05/2016	Carol Krager	AAA	April 5, 2016 CCDA Meeting		
2445	04/12/2016	Carol Krager	AAA	April 12, 2016 Business Meeting		
2431	04/12/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
				<b>Total Time: 15 of 45 Minutes Scheduled</b>		
2518	04/12/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt

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**City Council Tentative Agenda**  
 1/4/2016 10:07 AM - Updated

						Analyst
<b>Total Time: 20 of 100 Minutes Scheduled</b>						
2446	04/19/2016	Carol Krager	AAA	April 19, 2016 Workshop Meeting		
2477	04/19/2016	Norma Alley	CCWKSHOP	1 30 Minutes - Joint Meeting with Library Board	Library	Grimes A, Conf. Exec. Assistant
2466	04/19/2016	John Goodrich	CCWKSHOP	2 30 Minutes - Willamette Water Supply Project - Project by Other Agencies - Update	Public Works	Goodrich J, Division Manager
2508	04/19/2016	Liz Hormann	CCWKSHOP	30 Minutes - Safe Routes to School Update	Community Development	Hormann L, SRTS Program Coord
<b>Total Time: 90 of 180 Minutes Scheduled</b>						
	04/23/2016			Council Outreach TVF&R Fire Station 50, 12617 SW Walnut Street, Reserved from 8-noon		
2447	04/26/2016	Carol Krager	AAA	April 26, 2016 Business Meeting		
2432	04/26/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
2507	04/26/2016	Judy Lawhead	ACCSTUDY	15 Minutes - Briefing on Capital Improvement Plan (CIP) Projects	Public Works	Faha L, City Engineer
<b>Total Time: 30 of 45 Minutes Scheduled</b>						
2519	04/26/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
<b>Total Time: 20 of 100 Minutes Scheduled</b>						

**AIS-2510**

**3. B.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** Consent Item

**Agenda Title:** Approve City Council Meeting Minutes

**Submitted By:** Carol Krager, Central Services

**Item Type:** Motion Requested

**Meeting Type:** Consent  
Agenda

**Public Hearing:**

**Publication Date:**

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**Information**

**ISSUE**

Approve City Council meeting minutes.

**STAFF RECOMMENDATION / ACTION REQUEST**

Approve minutes as submitted.

**KEY FACTS AND INFORMATION SUMMARY**

Attached council minutes are submitted for City Council approval:

- November 24, 2015
- December 8, 2015

**OTHER ALTERNATIVES**

N/A

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

N/A

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

N/A

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**Attachments**

Nov 24 2015

December 8 2015

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## City of Tigard

### Tigard City Council/CCDA Meeting Minutes

November 24, 2015

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#### STUDY SESSION

Mayor Cook called the Study Session to order at 6:30 p.m.

Council Present: Mayor Cook, Councilor Henderson, Council President Snider, Councilor Woodard and Councilor Goodhouse. Staff present: City Manager Wine, Public Works Director Rager, LOT Water Partnership Program Director Koellermeier, Emergency Management Safety Coordinator Lueck, Communications Strategist Owens, Senior Management Analyst Wyatt and City Recorder Krager

#### A. COUNCIL LIAISON REPORTS

Councilor Henderson had several handouts for council: a book from the CDBG grant meeting, an online political test, and an article from the Portland Business Alliance on how Utah is responding to its homeless population.

Councilor Woodard said he was notified about an oak tree with a trunk split down the middle located near the Johnson Street entrance to Woodard Park.

Mayor Cook and Councilor Goodhouse took a SW Corridor bus tour to see how to bring growth to the area. Bringing transit to the Tigard Triangle could make it the next Pearl neighborhood. Transit to Hunziker Street may affect Wall Street or I-5. Mayor Cook said they looked at possibilities and found the best way to communicate the impacts of the various options is to get the decision-makers to visit an area rather than just study a map.

Councilor Goodhouse attended the ribbon cutting at the I-Fly indoor skydiving venue. They will be training military staff as well as providing a recreational opportunity for the community.

Councilor Woodard reported on the Intergovernmental Water Board.

#### B. DISCUSS PARTNERSHIP IN THE NATURAL HAZARD MITIGATION PLAN MANDATED FIVE-YEAR REVIEW

Emergency Safety Coordinator Lueck said a draft agreement will be coming to council that will allow Tigard to contribute in-kind services to participate in a joint effort to review and update Tigard's and Washington County's Natural Hazard Mitigation Plan.

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## **TIGARD CITY COUNCIL MEETING MINUTES – NOVEMBER 24, 2015**

Working with a University of Oregon facilitator, Clean Water Services, Hillsboro, Tualatin Valley Water District, Washington County Land Use and Transportation, Tigard and others are participating in the development of a plan. The results of this work will allow the city to rewrite its five-year plan, which is overdue. Since April he has put over 55 staff hours into this effort and this counts towards the city's in-kind contribution. Councilor Henderson asked about the timeline and Mr. Lueck said the agreement will be in effect once both parties sign it and each city will have its own agreement with the county.

Mr. Lueck noted that Councilor Goodhouse asked him about the role of council in an emergency event. He noted that some officials in other jurisdictions received Government Emergency Telecommunications System (GETS) cards which are land-line phone cards. He handed council their GETS cards. He noted that he asked each councilor for carrier information and cell phone numbers for cell phone priority service through Homeland Security. He is still waiting for information from Councilors Woodard, Henderson and Goodhouse and then can submit a request. Upon approval, each councilor will receive an email outlining steps they need to take to use the card. He recommended testing the GETS cards monthly and said information is included in their envelopes. He gave council copies of a survey Washington County conducted regarding natural hazard emergencies and citizen perception of personal and county readiness.

Mr. Lueck gave each councilor a binder with information on the role of council in an incident. Briefly, council will get a call if Code Red is activated. The city manager or assistant city manager will be the conduit for information to council. Councilors should first make sure they have a family emergency plan established and a kit prepared. This should be for a two to three week time period; the 72-hour timeframe is outdated. If councilors are comfortable with leaving their families they can come together to make policy decisions from a consolidated location. Staff will give updates and information which council will use to begin making policy decisions. He asked that council consider working with incident command staff, perhaps the mayor with command staff, another councilor with operations and another with finance, for example. He will let council know when the next emergency training is scheduled so if interested, they can come in and develop a familiarity with emergency operations by working along staff being trained.

Council approved the IGA with Washington County to be scheduled for a future consent agenda.

#### C. BRIEFING ON LAKE OSWEGO/TIGARD WATER PARTNERSHIP

Project Director Koellermeier gave a snapshot of where the project is. \$205 million has been spent and \$40 million remains. The partnership is on budget and the schedule is on track. We are in Phase B and working on the treatment plant and testing the pump station. The limited introduction of the new water source went smoothly. Phase C is final completion which is expected to start in March 2017. Staff prepared a white paper on future governance of the partnership with two oversight options and both city councils will need to approve the final option selected. He mentioned that the water rights issue is heating up and he and Senior Management Analyst Wyatt are meeting with Representative Doherty on this. He mentioned the Tigard-specific communications plan that he is working on with the city's Communication Strategist Owens. The next update for council will be in April.

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Administrative Items:

1. A Community survey will be sent by Riley Research to 400 Tigard households. There will also be a web version. City councilors are being asked to promote and help publicize the survey. Preliminary results will be presented to council at the December 15 workshop.
2. Ribbon cuttings – City Manager Wine discussed the three types of ribbon cuttings and who is involved. 1) City hosted and promoted – These are rare and the mayor is the point person. 2) Independent business openings – They usually start with the mayor and the entire council is invited. 3) Chamber of Commerce – The Mayor is on point for these and the entire council is invited. She asked that if any councilor is invited to a ribbon-cutting they should coordinate through staff to invite all other councilors.
3. Councilor Goodhouse asked what the process was for an article to be included in the council newsletter, referring to an article that felt like a personal attack on he and his family from the Tigard Now! online publication. City Manager Wine said articles are included from the Tigard Times and Oregonian as a default but Confidential Executive Assistant Bengtson was asked by another councilor to include the Tigard Now! article in the latest council newsletter. She said the council newsletter is an internal document that is sent to council and city employees. Council President Snider said establishing some formal media credentials would limit articles to those from legitimate news resources. City Attorney Olsen said there are no credentials but a city can create their own standard. He said it is an issue with many cities especially related to executive sessions, which the press can attend. Various standards were discussed. Council President Snider said a criterion could be that someone in Oregon pays for their content, or a certain subscriber level is required. Councilor Woodard said Tigard Now! has good content. This conversation will be taken offline. City Manager Wine will inform council what the policy is for content staff includes in the council newsletter.

1. BUSINESS MEETING –

- A. At 7:41 p.m. Mayor Cook called the City Council, City Center Development Agency and Local Contract Review Board meeting to order.
- B. City Recorder Krager called the roll.

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

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

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D. Mayor Cook called for Non-Agenda items None.

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

A. Follow-up to Previous Citizen Communication – City Manager Wine reported that at the last business meeting council heard from Mr. Kraemer regarding perceived fairness on the water rate structure and whether it would be discussed prior to 2018. A letter was drafted and council has received a copy. Ms. Wine will respond to further questions from Mr. Kraemer. Council President Snider requested that Mr. Kraemer be invited when council seeks public input or discusses the water rate structure.

B. Tigard Area Chamber of Commerce –CEO Mollahan said the Chamber’s holiday happy hour will be at the Broadway Rose Theater on December 13, including an ugly sweater contest. The Chamber’s website has details. The Holiday Tree Lighting will be from 6:45 to 9:00 p.m. in downtown Tigard on December 4. There will be a very large heated tent and Santa and Mrs. Claus will be there. Entertainment will be provided by the Templeton Elementary School Choir.

C. Citizen Communication – Sign-up Sheet. No one signed up to speak.

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

A. APPROVE CITY COUNCIL MINUTES:

November 10, 2015

B. CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN A METRO NATURE IN NEIGHBORHOODS GRANT FOR THE DIRKSEN NATURE PARK

C. LOCAL CONTRACT REVIEW BOARD: CONSIDERATION OF A CONTRACT AWARD FOR STREET SWEEPING

Council President Snider moved for adoption of the Consent Agenda as presented. Councilor Goodhouse seconded the motion. Mayor Cook conducted a vote and the motion passed unanimously.

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

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4. RECEIVE PROGRESS REPORT ON THE IMPLEMENTATION OF THE STRATEGIC PLAN

Senior Management Analyst Wyatt gave the staff report. He said this is the beginning of a 20-year plan and the start of the journey towards implementation. He highlighted five important accomplishments. Seven “lighter, quicker, cheaper” projects have been done in the last year, which include filling sidewalk gaps and creating the Dartmouth overlook. There will soon be signage identifying that these projects were done as part of the city’s strategic plan.

Other programs include Safe Routes to Schools and community outreach. Communications Strategist Owens has held two quarterly meetings already and is doing a good job connecting non-profit and religious leaders in the Tigard area. A comment he heard was that they were in attendance together for the meeting but it was the first time many had met each other. The sidewalk inventory map was completed but now the city needs to move forward to fill the gaps.

Mr. Wyatt gave kudos to council for receiving an award from the Oregon Chapter of the American Planning Association for leadership in adopting the strategic plan. That was good recognition for council but also for getting the word out that this is our plan. He said the city needs to assess how it is doing with the plan and one way to measure is the Walk-friendly Assessment. Tigard submitted an application in December and received feedback in April. They look at everything from safety to ADA compliance and had eight suggestions for Tigard.

There are also two questions about the strategic plan on the community survey. One question is how familiar people are with the plan and the other is how to promote a walk-friendly community. Signage will also be going up to make the plan visible to people driving through town. The Tigard Youth Advisory Council will be involved in a campaign to engage them and communicate this to all parts of the community.

Councilor Henderson asked about Goal 4 – Financing and sustaining the vision while maintaining core services. He said identifying to the public what core services are and how we are maintaining them is important. Mr. Wyatt said this is an ongoing conversation and the community survey and feedback from council’s goal setting session will inform what the core priorities are. Councilor Henderson asked if it would be part of the next report and Mr. Wyatt said he makes a good point about communicating how we finance the plan and what options are available. He said he will specifically address that question at his next update.

Council President Snider said it is coming together and he likes that we are actually doing things and not just talking about a vision. Senior Management Analyst Wyatt said council is doing more outreach by going to where people are, which is more effective.

## 5. ADOPT 2016 STATE AND FEDERAL LEGISLATIVE AGENDA

Senior Management Analyst Wyatt gave the staff report. A discussion was held with council in October and the state and federal legislative agendas were updated. He asked council to consider the draft agendas so they can be printed for distribution in Washington DC. Mr. Wyatt said he spoke with Representative Doherty about the upcoming short session and she noted that the minimum wage is likely to be considered. She is introducing some bills but they do not relate to the city specifically. He said removed from the agenda from last year are the Hunziker Industrial Core and Vertical Housing, as success was achieved in Salem. Affordable housing has been added as an area of interest. Mayor Cook asked if the League of Oregon Cities legislative survey would be done this year or was it only sent out in odd numbered years. City Manager Wine said she will find out.

In response to a question from Councilor Woodard about Tigard getting its own zip code, Mr. Wyatt said that has been removed from the federal agenda as progress was not made last session. He said Representative Doherty is instead working to get Tigard recognized as a city through online services such as Google. Mayor Cook said a new law requires that the post office and banks print Portland as the city for 97223 zip code instead of Tigard, Durham or King City. When ordering online the choice of city cannot be overwritten. Representative Doherty's bill was not to change it but related to how to enable citizens to put the city they live in with the zip code and not have it default to Portland.

Councilor Goodhouse asked for Representative John Davis to be added to the list of area elected officials. Mr. Wyatt said he will do that and remarked that he was a great help last session.

Regarding the city's federal agenda, the transportation bill had a deadline of December 4 but that has been pushed to December 11. Mr. Wyatt spoke to the city's federal lobbyist Joel Rubin who said either the senate or the house bill is better than what we have now. He said if the bill is approved it will be taken off Tigard's federal agenda for 2016. Mayor Cook asked that it remain because the bill is only for three years and transportation funding is still an important issue.

Senior Management Analyst Wyatt said grants the city is seeking include those for brownfields cleanup, the Hunziker industrial area and the Tigard Street Heritage Trail. Tigard will be also seek homeless assistance grants while working with the Just Compassion organization. Mr. Wyatt is attending their meetings and noted that they are committed to putting a day shelter in Tigard but as yet do not have a location.

Mayor Cook asked what is being requested on the federal level for the Tigard Street Heritage Trail project and Senior Management Analyst Wyatt said there is interest in some federal funding that becomes available in the spring.

Mayor Cook announced that Agenda Item No. 6 is a City Center Development Agency item.

6. CCDA BOARD CONSIDERATION TO AMEND THE CITY CENTER URBAN RENEWAL PLAN TO ACQUIRE 12533-12537 SW MAIN STREET

Redevelopment Project Manager Farrelly gave the staff report and requested that the City Council and CCDA take a series of actions regarding the Saxony properties. The first steps are to amend the City Center Urban Renewal Plan to reflect the acquisition of the property. The ownership will change from the city to the CCDA in order to maintain the property’s eligibility for an Environmental Protection Agency (EPA) brownfields clean-up grant. Staff intends to apply for the grant next month. He said these properties are future redevelopment opportunities, including for open space. It was purchased by the city in July 2015 and although the city received environmental reports it did not meet the brownfield grant requirement due to a missing Phase 1 report.

Director Woodard moved to approve CCDA Resolution No. 15-08. Director Snider seconded the motion. City Recorder Krager read the number and title of the resolution.

**CCDA Resolution No. 15-08 – A RESOLUTION AMENDING THE CITY CENTER URBAN RENEWAL PLAN BY ADDING THE ACQUISITION OF TWO MAIN STREET PROPERTIES (12533-12537 SW MAIN STREET, TAX LOT IDS 2S102AB02000 AND 2S102AB02100) AS PROJECTS**

Chair Cook conducted a vote of the CCDA and announced that Resolution No. 15-08 passed unanimously.

	Yes	No
Director Woodard	✓	
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson	✓	
Director Snider	✓	

Mayor Cook announced that Agenda Items No. 7 and No. 8 are City Council items.

7. COUNCIL CONSIDERATION OF AMENDMENT TO THE CITY CENTER URBAN RENEWAL PLAN TO ACQUIRE 12533-12537 SW MAIN STREET

Redevelopment Project Manager Farrelly said this resolution will amend the City Center Urban Renewal Plan to add the 12533-12537 SW Main Street properties. Section 12 of that plan states when a project costs more than \$500,000 both the City Council and CCDA must approve the amendment. Council President Snider moved to approve Resolution No. 15-51. Councilor Goodhouse seconded the motion. City Recorder Krager read the number and title of the resolution.

**Resolution No. 15-51 – A RESOLUTION AMENDING THE CITY CENTER URBAN RENEWAL PLAN BY ADDING THE ACQUISITION OF TWO MAIN STREET PROPERTIES (12533-12537 SW MAIN STREET, TAX LOT IDS 2S102AB02000 AND 2S102AB02100) AS PROJECTS**

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Mayor Cook conducted a vote and announced that Resolution No. 15-51 passed unanimously.

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

8. COUNCIL CONSIDERATION OF SALE OF 12533-12537 SW MAIN STREET

Redevelopment Project Manager Farrelly gave the staff report which covers the purchase and sale agreement and transfer from the city to the CCDA. He said the property was purchased with park bond money. He said the goal is to have some aspect of public space on these properties. The rest will be sold for redevelopment and the park bond fund reimbursed. The CCDA is bound to repay the park bond.

Councilor Goodhouse moved for approval of Resolution No. 15-52. Councilor Woodard seconded the motion. City Recorder Krager read the number and title of the resolution.

**Resolution No. 15-52– A RESOLUTION APPROVING THE TRANSFER OF TWO MAIN STREET PROPERTIES (12533-12537 SW MAIN STREET, TAX LOT IDS 2S102AB02000 AND 2S102AB02100) THROUGH A PURCHASE AND SALE AGREEMENT TO THE TIGARD CITY CENTER DEVELOPMENT AGENCY**

Mayor Cook conducted a vote and the motion passed unanimously.

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

Mayor Cook announced that Agenda Item No. 9 is a City Center Development Agency item.

9. CCDA BOARD CONSIDERATION OF RESOLUTION TO PURCHASE THE SAXONY PROPERTY

Redevelopment Project Manager Farrelly said this next agenda item is the CCDA’s consideration of the purchase and sale of the property. He noted that the environmental consultant had an updated Phase 1 report so that requirement is met. Director Snider said all those involved in this process

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including the EPA, agree that the way the rules are written does not make sense but it must be done this way to meet the federal laws.

Director Henderson asked if another appraisal would be done prior to paying back the park bond and if it doubled in price would that be the amount paid. Redevelopment Project Manager Farrelly said the full value would need to be paid. He clarified that when the portion to be redeveloped is determined it will be appraised and that is the amount that will have to be paid. Chair Cook said if it is sold to a developer the city would receive that money.

Director Henderson asked if what is being borrowed is \$515,500 and was there an interest rate. Redevelopment Project Manager Farrelly said there is no interest but there may be an increase in value.

Director Snider commented that the way this is structured is that the city borrowed money to make this purchase but the city is selling it to the CCDA. The CCDA is benefitting by getting the control of the property.

Director Woodard commented that the biggest risk is mitigated by the brownfields money. There is no plaza space downtown and the CCDA is still looking for a larger piece of property for a plaza. Director Henderson noted that the environmental cleanup with the grant can only be done under city or CCDA ownership. Mr. Farrelly said any resale must be after a DEQ No Further Action letter is received.

Director Snider moved to approve CCDA Resolution No. 15-09. Director Henderson seconded the motion.

Chair Cook asked City Recorder Krager to read the number and title of the resolution and then conducted a vote of the CCDA.

**CCDA Resolution No. 15-09 – A RESOLUTION APPROVING THE ACQUISITION OF TWO MAIN STREET PROPERTIES (12533-12537 SW MAIN STREET, TAX LOT IDS 2S102AB02000 AND 2S102AB02100) AND AUTHORIZING THE EXECUTIVE DIRECTOR OF THE CCDA TO TAKE ALL NECESSARY ACTION TO COMPLETE THE PROPERTY PURCHASE**

	Yes	No
Director Woodard	✓	
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson	✓	
Director Snider	✓	

CCDA Chair Cook announced that CCDA Resolution No. 15-09 passed unanimously.

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10. NON AGENDA ITEMS None.

EXECUTIVE SESSION:

Mayor Cook announced that the Tigard City Council was entering into an Executive Session to discuss pending litigation and litigation likely to be filed under ORS 192.660(2) (h). He said the Tigard City Council will adjourn from Red Rock Creek Conference Room after the Executive Session. The Executive Session ended at 9:15 p.m.

11. ADJOURNMENT

At 9:16 p.m. Councilor Goodhouse moved for adjournment and his motion was seconded by Councilor Woodard. All voted in favor.

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

\_\_\_\_\_  
Carol A. Krager, City Recorder

Attest:

\_\_\_\_\_  
John L. Cook, Mayor

\_\_\_\_\_  
Date



City of Tigard  
Tigard City Council Meeting Agenda  
December 8, 2015

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STUDY SESSION

Council Present: Mayor Cook, Councilor Woodard, Councilor Henderson, Council President Snider and Councilor Goodhouse. Staff present: Assistant City Manager Newton and City Recorder Krager.

EXECUTIVE SESSION – At 6:30 p.m. Mayor Cook announced that the Tigard City Council would enter into Executive Session to discuss exempt public records, under ORS 192.660 (2) (f). The Executive Session ended at 7:14 p.m.

COUNCIL LIAISON REPORTS – Councilor Henderson reported on a Tigard Turns the Tide meeting where new youth programs and the development of a community coalition were discussed. They would like to work with the city on this. Mayor Cook and Councilor Goodhouse said the Holiday Tree Lighting was very well attended. Mayor Cook attended the ODOT ACT meeting for Area 1 and saw the rollout of the statewide Bike and Pedestrian Plan which is entering the public comment phase. He also attended a Washington County Coordinating Committee meeting discussion on future road connections

Administrative Items –

- Save the date: January 5 CCDA is cancelled but in its place council training and goal setting have been scheduled at the Fanno Creek House. Let City Manager Wine know of weekend morning availability in March or April for a spring council outreach at the Jack Park Community Garden or TVF&R Station 50.
- Council was reminded that when distributing material to other councilors or staff during council meetings to please bring enough copies for everyone, including the City Recorder, so she can add a copy to the record.
- Community Development is hosting a meet and greet for Tigard’s Hispanic community Wednesday night, December 9, at the Library Community Room.
- Diversity Training is available for council and anyone interested should let City Manager Wine know.

1. BUSINESS MEETING 

- A. At 7:36 p.m. Mayor Cook called to order the City Council and Local Contract Review Board meeting.

B. City Recorder Krager called the roll.

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

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

D. Mayor Cook asked if there were any Non-Agenda items. There were none.

## 2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication – None.

B.  Tigard High School Envoy – Envoy Azbari gave an update on recent activities at Tigard High School. Students are making a difference in the community by rallying behind Team Dom, a local mother suffering from brain cancer. Students have sold shirts and donated proceeds from a walk. She said the Sparrow Club annually adopts an ill child in the community and raises money and offers support through fundraisers. The Sparrow this year is Holly, who suffers from cancer. There is a Student of the Month display on display in their main hall that will recognize a hard working student each month. The Tigard dance team is undefeated this fall season. The National Honor Society began a blanket drive. Upcoming events include the senior citizens prom and a THS leadership program where the students adopt needy families within the district and provide them with holiday gifts. Councilor Goodhouse commented that the holiday craft fair went well.

C. Tigard Area Chamber of Commerce – CEO Debi Mollahan will give her update in January.

D. Citizen Communication – No one signed up to speak.

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

A. RECEIVE AND FILE: ELECTION RESULTS, COUNCIL CALENDAR AND TENTATIVE AGENDA

B. Local Contract Review Board:

1. CONSIDER CONTRACT AWARD FOR UTILITY BILLING MAILING SERVICES

### **TIGARD CITY COUNCIL MEETING MINUTES– December 8, 2015**

2. CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN AN IGA WITH METRO FOR THE MAINTENANCE OF A TRAIL EASEMENT

Councilor Goodhouse moved for approval of the consent agenda. Councilor Woodard seconded the motion.

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

Mayor Cook announced that the consent agenda passed unanimously.

4. CONSIDER RESOLUTION TO APPOINT AUDIT COMMITTEE MEMBERS

Finance and Information Services Director LaFrance gave the staff report and a short biography on the new members. Councilor Henderson moved to approve Resolution No. 15-53 and Councilor Goodhouse seconded the motion.

Mayor Cook asked City Recorder Krager to read the number and title of the Resolution and he conducted a vote. The motion passed unanimously.

Resolution No. 15-53 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIGARD, OREGON APPOINTING JULIE PLOTZ AS A VOTING MEMBER AND DREW BIENIUS AS AN ALTERNATE TO THE AUDIT COMMITTEE

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

Both new members were present and Mayor Book presented them with City of Tigard pins. He thanked Audit Committee member Plotz for her previous work on the Budget Committee.

5. CONSIDER RESOLUTION TO APPOINT BUDGET COMMITTEE MEMBERS

Finance and Information Services Director LaFrance gave the staff report and a brief biography of the new members. Councilor Goodhouse moved to approve Resolution No. 15-54 and Council President Snider seconded the motion.

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Mayor Cook asked City Recorder Krager to read the number and title of the Resolution and conducted a vote. Resolution No. 15-54 passed unanimously.

Resolution No. 15-54 – A RESOLUTION APPOINTING QUINTON HAROLD AND NATHAN RIX TO THE BUDGET COMMITTEE AND APPOINTING THOMAS SCHWEIZER AS AN ALTERNATE MEMBER

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

Budget Committee Member Harold was present and Mayor Cook presented him with a City of Tigard pin.

6. CONSIDER RESOLUTION TO APPOINT PLANNING COMMISSION MEMBERS

Assistant Community Development Director McGuire gave the staff report. Two current Planning Commissioners are being reappointed, Calista Fitzgerald and Donald Schmidt. Gary Jelinek and Brian McDowell will fill two open terms. Tom Mooney was reappointed as a non-voting alternate member.

Councilor Woodard moved to approve Resolution 15-55. Councilor Henderson seconded the motion. Mayor Cook asked City Recorder Krager to read the number and title of the resolution and conducted a vote. He announced that Resolution 15-55 was approved unanimously.

Resolution No. 15-55 – A RESOLUTION REAPPOINTING CALISTA FITZGERALD AND DONALD SCHMIDT, AND APPOINTING BRIAN MCDOWELL AND GARY JELINEK AS VOTING MEMBERS OF THE TIGARD PLANNING COMMISSION, AND REAPPOINTING TOM MOONEY AS AN ALTERNATE, NON-VOTING MEMBER

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

Mayor Cook presented Planning Commissioners Mooney and Schmidt with a City of Tigard pin.

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7 COUNCIL RESOLUTION TO APPOINT TRANSPORTATION ADVISORY COMMITTEE MEMBERS

 Senior Transportation Planner Brown gave the staff report on appointments to the 11-member Tigard Transportation Advisory Committee. Donald Schmidt is being reappointed. New members include Robert Van Vlack, Russell Casler and Yi-Kang Hu. Joseph Vasicek was an alternate and is now a full member. Three alternates were selected: Susan Pfahl, Rick Perry and Timothy Esau.

Council President Snider moved to approve Resolution 15-56 and Councilor Goodhouse seconded the motion. Mayor Cook asked City Recorder Krager to read the number and title of the resolution and conducted a vote. He announced that Resolution 15-56 was approved unanimously.

Resolution No. 15-56 – A RESOLUTION REAPPOINTING DONALD SCHMIDT, AND APPOINTING ROBERT VAN VLACK, RUSSELL CASLER, YI-KANG HU AND JOSEPH VASICEK AS VOTING MEMBERS OF THE TIGARD TRANSPORTATION ADVISORY COMMITTEE AND REAPPOINTING TIMOTHY ESAU AND APPOINTING RICK PERRY, AND SUSAN PFAHL AS NON-VOTING ALTERNATE MEMBERS

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

Mayor Cook presented Robert Van Vlack and Donald Schmidt with a City of Tigard pin. He noted that TTAC Member Van Vlack also attends council meetings as a liaison for the Summerfield neighborhood.

8. PUBLIC HEARING: SIDEWALK GAP PROGRAM

- a. Mayor Cook opened the public hearing.
- b. Finance and Information Services Director LaFrance and Public Works Director Rager gave the staff report. This is a continuation of a previous discussion that began during the Budget Committee discussions in April and May of 2015. Council held a discussion during a workshop meeting in October where staff presented the first draft of a sidewalk gap program and based on direction staff received, a revised program was brought before council at the November workshop meeting. This revision focused on all sidewalk and trail connections for busy streets (arterials, collectors and neighborhoods with over 1500 daily trips) and trails within Tigard and equated to about 34 miles of gaps to be filled. The cost estimate is \$118 million. Of that amount, \$80 million of city resources would be required with \$38 million coming from development, grants and partner agencies.

Council directed staff to explore what would need to be done to place a measure on the May 2016 ballot to fund this program. Mr. LaFrance said staff is asking for council confirmation that this is the direction they wish to go and to make sure all elements are included. Draft ballot language has been prepared. The proposed calendar includes continued discussion at the January 26, 2016, business meeting, a public hearing to approve ballot title language on February 9, and filing with Washington County Elections by the deadline of March 17, 2016, for the May ballot.

c. Public Testimony – Mayor Cook called on those that signed up to speak.

Chad Tucker, 5904 SE 17<sup>th</sup> Avenue, Portland, OR 97202, spoke on behalf of Oregon Walks in support of the ballot measure. Oregon Walks is an organization that advocates for safe, convenient and attractive walking visions in the Portland metro region and all over Oregon. He said they strongly support the City of Tigard placing a bond measure on the ballot in support of a program to close critical gaps in the city's pedestrian network. They applaud the city's effort to provide for both crossing improvements as well as sidewalk gaps. He said crossings are as vital a component of the walkway network as sidewalks. In the last decade there were over 47,000 pedestrian fatalities on American roads. Transportation for America issued a report in 2011 entitled, "Dangerous by Design" which stated that nearly two-thirds of these fatalities occurred while crossing the street. 40 percent of those were where no crosswalks were available. Better, safer crosswalks give people the confidence to use them. Having improved crossings increases the productivity of the network and better connectivity increases the efficiency of the network. A more efficient network allows more people to walk to their destinations faster. If more can walk safely and take care of their daily needs faster, then walking will better compete against the car and make Tigard walkable.

Mr. Tucker said over the past several months Oregon Walks volunteers have assisted city staff model and analyze Tigard's network of sidewalks and crossings. Walkway network analysis using Geographic Information Systems (GIS) can help identify the most effective locations for improvements as well as help determine priorities for spending. He urged council as they seek resources for improvements to continue to explore the value of innovative technologies to make smart use of new funding. The proposed bond measure will put Tigard in an excellent position to truly become the nation's best walking cities by creating a complete, safe, direct and convenient network of crossings and sidewalk improvements that provides access to schools, shops, bus stops and other destinations.

Mayor Cook said council received an email and a letter from the Bicycle Transportation Alliance and these have been added to the packet for this meeting, available online.

d. Council Questions and Discussion

Council President Snider said the title is wrong and it should not be called a gap program. It is actually for filling sidewalk gaps. He suggested calling it the sidewalk network completion program so that anyone unaware of city business on a daily basis would understand what it is.

**TIGARD CITY COUNCIL MEETING MINUTES– December 8, 2015**

Councilor Goodhouse asked what the monthly cost would be and Mr. LaFrance said in the draft ballot title, there were X's where the figures would be inserted as staff is still working on that with the city's financial advisor. He noted that the city would not likely issue the bonds all at once; there would probably be three to four separate issuances and that complicates the computation of the cost per household. He estimated that the cost for an average home assessed at \$240,000 would be \$260 annually if paid all at one time.

Councilor Goodhouse said he agreed about changing the title description as the words sidewalk connection program show more of the vision and indicate that the program includes more Safe Routes to Schools and crosswalks, etc.

Councilor Henderson commented that this program will last over a period of time and asked if it made sense to identify phases, such as 1, 2 and 3 with a list of projects to be covered by each. He said he did not think the city should ask for \$80 million. He said he would like to target three to four phases. Mr. LaFrance said in order to make a May ballot we are looking at a programmatic level and doing costing that covers the program as a whole. Part of the ballot language is to use the city's Bicycle/Pedestrian committee to help prioritize projects in each phase. Because there is ambiguity at this level with specifics, this is not helpful.

City Manager Wine said if council wants staff to place a measure on the ballot that had more specificity it might take more time to identify more than a programmatic level of what would be delivered.

Mayor Cook said he suggested the May 2016 date in order to avoid competing with the school district which might be placing something on the November ballot. He attended the ODOT Area Commission on Transportation (ACT) Region 1 meeting last night and saw the State of Oregon Bike and Pedestrian plan. They discussed how decisions are made on what to do first as this plan is built throughout the state. Four areas were identified. First, take care of what you already have such as maintaining existing trails. Second, consider safety aspects such as Safe Routes to Schools or crossings. The third is infill, or a gap filling program. And last was building new connections. He suggested the city follow this model of maintenance, safety, infill and new projects.

Mayor Cook mentioned the Strategic Plan and said while the sidewalk gap program meets the other goals, he worries about Goal 4 - Fund the strategic plan vision while maintaining core services. He noted that the public just turned down a \$34.5 million project in November and asked how the city could ask for funding for an \$80 million project a few months later. He said council still needs to discuss how to fund those core services and then maybe go out for a bond in May of 2018. If council decided on May of 2016 he would be more comfortable in asking for only \$20 million and focusing on safety aspect instead of infill.

Councilor Woodard asked how accurate these numbers are. Finance and Information Services Director LaFrance went over the methodology used for the \$118 million estimate which was based on costs including linear foot sidewalk costs, purchasing right of way, slope, wetland considerations or drainage ditches. GIS shows us each sidewalk and the factors. Councilor Woodard said he liked the idea of phasing and a pay as you go method.

#### **TIGARD CITY COUNCIL MEETING MINUTES– December 8, 2015**

He asked how soon TTAC could get ramped up to prioritize. Public Works Director Rager said staff would first come up with a list of projects and then develop hard estimates which could take several months. The workload may require additional staff. He said developing a smaller list of projects would be possible for engineering staff but some other things might have to go by the wayside.

Council President Snider said he was torn between phasing or casting a big vision that people can see and easily understand what it will be when finished. He thought when the city goes out for funding the public should see a fairly detailed list. He was favorable towards doing it all at once and said if phased, we might get to some of the projects or we might not. We do not want a quarter of a network; we want to end up with a full network.

Councilor Goodhouse asked for a clarification on phasing in the cost. Finance and Information Services Director LaFrance said the draft ballot title authorizes \$80 million worth of bonds. Because of the size of the program and the rules about bonds, the city would likely do three or four separate bond issuances that when added together would equal \$80 million. Councilor Goodhouse asked if this would be explained in the ballot measure language. Mr. LaFrance agreed that clarifying language could be added. He said staff would need to consult with the financial advisor but there may also be ways to structure the initial bonds so a higher principal amount is being paid at first and there might be other ways to lower the highest cost.

Councilor Goodhouse asked if a gas tax could be attached onto the same measure. City Attorney Rihala said it would require a separate vote due to the single subject rule. They could be voted on in the same election but would be separate measures. Councilor Goodhouse asked if the bond authorization could be \$60 million for example, with \$20 million on a gas tax measure. Mayor Cook said the gas tax measure would not have an amount. It would just authorize one or two cents per gallon and we would not know how much would be raised. Finance and Information Services Director LaFrance said an estimate is that approximately every penny in gas tax is worth \$200,000. Two cents would raise \$400,000 so in a ten-year program that is \$4 million.

- e. Mayor Cook closed the public hearing.
- f. Council Discussion:

Mayor Cook said when council saw the full sidewalk gap project list and cost they chose to focus on the hardest areas first, like 121<sup>st</sup> Avenue or Tiedeman Avenue. Council agreed these main roads were the priority. He asked if council wanted to go out for the full \$80 million now. Council President Snider said that is a different question and he felt it should be decided what should be done first and then when.

Councilor Woodard said he would like this to go through more of a public process to hear what people want. He referred to the community center vote and said he did not want to go back out asking for twice as much money and fail. He said this is probably a year out and he would not want to start by asking for the full \$80 million. Council President Snider asked for clarification. Councilor Woodard said he wants to know if the public would support paying

## **TIGARD CITY COUNCIL MEETING MINUTES– December 8, 2015**

\$10 or \$20 a month. He said there is so much need in the city, including the park fee, and council needs to tread lightly and bring the public in more on big ticket items. Mayor Cook agreed with Councilor Woodard that it is more important to decide the scope than the election date at this time.

City Manager Wine said the engagement of the TTAC and scoping of the bond measure would come after a survey and community outreach were done and would not happen in tandem. Mayor Cook said unless we tell the community we will do a particular street, we need to scope it, prioritize it and be able to say what people will get for certain amounts of money such as for \$20, \$40 or \$60 per month. Mayor Cook said if a grant match or MSTIP funding becomes available a project can get moved around on the schedule.

Councilor Goodhouse said people want sidewalks and are willing to pay for them. It would be helpful to say how much a project, such as a crosswalk, would cost. Mayor Cook said this is a defining project. The water project may not be visible but sidewalks can be used immediately. Councilor Woodard agreed but said people do not understand how things get funded. He agrees with the walkable vision but wants to get this bond measure right. He asked, "If there is an argument between (funding) sidewalks, a community center or park maintenance who would have the loudest voice?"

Councilor Henderson said it may take more than one vote to keep each request within a sensible amount of money. If the city phases things, it can show what Phase 1 accomplished and build on a record of success. He did not want to ask for the full \$80 million at one time.

Councilor Goodhouse said there is enough momentum to pick a date and keep things moving forward towards May, 2017 perhaps. He asked, "How can we be the most walkable city in the northwest without having a sidewalk program?" He suggested placing three different measures on the same ballot so people can choose. It is possible all of them will pass. He wanted to set a target date tonight.

City Manager Wine confirmed with council that they want staff to proceed with soliciting citizen input. Councilors Goodhouse and Woodard said this would be a great topic for the spring Town Hall meeting. Council President Snider recommended talking about this at council's winter outreach in Summerfield. He suggested Communications Strategist Owens prepare a video.

Mayor Cook summarized that council wants to move forward quickly but not for the May 2016 election.

## 9. DISCUSSION ON PROHIBITION ON SMOKING IN CITY PARKS

Assistant City Manager Newton gave the staff report. Councilor Goodhouse wanted this discussion. She said it would be easy to add a smoking ban to Tigard Municipal Code Section 7.52 which regulates behavior including that in public parks.

### **TIGARD CITY COUNCIL MEETING MINUTES– December 8, 2015**

Councilor Goodhouse noted that when using a trail there is no room when passing smokers so he wanted trails added to the areas where smoking would be banned. Councilor Woodard said he has to hold his breath when passing a group smoking out on the trails.

Councilor Goodhouse suggested having a six-month warning period so people can learn about the restrictions without being fined. City Attorney Rihala said that could be written into the ordinance.

Councilor Goodhouse asked what other property could receive a ban on smoking. Council President Snider recommended all city property and asked how far reaching a ban could be. City Attorney Rihala said it would have to be looked at as two regulations. There is limited opportunity to regulate indoor smoking because it is already prohibited except for smoke or cigar shops. She said she believed it includes vaping but will check on that. She noted that in Salem businesses can request to become a smoke-free zone. Eugene is considering a full downtown ban has not yet passed the ordinance. Assistant City Manager Newton said a gray area is that parking lots are private property and it is up to the business owner to allow smoking.

Mayor Cook said he liked the City of Medford's policy which prohibits smoking on all city property. He wanted to also exclude e-cigarettes and cannabis, which is already illegal to use in public.

City Attorney Rihala said Tigard's definition of smoking is broad and includes smoking tobacco, marijuana, vaping, pipes, anything that can be inhaled or exhaled. Mayor Cook said it would be too hard to determine what is in someone's pipe so they all have to be banned. City Attorney Rihala said the police department agreed with that.

Council President Snider asked if anyone was willing to prohibit all tobacco products, including chewing tobacco. Mayor Cook noted that may be harder to enforce.

Councilor Woodard said he was not sure about a ban on all city-owned property and noted there are employers who are smokers. He said there should be designated places to smoke. He said it is hard to enforce addictions.

Councilor Henderson said council has a right to say what happens on city property but it cannot mandate an addiction problem. He said businesses should be able to have a smoking area and it cuts into their profits if the city does not allow them that choice.

Councilor Goodhouse said this is to support those who choose not to smoke. He said while he would prefer to see a ban be far reaching, it could be allowed in designated areas such as bus stops or at bars.

Assistant City Manager Newton said it sounded like council supported a smoking ban in city parks and trails and city property with the possibility of designated areas. Council President Snider and Mayor Cook did not want any designated areas. Councilor Woodard said he does not want to make it so difficult for smokers. He is fine with a ban on parks and trails but not all city property.

## **TIGARD CITY COUNCIL MEETING MINUTES– December 8, 2015**

City Manager Wine said there are citywide employee policies and this will need to be discussed internally. It has come up before in executive staff meetings.

Mayor Cook commented that there was council consensus on banning smoking in parks and trails but not for a ban on all city property. Council President Snider suggested a phased-in implementation. City Attorney Rihala said it will need to be in two separate ordinances as she will need to come up with a new definition of city property and add it to the TMC. She said if council is concerned about smoking at entrances to city buildings, the ten foot buffer could be increased. Council President Snider reiterated that he does not want any smoking on library property.

Assistant City Manager Newton said staff will bring two options back for council consideration at a meeting in early 2016.

10. NON AGENDA ITEMS - There were none.
  
11. EXECUTIVE SESSION - At 9:15 p.m. Mayor Cook announced that the Tigard City Council would enter into Executive Session to discuss the performance of an executive officer, under ORS 192.660 (2) (i). The Tigard City Council will adjourn from Red Rock Creek Conference Room after the Executive Session. The Executive Session ended at 10:36 p.m.
  
12. ADJOURNMENT  
At 10:37 p.m. Councilor Goodhouse made a motion to adjourn. Council President Snider seconded the motion and all voted in favor.

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

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Carol A. Krager, City Recorder

Attest:

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John L. Cook, Mayor

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Date

**AIS-2467**

**3. C.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** Consent Item

**Agenda Title:** IGA with Washington County for Roy Rogers Road Improvements

**Prepared For:** Susan Shanks                      **Submitted By:** Susan Shanks, Community Development

**Item Type:** Motion Requested                      **Meeting Type:** Consent Agenda

**Public Hearing** No

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

**Information**

**ISSUE**

Council reviewed the attached intergovernmental agreement (IGA) with Washington County on December 15, 2015 and directed staff to add it to the next scheduled consent agenda for approval.

**STAFF RECOMMENDATION / ACTION REQUEST**

Direct the City Manager to sign the attached IGA with Washington County to share in the cost of making substantial improvements to Roy Rogers Road within the City of Tigard.

**KEY FACTS AND INFORMATION SUMMARY**

The Washington County Board of Commissioners approved a new transportation funding program for high-growth residential areas in June 2015 (Board Resolution & Order 15-43). The attached IGA describes how improvements to Roy Rogers Road within the City of Tigard will be funded by this new program. It specifically stipulates that the county is responsible for making the improvements and both parties are responsible for sharing in the cost of these improvements.

Pursuant to this IGA, the county will fund 66.7% of project costs, and the city will fund 33.3% of project costs. The county will create bonded indebtedness repaid by growth in the Major Streets Transportation Improvement Program (MSTIP) to cover project costs. The city will use Transportation Development Tax (TDT) and Transportation System Development Charge (TSDC) revenue primarily generated by development in River Terrace to repay the county for its share of project costs. The city's share of project costs is consistent with the

funding assumptions in the adopted River Terrace Funding Strategy.

Improvements to Roy Rogers Road will meet countywide and regional travel demand in addition to serving adjacent development in River Terrace. Improvements will include four vehicle travel lanes, turn lanes as appropriate, pedestrian and bicycle facilities, and intersection improvements at four locations between Scholls Ferry Rd and a point south of Bull Mountain Rd to be determined during the project's design phase.

The Washington County Board of Commissioners reviewed and approved the attached IGA on December 1, 2015. The Tigard City Council reviewed the IGA on December 15, 2015 and directed staff to add it to the next scheduled consent agenda for approval.

## **OTHER ALTERNATIVES**

N/A

## **COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

Council Goal 4: Enable Groundbreaking in River Terrace by Summer 2015

Approved Plans: River Terrace Community Plan, Transportation System Plan, and Funding Strategy

## **DATES OF PREVIOUS CONSIDERATION**

Council reviewed the IGA on Dec 15, 2015.

Council adopted the following plans, codes, maps, and fees:

- Dec 16, 2014: River Terrace Community Plan, Transportation System Plan, and Funding Strategy
- Apr 28, 2015: Residential Transportation System Development Charges (citywide/River Terrace)

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### **Fiscal Impact**

**Cost:** \$9,000,000

**Budgeted (yes or no):** No

**Where Budgeted (department/program):** TDT Fund

### **Additional Fiscal Notes:**

The IGA limits Tigard's contribution for the project to be no more than \$9 Million and will be paid off over a 10 year period. This is entirely consistent with the adopted River Terrace Funding Strategy. Additionally, the pace of actual development is occurring ahead of the schedule anticipated in the River Terrace Funding Strategy, which increases the likelihood that Tigard will be able to fulfill its financial obligations under the IGA.

Tigard has limited the risk in the agreement by staying within the parameters of the City's

planning documents for River Terrace. However, entering into the agreement does have limited risk. The funding source for repayment to Washington County is impact fee revenues from development (TDT and River Terrace TSDC). If there is a major economic downturn that impacts the housing development sector during the period of the IGA, Tigard will be at risk of being unable to fulfill its obligations.

By entering into this IGA, Tigard accepts the financial risk inherent in such an agreement.

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**Attachments**

WaCo Tigard Roy Rogers Rd Funding IGA

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INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
WASHINGTON COUNTY AND THE CITY OF TIGARD  
FOR FUNDING AND CONSTRUCTION OF TRANSPORTATION IMPROVEMENTS ON ROY  
ROGERS ROAD

This Intergovernmental Agreement is between Washington County, a political subdivision of the State of Oregon, acting by and through its elected officials, hereinafter referred to as “COUNTY”; and the City of TIGARD, a municipal corporation, acting by and through its City Council, hereinafter referred to as “CITY”. COUNTY and CITY may be jointly referred to as the “Parties” or individually as “Party.”

**RECITALS**

- A. WHEREAS, ORS 190.010 authorizes agencies to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has the authority to perform; and
- B. WHEREAS, recent additions to the region’s Urban Growth Boundary in Washington County, hereinafter referred to as Residential High-Growth Areas, will need transportation infrastructure to comply with planning requirements and to function successfully; and
- C. WHEREAS, COUNTY and cities with Residential High-Growth Areas identified and selected multiple transportation improvement projects for design and construction which consists of COUNTY and State facilities located in and near these High Growth Areas (“ Residential High-Growth Area Transportation Funding Program Project List” hereinafter “Project List”) and attached as Exhibit ‘A’; and
- D. WHEREAS, in order to help fund construction of improvements on the Project List, COUNTY intends to create bonded indebtedness titled the Residential High-Growth Area Bonds based on the growth of MSTIP funds; and
- E. WHEREAS, on June 23, 2015 the Washington County Board of Commissioners approved Resolution and Order 15-43 establishing the Residential High-Growth Area Transportation Funding Program; and
- F. WHEREAS, Resolution and Order 15-43 calls for the COUNTY to pay for sixty-six point seven percent (66.7%) of costs and the CITY to pay for thirty-three point three percent (33.3%) of costs to construct the projects on the Project List that serve both COUNTY and CITY transportation needs; and

- G. WHEREAS, the Project List includes a project to complete construction of improvements to Roy Rogers Road from Scholls Ferry Road to a point south of Bull Mountain Road; and
- H. WHEREAS, the CITY, consistent with the powers and purposes of city government, finds it necessary and desirable for the continued growth, safety and welfare of the community that the Roy Rogers Road improvement project be funded and constructed; and
- I. WHEREAS, the COUNTY and CITY find it is beneficial to the public to partner to complete the Roy Rogers Road improvement project as provided in this Agreement and that such partnership will minimize disruption of public travel and commerce, establish economies of scale that will reduce the cost to the public, and provide other good and valuable benefits to the general public; and
- J. WHEREAS, the Parties desire to define the components and estimated cost of the Roy Rogers Road improvement project, establish COUNTY and CITY funding obligations, provide a schedule for CITY payments for the improvement project, and otherwise allocate the roles and responsibilities of each Party as detailed below.

## **AGREEMENT**

NOW, THEREFORE, the premise being in general as stated in the foregoing recitals, and in consideration of the terms, conditions and covenants as set forth below, the Parties hereto agree as follows:

1. Project Description. The Roy Rogers Road improvement project, hereinafter referred to as "PROJECT" and shown generally on the attached Exhibit 'B', will include four vehicle travel lanes, turn lanes as appropriate, pedestrian and bicycle facilities, intersection improvements at the Bull Mountain Road and Scholls Ferry Road intersections, and improvements to address connectivity at two additional intersections on Roy Rogers Road between Scholls Ferry Road and Bull Mountain Road, including the Lorenzo Lane / Jean Louise Road intersection. The PROJECT description may be amended and extended upon mutual written consent of the Parties. The PROJECT, as originally planned or extended, shall be designed and constructed in compliance with County Community Development Code and County Road Design and Construction Standards in effect at the time of design and construction.
2. Project Design. The COUNTY shall include the CITY on the design team to refine the PROJECT description, develop the PROJECT design, and review final design plans prior to bidding. COUNTY agrees to consider CITY comments.

3. Construction of Project. The COUNTY shall perform, or cause to be performed, all actions necessary for the design and construction of the PROJECT including project management, design and construction engineering, property acquisition, including right-of-way as necessary, regulatory and land use permits and approvals, public information, contract administration, inspection and construction management. COUNTY shall coordinate the design of, advertise for, award and administer the construction contract for the PROJECT.
  
4. Project Cost. The Parties agree that the general categories and estimated cost amounts associated with all aspects of the design, engineering, right-of-way acquisition, permitting, construction, installation, contingency and related administration of the PROJECT are as follows:

<u>ITEM</u>	<u>AMOUNT</u>
Design	\$3,400,000
Right-of-Way	\$1,500,000
Construction	\$20,000,000
<b>TOTAL PROJECT COST ESTIMATE</b>	<b>\$24,900,000</b>

- 4.1 COUNTY and CITY understand and agree that the design, right-of-way and construction components outlined above are estimates only and are used to determine project budgets and estimated payment amounts used within this Agreement. Final costs will be based on the actual contract amount of the schedule of prices and quantities used and installed. Notwithstanding the estimates shown above, the COUNTY and CITY agree that the funding contribution of each Party, as set forth in Section 5, shall be based on actual design invoices, bid prices, construction costs and quantities and non-construction costs such as account and managing the project.
  
- 4.2 Notwithstanding Section 4.1 above, the Parties agree and expressly acknowledge that the PROJECT cost estimate described above will be reviewed as provided below:
  - 4.2.1 Within thirty (30) days of receipt of COUNTY's 30% design plans, specifications and engineer's estimate (PSE), the Parties shall review the estimated PROJECT cost and the COUNTY may consider PROJECT cost adjustments that do not significantly impact PROJECT description or schedule.
  
  - 4.2.2 Within thirty (30) days of receipt of COUNTY's 50% PSE, the Parties shall review the estimated PROJECT cost and the COUNTY may consider PROJECT cost adjustments that do not significantly impact PROJECT description or schedule.

- 4.2.3 Within thirty (30) days of receipt of COUNTY's 90% PSE, the Parties shall review the estimated PROJECT cost and the COUNTY may consider PROJECT cost adjustments that do not significantly impact PROJECT description or schedule.
- 4.2.4 Upon public opening of the bid solicitation and before award of any bid, COUNTY shall provide CITY with bid tabs and other pertinent bid information of the apparent low bidder. Within fifteen (15) days after receipt of such information, the Parties shall review and reach agreement in writing on any adjustments to the estimated PROJECT cost. Failure of the CITY to provide the COUNTY with comments regarding the estimated PROJECT cost within fifteen (15) days after public opening of the bid shall be deemed approval of the estimated PROJECT cost without further action by the COUNTY.
- 4.3 COUNTY shall provide CITY with a final statement of PROJECT design expenses within forty five (45) days after completion of the design phase described in Section 4.2. Within forty five (45) days after the completion of the construction contract, the COUNTY shall provide the CITY with a final statement of construction costs. The total final PROJECT cost shall be reconciled with the final design and construction cost statements provided to the CITY.
- 4.4 The Parties shall meet throughout the PROJECT design process to determine which portions of the PROJECT will be built by COUNTY's contractor and which will be built by private development.
- 5. Project Funding. The Parties agree as follows:
  - 5.1 COUNTY shall fully fund, pursuant to the Residential High-Growth Area Bond, the PROJECT cost in the estimated amount of \$24,900,000 or the PROJECT cost as adjusted. After repayment by CITY, COUNTY costs shall be in an amount equal to sixty-six point seven percent (66.7%) of the total final PROJECT cost, less the CITY's costs as described in Section 5.2.
  - 5.2 CITY shall pay to COUNTY an amount equal to thirty-three point three percent (33.3%) of the total final PROJECT cost, up to a maximum of \$9,000,000, as determined through the provisions of this Agreement, less the value of any eligible portions of the PROJECT that are constructed by private development, as described in Sections 5.2.1, 5.2.2, 5.2.3, and 5.2.4 below.

- 5.2.1 Portions of the PROJECT constructed by private development that are eligible to count toward the CITY's cost contribution shall include: dedication of right-of-way, construction of sidewalks that are between five and six feet wide, landscaping and trees as described in the Washington County Road Design & Construction Standards, bike lanes, street lights, roadway widening to accommodate general purpose through-lanes and a center left turn lane or median, traffic signals at the intersection of Roy Rogers Road and Bull Mountain Road, traffic signals at the intersection of Roy Rogers Road and Lorenzo Lane / Jean Louise Road, traffic signal modifications at the intersection of Roy Rogers Road and Scholls Ferry Road, stormwater facilities designed to treat and manage runoff from Roy Rogers Road, and a proportional share of regional stormwater facilities designed to treat and manage runoff from Roy Rogers Road.
- 5.2.2 Portions of the PROJECT constructed by private development that are not eligible to count toward the CITY's cost contribution include: traffic signals, turn lanes and accesses at intersections not provided for in Section 5.2.1, utility undergrounding, stormwater facilities that are not designed to treat or manage run off from Roy Rogers Road, landscaping in excess of that described in the Washington County Road Design & Construction Standards, landscape maintenance of planted medians, sidewalk width beyond six feet, and sidewalk length in excess of the length of the adjacent roadway caused by a meandering design.
- 5.2.3 CITY shall fully fund portions of the PROJECT outside of the PROJECT description when requested as a betterment by CITY, including but not limited to a pedestrian undercrossing at the location of the northernmost Roy Rogers Road bridge.
- 5.2.4 Final determination of eligibility and cost contribution under this section shall be at the sole discretion of the COUNTY.
- 5.3 CITY has adopted a mutually acceptable funding strategy for repayment of PROJECT costs, including existing revenue sources (such as the Transportation Development Tax), supplemental system development charges, and conditions imposed upon private development to construct portions of the PROJECT, attached as Exhibit 'C'.
- 5.4 CITY shall make annual installment payments to COUNTY for its share of PROJECT costs no later than March 15th of each year. CITY's obligation to make payments shall commence in the fiscal year following the fiscal year in which the notice to proceed has

been issued for the awarded construction bid. The amount will be determined as follows:

5.5.1 Initial installment payments shall be based on the PROJECT costs determined at the time of awarding the bid.

5.5.2 Installment payments shall be adjusted when the PROJECT costs are reconciled as provided in Sections 5.2 and 4.3.

5.5.3 CITY shall make equal annual payments, as described in Sections 5.5.1 and 5.5.2, for ten years or until the amount is paid in full. There is no penalty for early payment by the CITY, but in no event shall payment extend beyond ten years except by mutual written consent of the Parties.

5.5 CITY agrees to contribute up to a maximum of \$9,000,000 to the PROJECT per its adopted River Terrace Funding Strategy, including the value of any eligible portions of the PROJECT that are constructed by development. In no event shall CITY be obligated to pay the COUNTY more than the total amount described in Section 5.2 in satisfaction of its funding obligation under this Agreement.

5.6 Nothing in this Agreement obligates the CITY to contribute to any other projects on the Project List.

## 6.0 General Provisions

### 6.1 LAWS OF OREGON

The parties shall comply with all applicable laws and regulations regarding the handling and expenditure of public funds. This Agreement shall be construed and enforced in accordance with the laws of the State of Oregon. All applicable provisions required by ORS Chapter 279A and 279C to be included in public contracts are incorporated and made a part of this Agreement as if fully set forth herein.

## 6.2 DEFAULT

Time is of essence in the performance of the Agreement. Either party shall be deemed to be in default if it fails to comply with any provisions of this Agreement. The non-defaulting party shall provide the other party with written notice of default and allow thirty (30) days within which to cure the defect.

## 6.3 INDEMNIFICATION

This Agreement is for the benefit of the Parties only. Each Party agrees to indemnify and hold harmless the other Party, and its officers, employees, and agents, from and against all claims, demands and causes of actions and suits of any kind or nature for personal injury, death or damage to property on account of or arising out of services performed, the omissions of services or in any way resulting from the negligent or wrongful acts or omissions of the indemnifying party and its officers, employees and agents. To the extent applicable, the above indemnification is subject to and shall not exceed the limits of liability of the Oregon Tort Claims Act (ORS 30.260 through 30.300). In addition, each Party shall be solely responsible for any contract claims, delay damages or similar items arising from or caused by the action or inaction of the Parties under this Agreement.

## 6.4 MODIFICATION OF AGREEMENT

No waiver, consent, modification or change of terms of this Agreement shall be binding unless in writing and signed by both Parties. In the event of unforeseen circumstances which limit the ability of the CITY to repay its share of PROJECT Costs, the Parties will meet to negotiate terms which may include changes to future MSTIP projects in the CITY.

## 6.5 DISPUTE RESOLUTION

The Parties shall attempt to informally resolve any dispute concerning any Party's performance or decisions under this Agreement, or regarding the terms, conditions or meaning of this Agreement. The Parties agree that in the event of an impasse in the resolution of any dispute, the issue shall be submitted to the COUNTY Director of Land Use & Transportation and the CITY Manager for recommendation or resolution. If resolution cannot be reached, a neutral third party may be used if the Parties agree to facilitate these negotiations.

## 6.6 REMEDIES

Subject to the provisions in paragraph 6.5, any Party may institute legal action to cure,

correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation of this Agreement. All legal actions shall be initiated in Washington County Circuit Court. The Parties, by signature of their authorized representatives below, consent to the personal jurisdiction of that court.

6.7 EXCUSED PERFORMANCE

In addition to the specific provisions of this Agreement, performance by any Party shall not be in default where delay or default is due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, governmental restrictions imposed or mandated by governmental entities other than the Parties, enactment of conflicting state or federal laws or regulations, new or supplementary environmental regulation, litigation or similar bases for excused performance that are not within the reasonable control of the Party to be excused.

6.8 SEVERABILITY

If any one or more of the provisions contained in this Agreement is invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of the Agreement will not be affected or impaired in any way.

6.9 INTEGRATION

This Agreement is the entire agreement of the Parties on its subject and supersedes any prior discussions or agreements regarding the same subject.

7. Term of Agreement

7.1 The term of the Agreement shall be from the date of execution until the completion of the PROJECT and the CITY's payment obligations, as described in Sections 4 and 5. Sections 6.3, 6.5, and 6.6 shall survive termination or expiration of this Agreement.

7.2 This Agreement may be amended or extended for periods of up to one (1) year by mutual written consent of the Parties.

[Signature Page to Follow]

IN WITNESS WHEREOF, the Parties hereto have set their hands as of the day and year hereinafter written.

**CITY OF TIGARD, OREGON**

**WASHINGTON COUNTY, OREGON**

\_\_\_\_\_

CITY MANAGER/MAYOR

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_

CITY ATTORNEY

\_\_\_\_\_

CHAIR, BOARD OF COUNTY  
COMMISSIONERS

DATE: \_\_\_\_\_

\_\_\_\_\_

RECORDING SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_

COUNTY COUNSEL

**Exhibit 'A'**

## Residential High-Growth Areas Transportation Funding Program Project List – Tigard

<b>Road</b>	<b>Extent</b>	<b>PROJECT Description<sup>1</sup></b>	<b>Total Cost<sup>2</sup></b>	<b>County Cost<sup>2</sup></b>	<b>Local Cost<sup>2</sup></b>	<b>TDT Project Number<sup>3</sup></b>
<b>Years 1-3<sup>4</sup></b>						
Roy Rogers Rd	Scholls Ferry – south of Bull Mountain	Widen to 5 lanes	\$24,900,000	\$16,600,000	\$8,300,000	TBD
<b>Total, Years 1-10</b>			<b>\$24,900,000</b>	<b>\$16,600,000</b>	<b>\$8,300,000</b>	

## Notes:

1. “Widening” projects include pedestrian/bicycle facilities, lighting, stormwater, etc.
2. Project costs are estimates and are subject to change.
3. Transportation Development Tax (TDT) project numbers shown as “TBD” are to be determined when those projects are added to the TDT Project List.
4. Project timeframes shown are tentative and subject to change.



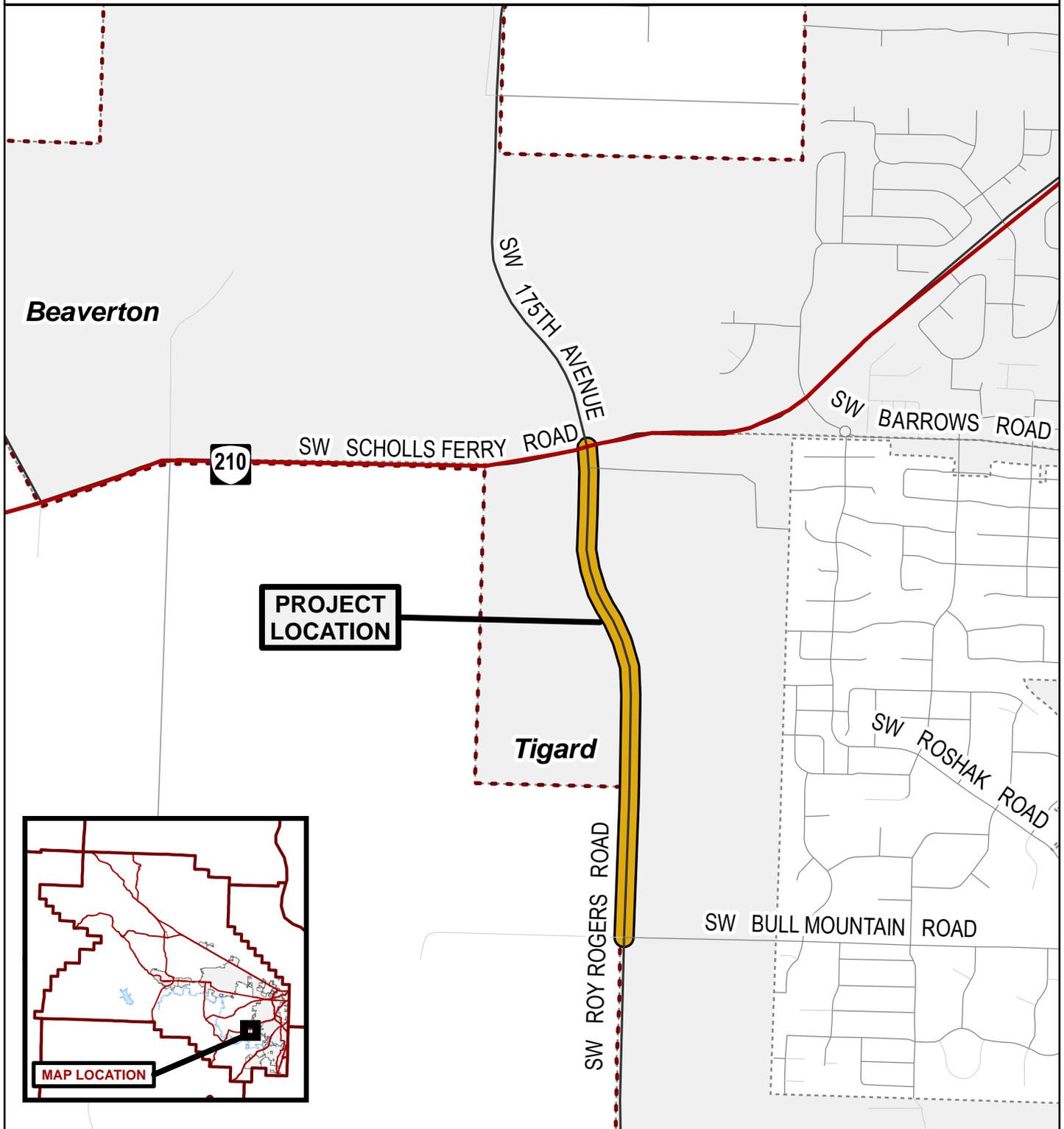
# VICINITY MAP

## SW ROY ROGERS ROAD SCHOLLS FERRY ROAD TO BULL MOUNTAIN ROAD



Map Date: August 10, 2015  
Prepared by: EDF

### PROJECT 100255



## City of Tigard Transportation Funding Strategy for River Terrace<sup>1</sup>

<b>ADOPTED STRATEGY<sup>2</sup></b>		
75% Allocation <sup>3</sup>		
<b>River Terrace (RT) Transportation Costs</b>		<b>\$149,600,000</b>
<b>Outside Funding Strategy:</b>		
Non-RT Costs & Outside Planning Area/Horizon		\$76,920,000
<b>Developer Contributions:</b>		
Non-creditable Public Costs (Collector Streets)		\$17,527,000
Private Costs (Neighborhood Routes)		\$30,000,000
<b>Public Capital Costs</b>		<b>\$25,153,000</b>
<b>Public Funding Sources:</b>		
General Fund Transfers		\$3,000,000
RT Transportation Utility Fee (TUF)		\$1,396,800
RT Transportation System Development Charge (TSDC)		\$1,047,600
Citywide Transportation System Development Charge (TSDC)		\$8,730,000
Citywide Transportation Development Tax (TDT)		\$11,039,958
Grants		\$900,000
<b>Total RT Revenue</b>		<b>\$26,114,358</b>
<b>Net Revenue</b>		<b>\$961,358</b>
<b>Summary of Fees and Charges:</b>		
River Terrace TUF		\$5
River Terrace TSDC		\$450
Citywide TSDC		\$5,000
Citywide TDT		\$6,323

1) Subsequent SDC methodology report resulted in the adoption of different TSDC fees than shown here.

2) Assumed \$28M for River Terrace Blvd and \$8M for Roy Rogers Road, not including intersection improvements.

3) Assumed 75% of Citywide TSDC and TDT collected in River Terrace to stay in River Terrace.



zone - like another boundary adjustment - will require action by both city councils.

The Tigard Enterprise Zone was created by the Tigard City Council and authorized by the State of Oregon in November 2014. Since then, four firms in Tigard have qualified to participate. The Tigard Enterprise Zone offers qualified businesses, located within a defined boundary, a three to five year tax abatement on new investment (new equipment, buildings, and facilities) when the firm also invests in new employees by increasing its workforce in the enterprise zone by 10 percent.

The City of Lake Oswego asked the City of Tigard to consider expanding the Tigard Enterprise Zone to include 96 acres of Lake Oswego's Southwest Employment Area. Currently, ten state authorized enterprise zones act as a tool for economic development in the Portland metro region. Forest Grove/Cornelius and Troutdale/Fairview are examples of cities that work together through enterprise zones that cross municipal boundaries.

Staff and legal counsel from both cities have reviewed the attached intergovernmental agreement.

## **OTHER ALTERNATIVES**

Amend or decline the intergovernmental agreement.

## **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

The expanded enterprise zone is consistent with the recommendations of Comprehensive Plan Goal 9 encouraging regional partnerships and economic development. This program supports the strategic vision of a more healthy and interconnected city by connecting residents and employees through an economic development collaboration with the City of Lake Oswego for a stronger regional economy.

## **DATES OF PREVIOUS COUNCIL CONSIDERATION**

February 2014 Council discussion of enterprise zone program.

October 2014 Passed resolution to create the Tigard Enterprise Zone.

October 2015 Council discussion of expanded enterprise zone.

October 2015 Passed resolution to expand the Tigard Enterprise Zone.

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## **Fiscal Impact**

### **Fiscal Information:**

City of Tigard staff time incurred assisting Lake Oswego companies qualify for enterprise zone tax abatements will be reimbursed to the City of Tigard by the City of Lake Oswego.

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## **Attachments**

IGA Tigard/Lake Oswego Enterprise Zone

Tigard EZ resolution

Lake Oswego EZ resolution

---

INTERGOVERNMENTAL AGREEMENT FOR  
CO-SPONSORSHIP OF TIGARD/LAKE OSWEGO ENTERPRISE ZONE

This Intergovernmental Agreement ("Agreement") is between the City of Tigard ("Tigard"), an Oregon municipal corporation, and the City of Lake Oswego ("Lake Oswego"), also an Oregon municipal corporation. Tigard and Lake Oswego, under the authority of ORS Chapter 190, hereby enter into this agreement for the purpose of co-sponsoring the Tigard/Lake Oswego Enterprise Zone ("Enterprise Zone") including management, communication and decision-making, as set forth herein.

NOW, THEREFORE, Tigard and Lake Oswego agree as follows:

1. TIGARD'S RESPONSIBILITIES:
  - A. Tigard's Economic Development Manager will serve as the Zone Manager. The responsibilities of the Zone Manager include:
    - i. Assist businesses wishing to participate in the Enterprise Zone by conducting a pre-application conference, assist the applicant with the application process, and correspond with Business Oregon and other partners as necessary for application processing.
    - ii. Use best efforts to respond within one business day of initial contact from referred businesses and/or developers, and to expedite service to potential applicants.
    - iii. Conduct outreach and marketing about the Enterprise Zone to Tigard businesses.
    - iv. Inform Lake Oswego of interested businesses within that city, and provide Lake Oswego a copy of all applications submitted to Business Oregon from Lake Oswego businesses.
    - v. Work with each Enterprise Zone applicant during the first year of participation, to certifying eligibility including verifying employment.
    - vi. Collect application fees at the time of the application submittal; all fees received from businesses in each city will be remitted to that City.

2. LAKE OSWEGO'S RESPONSIBILITIES:

A. Lake Oswego will provide the following:

- i. Respond to all requests for information and assistance from Tigard in a timely and cooperative manner and communicate any issues that arise under this Agreement to Tigard.
- ii. Conduct outreach and marketing about the Tigard/Lake Oswego Enterprise Zone to Lake Oswego businesses.
- iii. In the event that Tigard terminates this Agreement, Lake Oswego will assume responsibility for all Lake Oswego applications upon termination.
- iv. Compensate Tigard for staff time spent working with Lake Oswego businesses on Enterprise Zone applications or on activities solely related to Lake Oswego's interest in the Enterprise Zone at the fully loaded rate of that staffer's time as determined by Tigard's Federal A87 cost allocation model.

3. CO-SPONSOR RESPONSIBILITIES

A. Local Incentives and Requirements. Tigard and Lake Oswego jointly agree to separate Local Incentives and Local Requirements. Each City may amend their Local Incentives/Requirements with approval of their own City Council, by following local procedures. Approval of the co-sponsor is not required.

B. Consistent with ORS 285C.05 to 285C.250 the jurisdictions shall act jointly in performing certain duties imposed on a sponsor including:

- i. Set policy, filing fees; make plans covering marketing, organization, etc.
- ii. Appoint the local zone manager. (As defined in this IGA)
- iii. Change the zone boundary: remove areas, add new areas or cosponsors per request to Business Oregon. (By joint resolution)
- iv. Elect to terminate the enterprise zone. (By joint resolution)
- v. Fulfill arrangements worked out with local taxing districts.
- vi. Enter into written agreements with authorized firms extending exemption for four or five years. (Per local incentives)
- vii. Adopt resolutions to waive a 10% employment increase (stipulating alternative conditions), for existing businesses that invest \$25 million or more, or that measurably modernize operations and fund workforce training.

4. TERMS of PARTNERSHIP

A. Status of Employees. Each City shall be solely responsible for the salaries, wages, any other compensation, injury or illness of that City's employees in performing activities under this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee between one of the cities and the employees of the other.

- B. Termination of IGA. This Agreement may be terminated, with or without cause and at any time, by either party by providing thirty (30) days written notice of intent to the other party. If either party terminates this Agreement, all records associated with Enterprise Zone business in Lake Oswego shall be provided to Lake Oswego in electronic format upon termination and both cities will be responsible for Enterprise Zone firms in their respective jurisdictions.
- C. Indemnification. Subject to the limitations of the Oregon Constitution and the Oregon Tort Claims Act, each party agrees to indemnify, defend and hold harmless the other party and its officers, agents, employees and elected officials from any and all liability, loss, and costs arising out of or resulting from the negligent or intentional acts of omissions the indemnifying City, its officers, agents, employees and elected officials, in the performance of this Agreement.
- D. Insurance. The Cities agree to each maintain insurance or self insurance consistent with the liability limits of the Oregon Tort Claims Act, ORS 30.270 et seq., and customary for public agencies of the same size and type.
- E. Amendment. This Agreement may be amended at any time upon the written agreement of both parties.
- F. Assignment. Neither party shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other party.
- G. Entire Agreement. This Agreement constitutes the entire and integrated agreement between the Parties and may be modified or amended only by the written agreement of the Parties.
- H. This Agreement shall be effective on the date the Agreement is signed by both authorized signatures listed below. The Agreement shall remain in effect until terminated as provided herein.

\_\_\_\_\_ date \_\_\_\_\_

City of Tigard

\_\_\_\_\_ date \_\_\_\_\_

City of Lake Oswego

**CITY OF TIGARD, OREGON**  
**TIGARD CITY COUNCIL**  
**RESOLUTION NO. 15- 48**

A RESOLUTION TO AUTHORIZE A REQUEST TO THE STATE OF OREGON FOR THE  
EXPANSION OF THE TIGARD ENTERPRISE ZONE TO INCLUDE A PORTION OF THE CITY  
OF LAKE OSWEGO

---

WHEREAS, the City of Tigard sponsors the Tigard/Lake Oswego Enterprise Zone jointly with the City of Lake Oswego and consent of other taxing authorities; and

WHEREAS, the enterprise zone as amended has a total area of 2.85 square miles. It meets other statutory limitations on size and configuration, and it is depicted here on a drawn-to-scale map (Exhibit A), and its boundary is here described in a list of parcels with tax identification number (Exhibit B); and

WHEREAS, the municipal corporations, school districts, special service districts, *etc.*, other than the sponsoring governments, that receive operating revenue through the levying of *ad valorem* taxes on real and personal property in any area of the enterprise zone, as amended, were sent notice regarding this boundary change; and

WHEREAS, the City of Tigard and City of Lake Oswego shall fulfill their duties and implement provisions jointly under ORS 285C.105 or elsewhere in ORS Chapter 285C and related parts of Oregon Law; and

WHEREAS, the Tigard/Lake Oswego Enterprise Zone does not grant or imply permission to develop land within the Zone without complying with prevailing zoning, regulatory and permitting processes and restrictions for applicable jurisdictions; nor does it indicate any intent to modify those processes or restrictions, except as otherwise in accordance with Comprehensive Plans as acknowledged by the State of Oregon Land Conservation and Development Commission; and

WHEREAS, the City of Tigard's economic development strategy focuses on encouraging private sector investment through the creation of strong relationships with public and private sector partners, as well as programs that support entrepreneurs and business owners; and

WHEREAS, the City of Tigard encourages business investment, job creation, higher incomes for residents, greater diversity of economic activity, and business growth; and

WHEREAS, the City of Tigard recognizes that regional collaboration with local partners improves the local and regional economy; and

WHEREAS, in collaboration with the City of Lake Oswego, the two communities may apply to the state for an expansion of the Tigard Enterprise Zone to include a portion of the City of Lake Oswego; and

WHEREAS, Lake Oswego and Tigard are partners using the State of Oregon's Enterprise Zone program to support collaboration in economic development in both cities; and

WHEREAS, the State of Oregon, through ORS 285C.115 allows for the expansion of an enterprise zone in areas of economic hardship to encourage additional private sector investment through a three to five year tax credit on new investments for certain businesses, made in conjunction with an increase in employment; and

WHEREAS, an enterprise zone allows industrial and some commercial firms making a new capital investment a waiver of 100 percent of the amount of real property taxes attributable to the new investment for up to a five year period after completion; and

RESOLUTION NO. 15 - 48

WHEREAS, there is no loss of current property tax levies to local taxing jurisdictions because land or *existing* buildings, machinery or equipment is not tax exempt; and

WHEREAS, once the abatement period is over, the improvements are fully taxed for the life of the improvements resulting in a long-term return to the local taxing jurisdictions; and

WHEREAS, an enterprise zone is an economic development tool that will: provide selected Tigard and Lake Oswego based firms with assistance in growing, making larger capital investments than might otherwise occur, accelerate investment or expansion, induce hiring, improve wages, bolster the early success of a business project or investment, and attract investment and facilities that would otherwise move or locate outside of the area; and

WHEREAS, the proposed expanded enterprise zone has a total area of 2.7 square miles in Tigard and 0.15 square miles in Lake Oswego, and meets other State of Oregon statutory limitations on size and configuration with no part of the zone greater than 12 miles distant at its furthest point; and

WHEREAS, this proposed zone expansion is based on qualifying Census tracts 203.02, 204.01 and 320.05 based upon U.S. Census, American Community Survey Estimates, 2009–2013 which includes land zoned for industrial and commercial uses comprising more than 85 tax lots; and

WHEREAS, the proposed enterprise zone contains significant land zoned for industrial use, and acknowledged by the Land Conservation and Development Commission, as including industrial sites which are accessible, serviced or serviceable, and otherwise ready for use and further development.

NOW, THEREFORE, BE IT RESOLVED Under ORS 285C.115, the City of Tigard authorizes the expansion of the Tigard Enterprise Zone to include portions of Lake Oswego and seek approval from Business Oregon for this zone expansion.

The name of the zone is changed to: *Tigard/Lake Oswego Enterprise Zone*.

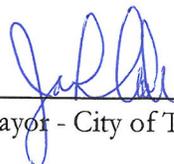
The City of Lake Oswego does hereby join the zone as a new co-sponsor.

The City of Tigard's Economic Development Manager, is authorized to submit documentation of this enterprise zone boundary to the Oregon Business Development Department (OBDD) for purposes of a positive determination under section 18, chapter 648, Oregon Laws 2015 (Enrolled House Bill 2643) on behalf of the zone sponsors.

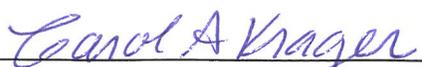
This change of the Tigard Enterprise Zone boundary takes effect on the date that this resolution is adopted and confirmed by Business Oregon.

SECTION: This resolution is effective immediately upon passage.

PASSED: This 27<sup>th</sup> day of October 2015.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
City Recorder - City of Tigard

RESOLUTION 15-52

A RESOLUTION TO EXPAND THE TIGARD ENTERPRISE ZONE TO INCLUDE LAND IN LAKE OSWEGO'S SW EMPLOYMENT AREA AND TO SPONSOR THE ZONE JOINTLY WITH THE CITY OF TIGARD

WHEREAS, the Lake Oswego Comprehensive Plan has designated the light industrial and general commercial zones at the southwest corner of the city as one of Lake Oswego's three Employment Centers, which are envisioned as the highest intensity employment areas in the city; and

WHEREAS, in 2014 the City initiated the Southwest Employment Area Plan to remove regulatory and infrastructure barriers, and support private investment and job creation in this district; and

WHEREAS, the State of Oregon, through ORS 285C.050-285C.250 allows for the creation of an enterprise zone in areas of economic hardship to encourage private sector investment through a three- to five-year exemption on real property taxes attributable to the new investments, for industrial and some commercial businesses, made in conjunction with an increase in employment; and

WHEREAS, there is no loss of current property tax revenue to local taxing jurisdictions because land and existing buildings, machinery and equipment is not tax exempt; and

WHEREAS, an enterprise zone is an economic development tool that will provide selected Lake Oswego based firms with assistance in growing, or making larger capital investments than might otherwise occur, and will accelerate investment or expansion, induce hiring, improve wages, bolster the early success of a business project or investment, and attract investment and facilities that may otherwise move or locate outside of the area; and

WHEREAS, through ORS 285C.115 the State allows for the expansion of an enterprise zone; and

WHEREAS, the City of Lake Oswego recognizes that regional collaboration with local partners improves the local and regional economy; and

WHEREAS, in 2014, the City of Tigard successfully applied for an enterprise zone, which was designated as the Tigard Enterprise Zone by the Director of Business Oregon in November 2014; and

WHEREAS, the City of Lake Oswego desires to sponsor the Tigard Enterprise Zone jointly with Tigard; and

WHEREAS, the expanded enterprise zone boundaries are depicted on the drawn-to-scale map in Exhibit A, and will add land zoned for industrial and commercial uses comprised of more than 84 tax lots with at least 15 candidate firms; and

WHEREAS, the expanded enterprise zone has a total area of 2.7 square miles in Tigard and 0.18 square miles in Lake Oswego, and meets State of Oregon statutory limitations on size and configuration, with the distance between any two points in the zone being no greater than 12 miles; and

WHEREAS, the expanded zone continues to meet the economic hardship criteria with an unemployment rate for the zone that is more than two percentage points higher than the state average, based on 2013 U.S. Census, American Community Survey Estimates; and

WHEREAS, notice regarding this proposed boundary change has been sent to each taxing district, including but not limited to municipal corporations, school districts, and special service districts, other than the sponsoring cities, that levy or have authority to levy ad valorem taxes on real and personal property in any area of the proposed expanded enterprise zone; and

WHEREAS, the City of Tigard and City of Lake Oswego will fulfill their duties as co-sponsors and will cooperatively meet the requirements of ORS 285C.105 and other applicable statutes and administrative rules; and

WHEREAS, the Tigard/Lake Oswego Enterprise Zone will not grant or imply permission to develop land within the Zone without complying with zoning, regulatory and permitting processes and restrictions of applicable jurisdictions; nor will it indicate any intent to modify those processes or restrictions, except in accordance with Comprehensive Plans and land use regulations acknowledged by the State of Oregon Land Conservation and Development Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Oswego, that:

Section 1. The City of Lake Oswego does hereby request to join the Tigard Enterprise Zone as a new sponsor, and requests expansion the zone as depicted on Exhibit A.

Section 2. The name of the zone shall be changed to the Tigard/Lake Oswego Enterprise Zone.

Section 3. The City of Tigard's Economic Development Manager is authorized to submit documentation of this enterprise zone boundary to the Oregon Business Development Department (OBDD) for purposes of a positive determination under section 18, chapter 648, Oregon Laws 2015 (Enrolled House Bill 2643) on behalf of the zone sponsor.

Section 4. This change of the Tigard Enterprise Zone boundary will take effect on the date that the Tigard City Council resolution is adopted (or later, as so stipulated by OBDD in its determination following any revision or resubmission of documentation).

Section 5. The City of Lake Oswego will provide the additional local incentives and requirements, listed on Exhibit B, to any authorized business firm in the Lake Oswego portion of the proposed enterprise zone.

Section 6. Effective Date. This Resolution shall take effect upon passage.

Adopted at the regular meeting of the City Council of the City of Lake Oswego on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

AYES:

Resolution 15-52

Page 2 of 3

NOES:

EXCUSED:

ABSTAIN:

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Kent Studebaker, Mayor

ATTEST:

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Anne-Marie Simpson, City Recorder

APPROVED AS TO FORM:

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David Powell, City Attorney

**AIS-2474**

**4.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 5 Minutes

**Agenda Title:** Appoint City Center Advisory Commission Members

**Submitted By:** Sean Farrelly, Community  
Development

**Item Type:** Resolution

**Meeting Type:** Council  
Business  
Meeting -  
Main

**Public Hearing:** No

**Publication Date:**

**Information**

**ISSUE**

Shall Council appoint Carine Arendes, Gina Schlatter, Mark Skorupa, and David Walsh as voting members, and Sara Villanueva as a non-voting alternate member to the City Center Advisory Commission?

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff recommends approval of a resolution appointing Carine Arendes, Gina Schlatter, and David Walsh as voting members of the City Center Advisory Commission whose terms will expire December 31, 2018; Mark Skorupa, as a voting member whose term will expire December 31, 2016; and Sara Villanueva as a non-voting alternate member whose term will expire December 31, 2016.

**KEY FACTS AND INFORMATION SUMMARY**

The City Center Advisory Commission (CCAC) is the advisory body to the City Center Development Agency on urban renewal issues. There are currently three voting positions on the City Center Advisory Commission with terms that expired on December 31, 2015, and one voting position with a term that expires on December 31, 2016. There are also up to two non-voting alternate positions that are vacant. Several applicants were interviewed on December 14th by the Mayor's Appointment Advisory Committee. The Committee recommended that Carine Arendes be re-appointed, and Gina Schlatter and David Walsh be appointed as voting members whose terms will expire December 31, 2018; Mark Skorupa be appointed as a voting member whose term will expire December 31, 2016; and recommended that Sara Villanueva be appointed as an alternate member.

Attachment 1 is a Resolution implementing these recommended appointees.

Attachment 2 has biographical information on all five recommended appointees.

## **OTHER ALTERNATIVES**

Council could decide to not approve some, or all, of the recommendations. This would necessitate reopening the recruitment.

## **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

N/A

## **DATES OF PREVIOUS COUNCIL CONSIDERATION**

N/A

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### **Attachments**

CCAC Resolution

CCAC Bios

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**CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 16-**

A RESOLUTION APPOINTING CARINE ARENDES, GINA SCHLATTER, MARK SKORUPA AND DAVID WALSH AS VOTING MEMBERS OF THE CITY CENTER ADVISORY COMMISSION, AND SARA VILLANUEVA AS A NON-VOTING ALTERNATE MEMBER

---

WHEREAS, there currently exists three vacancies for voting members and up to two vacancies for non-voting alternate members on the City Center Advisory Commission; and

WHEREAS, the Mayor's Appointment Advisory Committee recommends that Council re-appoint Carine Arendes and appoint Gina Schlatter, Mark Skorupa and David Walsh as voting members; and

WHEREAS, the Mayor's Appointment Advisory Committee recommends that Council appoint Sara Villanueva as a non-voting alternate member.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Carine Arendes, Gina Schlatter, and David Walsh are appointed as voting members to fill terms that expire December 31, 2018.

SECTION 2: Mark Skorupa is appointed as a voting member to fill a term that expires December 31, 2016.

SECTION 3: Sara Villanueva is appointed as an alternate member to fill a term that expires December 31, 2016.

SECTION 4: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2016.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

**CITY CENTER ADVISORY COMMISSION  
RECOMMENDED APPOINTEES  
BIOGRAPHICAL INFORMATION**

On January 12, 2016, Tigard City Council will consider a Resolution to appoint Carine Arendes, Gina Schlatter, Mark Skorupa and David Walsh as voting members, and Sara Villanueva as a non-voting alternate member of the City Center Advisory Commission.

**Carine Arendes** has been a Tigard resident for 14 years. She has served on the City Center Advisory Commission since January 2013, holding the positions of Vice Chair in 2014 and Chair in 2015. She is currently employed as a Development Planner with Washington County. Her volunteer experience includes the Friends of Trees, SOLV, and Tualatin Valley Gleaners.

**Gina Schlatter** owns a new restaurant that will open on Main Street in January 2016. She is a resident of Portland and has owned Cascade Organics, a Tigard business for the past 5 years.

**Mark Skorupa** has been a Tigard resident for 5 and ½ years. He is currently employed as a project manager for Portland General Electric.

**Sara Villanueva** has been a Tigard resident for 3 and ½ years. She works as a Senior Community Manager with Princeton Property Management. She has previously volunteered with the Kiwanis Club.

**David Walsh** has been a Tigard resident for 14 months. He is currently employed as a realtor with Berkshire Hathaway Home Services NW. He is a board member of the Yamhill County Board of Realtors and is a member of the Tigard Breakfast Rotary and the Portland Triathlon Club.

**AIS-2530**

**5.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 5 Minutes

**Agenda Title:** Appoint Planning Commission Member

**Prepared For:** Tom McGuire, Community Development

**Submitted By:** Doreen Laughlin, Community Development

**Item Type:** Resolution

**Meeting Type:** Council  
Business  
Meeting -  
Main

**Public Hearing:** No

**Publication Date:**

**Information**

**ISSUE**

Shall Council appoint Yi-Kang Hu as a voting member of the Tigard Planning Commission?

**STAFF RECOMMENDATION / ACTION REQUEST**

Approve a resolution appointing Yi-Kang Hu to an unexpired term as a voting member of the Planning Commission. The term will expire December 31, 2018.

**KEY FACTS AND INFORMATION SUMMARY**

Due to the resignation of Tigard Planning Commission President Jason Rogers, as of December 31, 2015 there is now an opening on the Planning Commission. The open position is for a voting member with three years remaining in the term which expires on December 31, 2018. In November, 2015, Dr. Yi-Kang Hu had applied for both the Tigard Transportation Advisory Committee (TTAC) as well as the Planning Commission, and was appointed to the TTAC. When the Planning Commission opening became available, Dr. Hu was contacted by staff and he indicated a desire to serve on both the TTAC and the Planning Commission. The Mayor's Appointment Advisory Committee members who had interviewed Dr. Hu in November were contacted by staff regarding the situation, reminded of his application and qualifications, and were informed about his willingness to serve on both committees. The Mayor's Appointment Advisory Committee is in agreement that Dr. Hu should be appointed to serve out the rest of this unexpired term on the Planning Commission.

There will be a special election held on January 25 at the first official meeting of the new year; at that time a new president will be voted upon and elected by the commissioners.

Attachment 1 is a Resolution implementing this recommended appointment.  
Attachment 2 has biographical information on the recommended appointee.

**OTHER ALTERNATIVES**

N/A

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

N/A

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

N/A

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**Attachments**

Resolution

PC Bio - Yi-Kang Hu

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**CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 16-**

A RESOLUTION APPOINTING YI-KANG HU AS A VOTING MEMBER OF THE TIGARD PLANNING COMMISSION TO FILL FORMER COMMISSIONER ROGER'S UNEXPIRED TERM.

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WHEREAS, there is one vacancy for a voting resident member on the Planning Commission; and

WHEREAS, the Mayor's Appointment Advisory Committee recommends that Council appoint Yi-Kang Hu as a voting member to fill the unexpired term that will end December 31, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Yi-Kang Hu is appointed to the Planning Commission as a voting resident member to fill an unexpired term ending December 31, 2018.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2016.

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Mayor - City of Tigard

ATTEST:

---

City Recorder - City of Tigard

**PLANNING COMMISSION  
RECOMMENDED APPOINTEE  
BIOGRAPHICAL INFORMATION**

On January 12, 2016, Tigard City Council will consider a Resolution to appoint Yi-Kang Hu as a voting member of the Tigard Planning Commission.

**Yi-Kang Hu** has resided in Tigard for over seven years and is applying to fill an unfinished term on the Planning Commission that will expire 12-31-18. Dr. Hu has been an attorney with Spectra Law Group, LLC for four years. His practice focuses on food and drug law, and intellectual property law. From 2006 – 2013 he was an appointed member of the Oregon Board of Naturopathic Medicine; he has been a volunteer attorney with Legal Aid Services of Oregon where he represented domestic violence victims; and he is presently a Certified Ombudsman (Volunteer) at Oregon Long-Term Care Ombudsman.

*Education – J.D., Lewis & Clark Law School, Portland Oregon, Ph.D., Biochemistry & Molecular Biology, Oregon Health & Science University, Portland Oregon, Undergraduate, B.A., Reed College, Portland Oregon*

**AIS-2328**

**6.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 45 Minutes

**Agenda Title:** Legislative Public Hearing: Consideration of a Park Maintenance Fee

**Prepared For:** Toby LaFrance                      **Submitted By:** Norma Alley,  
Central Services

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

**Public Hearing** Yes

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

**Information**

**ISSUE**

Public Hearing on Park Maintenance Fee, establishing Tigard Municipal Code 3.70 Park Maintenance Fee and amending the Master Fees and Charges

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff requests Council consider adoption of an ordinance to establish TMC 3.70 Park Maintenance Fee and a resolution to amend the Master Fees and Charges Schedule

**KEY FACTS AND INFORMATION SUMMARY**

During the Budget Committee meetings, the committee considered the course of Tigard's General Fund and the services it supports: Police, Library, Community Building, and Parks. The General Fund revenues grow approximately 3.5% annually, while expenses grow 4.0% annually. Tigard has taken actions in prior years to limit cost growth and has added incremental revenues. The Budget Committee decided to take a different direction with the Fiscal Year 2016 budget; moving Parks to a separate fund modeled after a utility. The Committee chose parks because of the needs to maintain and operate current park lands compounded by the need to develop and maintain the parks purchased with the \$17 million Park Bond that has expanded Tigard's park acreage by 30 percent. The direction in the FY 2016 budget was to fund all park services using a utility fee that will be paid as part of the utility bill.

Staff presented initial policy issues to Council on October 20, 2015 and November 17, 2015. At the November 17, 2015 Workshop, Council instructed staff to bring the Park Maintenance Fee (PMF) forward for consideration in a public hearing. The fee is limited in scope to the current level of parks maintenance, operations, and recreation plus identified deferred maintenance needs. Council determined that they would consider expanding park funding to needed capital and additional recreation purposes at a later date and possibly fund those via a special option property tax levy. Based on Council feedback the ordinance and resolutions to establish the Park Maintenance Fee (PMF) includes the following policy directions from Council:

- Keep fee structure simple
- Fee paid by residential and non-residential customers
- Fee based on scenarios #1 (current level of services) & #2 (deferred maintenance) only
- Use annual average cost for the deferred maintenance scenario to level out the resulting fee amount
- Use annual inflation factor as outlined in the rate consultant's report
- Include program for low income fee assistance

Attached to this Agenda Item are the following documents:

1. Ordinance Establishing TMC 3.70 Park Maintenance Fee
2. Exhibit A to the Ordinance - TMC 3.70 Draft
3. Resolution to Amend the Master Fees and Charges Schedule to include the PMF
4. Exhibit A to the Resolution outlining the PMF and changes to the Master Fees and Charges Schedule
5. The rate consultants report on "Tigard Parks Maintenance Fee Report to Council for January 12, 2016 Public Hearing"
6. Staff PowerPoint presentation

## **OTHER ALTERNATIVES**

Council can choose to return parks maintenance and operations to the General Fund and not enhance park services or reallocate General Fund to other needed city services.

## **COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

Strategic Plan Goal #4 - *Fund the vision while maintaining core services.*

## **DATES OF PREVIOUS CONSIDERATION**

Budget Committee Meetings on:

- April 20, 2015
- April 27, 2015
- May 4, 2015
- December 15, 2015

Council Workshops on:

- October 20, 2015
- November 17, 2015

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### Fiscal Impact

**Cost:** \$2,740,458  
**Budgeted (yes or no):** Partially  
**Where Budgeted (department/program):** Parks Utility

#### Additional Fiscal Notes:

Passage of the PMF will establish a stable and flexible funding source for park services and free up General Fund resources that were previously utilized by parks. The freed up General Fund resources can then be reallocated to other needed city services. Assuming that Council passes the PMF and phases in more than 37% of the fee, there will be General Fund resources available to the Budget Committee to allocate during the FY 17 budget process. If Council phases in 50% of the fee, \$356K of General Fund will be available for reallocation.

If Council chooses not to adopt the PMF, then the General Fund budget scenario is significantly altered. The city will return to making small changes in revenues or expenditures to produce a budget that is sustainable over the next 6 years. Services to citizens will continue to slowly erode and parks will continue to have deferred maintenance needs.

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### Attachments

Ordinance

Exhibit A to Ordinance

Resolution

Exhibit A to Resolution

Rate Consultant's Report to Council

Staff Power Point Presentation

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CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
ORDINANCE NO. 16-

AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE TO ESTABLISH A PARK MAINTENANCE FEE

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WHEREAS, Park maintenance and operations funding from the General Fund is limited; and

WHEREAS, Tigard has been unable to maintain park service levels for existing park land; and

WHEREAS, Tigard has added park land without an adequate revenue source to maintain and operate the parks; and

WHEREAS, Tigard has determined to fund parks maintenance and operations through a Park Maintenance Fee; and

WHEREAS, The amount of the fee will pay for the existing level of parks maintenance, operations, and recreation; and

WHEREAS, The fee will also pay for parks maintenance and operations services that have been deferred due to limited resources; and

WHEREAS, The fee will be paid by residential and non-residential utility customers within the City of Tigard; and

WHEREAS, The fee will be adjusted annually to account for inflation and any new costs such as additional parks or newly developed parks or new or expanded parks operations; and

WHEREAS, Council may establish a program to provide assistance to lower income utility bill payers to be paid from Park Maintenance Fee revenues.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Chapter 3.70 of the Tigard Municipal Code is hereby created as provided in Exhibit A.

SECTION 2: This ordinance shall be effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

PASSED: By \_\_\_\_\_ vote of all council members present after being read by number and title only, this \_\_\_\_ day of \_\_\_\_\_, 2016.

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Carol A. Krager, City Recorder

APPROVED: By Tigard City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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John L. Cook, Mayor

Approved as to form:

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City Attorney

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Date

TIGARD MUNICIPAL CODE

Chapter 3.70 PARK MAINTENANCE FEE

Sections:

- 3.70.010 Creation and Purpose
- 3.70.020 Definitions
- 3.70.030 Administrative Officers Designated
- 3.70.040 Park Maintenance Fees Allocated to the Park Maintenance Fund
- 3.70.050 Determination of Park Maintenance Fee
- 3.70.060 Determination of Amount, Billing and Collection of Fee
- 3.70.070 Waiver of Fees in Case of Vacancy
- 3.70.080 Administrative Provisions and Appeals
- 3.70.090 Administrative Policies
- 3.70.100 Penalty
- 3.70.110 Severability

3.70.010 Creation and Purpose

A park maintenance fee is created and imposed for the purpose of maintenance of city parks. The park maintenance fee shall be paid by the responsible party for each occupied unit of real property. The purposes of the park maintenance fee are to charge for the service the city provides in maintaining public parks and to ensure that maintenance occurs in a timely fashion, thereby reducing increased costs that result when maintenance is deferred.

3.70.020 Definitions

As used in this chapter, the following shall mean:

A. Public Works Director. The public works director or the public works director's designee.

B. Developed property or developed use. A parcel or legal portion of real property, on which an improvement exists or has been constructed. Improvement on developed property includes, but is not limited to buildings, parking lots, landscaping and outside storage.

C. Equivalent Dwelling Unit. Equivalent Dwelling Units (EDUs) are the basis for equally apportioning annual Park Maintenance Fee revenue requirements among customer groups.

D. Finance Director. The finance and information services director or designee.

E. Residential Property. Property that is used primarily for personal domestic accommodation, including single family, multi-family residential property and group homes, but not including hotels and motels.

F. Nonresidential Property. Property that is not primarily used for personal domestic accommodation. Nonresidential property includes industrial, commercial, institutional, hotel and motel, and other nonresidential uses.

G. Occupied Unit. Any structure or any portion of any structure occupied for residential, commercial, industrial, or other purposes. For example, in a multifamily residential development, each dwelling unit shall be considered a separate occupied unit when occupied, and each retail outlet in a shopping mall shall be considered a separate occupied unit. An occupied unit may include more than one structure if all structures are part of the same dwelling unit or commercial or industrial operation. For example an industrial site with several structures that form an integrated manufacturing process operated by a single manufacturer constitutes one occupied unit. Property that is undeveloped or, if developed, is not in current use is not considered an occupied unit.

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H. Responsible Party. The person or persons who by occupancy or contractual arrangement are responsible to pay for utility and other services provided to an occupied unit. Unless another party has agreed in writing to pay and a copy of the writing is filed with the city, the person(s) paying the city’s water and/or sewer bill for an occupied unit shall be deemed the responsible party as to that occupied unit. For any occupied unit not otherwise required to pay a city utility bill, “responsible party” shall mean the person or persons legally entitled to occupancy of the occupied unit, unless another responsible party has agreed in writing to pay and a copy of the writing is filed with the city. Any person who has agreed in writing to pay is considered the responsible person if a copy of the writing is filed with the city.

I. Park Maintenance. Any action to operate and maintain city parks, including, but not limited to repair, renewal, replacement, reconstruction, minor improvements, programing, recreation and other park activities. Park maintenance does not include the capital development, construction or acquisition of new parks or undeveloped parks.

**3.70.030 Administrative Officers Designated**

A. Except as provided in subsections B and C of this section, the public works director shall be responsible for the administration of this chapter. The public works director shall be responsible for developing administrative procedures for the chapter, administration of fees, and for the purposes of establishing the fee for a specific occupied unit, the consideration and assignment of categories of use, and parking space requirements subject to appeal in accordance with this chapter.

B. The public works director shall be responsible for developing and maintaining park

maintenance programs for the maintenance of city parks and, subject to city budget committee review and city council approval, allocation and expenditure of budget resources for park system maintenance in accordance with this chapter.

C. The finance director shall be responsible for the collection and calculation of fees and the appeals process under this chapter.

**3.70.040 Park Maintenance Fees Allocated to the Park Maintenance Fund**

A. All park maintenance fees received shall be deposited to the park maintenance fund or other fund dedicated to the operation and maintenance of the city park system. The park maintenance fund shall be used for park maintenance. Other revenue sources may also be used for park maintenance. Amounts in the park maintenance fund may be invested by the finance director in accordance with state law. Earnings from such investments shall be dedicated to the park maintenance fee fund.

B. The park maintenance fund shall not be used for other governmental or proprietary purposes of the city, except to pay for an equitable share of the city’s overhead costs including accounting, management and other costs related to management and operation of the park maintenance program.

**3.70.050 Determination of Park Maintenance Fee**

A. The park maintenance fee shall be established based on the following:

- 1. The city’s projected five-year maintenance forecast plan for operations and maintenance of the city’s park system.

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2. During the five-year program, any new cost will need to be factored in to the fee. New costs include additional park land, new park development of existing park land, and new or expanded programming and operations. These will need to be addressed annually based on estimates from the public works director.

3. For residential and non-residential property, the fee shall be charged on a per equivalent dwelling unit (EDU) basis. For single family and multifamily accounts, each occupied unit within the residential property is one EDU. The calculation of an EDU for commercial and industrial accounts will be defined in the Master Fees and Charges Schedule.

B. The park maintenance fee rates shall be established by council resolution.

C. The park maintenance fee will be annually adjusted to account for new costs (as identified in 3.70.050.A.2) and according to an annual index.

1. The index is defined in the city's Master Fees and Charges Schedule.

2. The index has a floor of two percent and a ceiling of seven percent.

D. Council may establish a program to reduce the park maintenance fee for lower income utility payers. The program may be administered by city staff or a qualified non-profit. The program may be defined in the city's Master Fees and Charges Schedule.

E. The program shall be reviewed annually as part of the city's budget process.

**3.70.060 Determination of Amount, Billing and Collection of Fee**

A. The park maintenance fee shall be billed to and collected from the responsible party for each occupied unit. Billings shall be included as part of the utility bill for occupied units utilizing city water and/or sewer, and billed and collected separately for those occupied units not utilizing city water and/or sewer. All such bills shall be rendered regularly by the finance director and shall become due and payable upon receipt.

B. Collections from utility customers will be applied first to interest and penalties, then proportionately among the various charges for utility services and park maintenance.

C. An account is delinquent if the park maintenance fee is not paid by the due date shown on the utility bill. The city may follow the procedures for collection of delinquent accounts set forth in Sections 12.03.030 and/or 12.03.040, including termination of water and/or sanitary sewer service.

**3.70.070 Waiver of Fees in Case of Vacancy**

A. When any developed property within the city becomes vacant as described in subsection F of this section, upon written application and approval by the finance director, the park maintenance fee shall thereafter not be billed and shall not be a charge against the property until such time as the property is no longer vacant.

B. The finance director is authorized to cause an investigation of any property for which an application for determination of vacancy is submitted to verify any of the information contained in the application. The finance director is further authorized to develop and use a standard form of application, provided it shall contain a space for verification of the information and the person signing such form affirms under penalty

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for false swearing the accuracy of the information provided therein.

C. When any developed property within the city has the utilities shut-off due to vacancy, the park maintenance fee shall be waived for the duration of the vacancy as described in subsection F of this section.

D. When any multi-occupied developed property within the city has one or more vacancies as described in subsection F of this section, the responsible party may request, in writing, a waiver of a portion of the park maintenance fee applicable to the vacant units.

E. When a change of use occurs, a vacancy has been filled, or a property is developed, it is the responsible party's responsibility to inform the city of any change so the proper park maintenance fees may be assessed. If the responsible party does not inform the city of any change, the city shall cancel the vacancy waiver and charge the responsible party as per subsection F of this section.

F. For purposes of this section, a unit of property is vacant when it has been continuously unoccupied and unused for at least 30 days. Fees shall be waived in accordance with this section only while the property remains vacant. The waiver duration is for six months. After six months, the responsible party must re-apply for the waiver if the property continues to be unoccupied and unused. The responsible party has 30 days to re-apply for the vacancy waiver after the expiration of the six month waiver. Any occupancy or use of the property terminates the waiver. As a penalty for not reporting a change in property vacancy, the city may charge any property two times the appropriate park maintenance fee that would have been due without the vacancy waiver for prior billing periods upon determining by whatever means that the property did not qualify for waiver of charges during the relevant time. The decision of the

finance director under subsections A, B, C, D and F of this section shall be final. (Ord. 10-08 §1, 2010; Ord. 10-01 §2)

**3.70.080 Administrative Provisions and Appeals**

A. The public works director shall have the initial authority and responsibility to interpret all terms, provisions and requirements of this chapter and to determine the appropriate charges thereunder. The responsible party for an occupied unit may request reconsideration of the public works director's determination of the amount of the fee by submission of a written application to the public works director. The application shall be submitted in sufficient detail to enable the public works director to render a decision.

B. To address the submitted request, the city may follow the procedures for utility charge adjustments set forth in Section 12.03.040.

**3.70.090 Administrative Policies**

A. The following policies shall apply to the operation and scope of this chapter:

1. Parks maintenance fees imposed under this chapter shall apply to all occupied units, occupied units owned and/or occupied by local, state and federal governments, as well as property which may be entitled to exemption from or deferral of ad valorem property taxation.

2. Publicly owned park land, open spaces and greenways shall not be subject to the park maintenance fee.

3. Areas encompassing railroad and public right-of-way shall not be subject to the park maintenance fee.

4. Railroad property containing structures, such as maintenance areas, non-rolling

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storage areas and areas used for the transfer of rail transported goods to non-rail transport shall be subject to park maintenance fees.

5. For newly developed properties, the fees imposed under this chapter shall become due and payable from and after the date when the developed property is occupied and connected to the public water or sanitary sewer system.

B. The public works director is authorized and directed to review the operation of this chapter and, where appropriate, recommend changes thereto in the form of administrative policies for adoption of the city council by resolution. Administrative policies are intended to provide guidance to property owners, subject to this chapter, as to its meaning or operation, consistent with policies expressed herein. Policies adopted by the council shall be given full force and effect, and unless clearly inconsistent with this chapter, shall apply uniformly throughout the city.

**3.70.100 Penalty**

In addition to any other remedy, violation of any provision of this chapter shall be a Class A civil infraction. Each day of delinquency in paying the park maintenance fee constitutes a separate violation.

**3.70.110 Severability**

A. In the event any section, subsection, paragraph, sentence or phrase of this chapter or any administrative policy adopted herein is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remainder of the chapter shall continue to be effective. If a court of competent jurisdiction determines that this chapter imposes a tax or charge, which is therefore unlawful as to certain

but not all affected properties, then as to those certain properties, an exception or exceptions from the imposition of the park maintenance fee shall thereby be created and the remainder of the chapter and the fees imposed thereunder shall continue to apply to the remaining properties without interruption.

B. Nothing contained herein shall be construed as limiting the city's authority to levy special assessments in connection with public improvements pursuant to applicable law. ■

**CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 16-**

A RESOLUTION AMENDING THE MASTER FEES AND CHARGES SCHEDULE TO ADD THE PARK MAINTENANCE FEE

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WHEREAS, Tigard Municipal Code 3.70 Park Maintenance Fee was adopted on January 12, 2016; and

WHEREAS, The amount of the fee will pay for the existing level of parks maintenance, operations, and recreation; and

WHEREAS, The fee will also pay for parks maintenance and operations services that have been deferred due to limited resources; and

WHEREAS, The fee will be paid by residential and non-residential utility customers within the City of Tigard; and

WHEREAS, The fee will be adjusted annually to account for inflation and any new costs such as additional parks or newly developed parks or new or expanded parks operations; and

WHEREAS, Council may establish a program to aide lower income utility bill payers to be paid from Park Maintenance Fee revenues.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Master Fees and Charges Schedule adopted with Resolution 15-31 is hereby amended per Exhibit A.

SECTION 2: This resolution shall be effective 30 days after its passage by the council.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2016.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

Department	Revenue Source	Fee or Charge	Authority	Effective Date
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**PUBLIC WORKS - PARKS**

**Park Maintenance Fee (TMC 3.70)**

Monthly Residential Rate - Single and Multi-Family	\$10.80 / equivalent dwelling unit	4/1/2016
Monthly Non-Residential Rate	\$10.80 / equivalent dwelling unit <sup>1 &amp; 2</sup>	4/1/2016
Reduction for Qualified Low Income Single Family	50%	4/1/2016

Notes:

1 Commercial EDU Calculation (rounded to nearest whole EDU):  
 (Billed Parking Stalls from Street Maintenance Fee \* 0.76 Jobs Per Stall)/15 EDU Factor = EDUs

2 Industrial EDU Calculation (rounded to nearest whole EDU):  
 (Billed Parking Stalls from Street Maintenance Fee \* 1.19 Jobs Per Stall)/15 EDU Factor = EDUs

Calculation of the annual Park Maintenance Fee Index (from FCS Group report "Tigard Parks Maintenance Fee: Report to Council for January 12, 2016 Public Hearing")

Cost Center	Annual Rate	Weight
Personnel	4.80%	0.60
Services/Utilities	3.00%	0.25
Materials/Internal Services	4.20%	0.15
<b>Annual Index (Weighted Average)</b>	<b>4.26%</b>	

TMC 3.70.050.D authorizes the establishment of a program to reduce the Park Maintenance Fee for low income individuals responsible for paying the utility bill.

The reduction will last for 12 billing cycles after which the fee reduction will end or the responsible party can reapply

To Qualify for the reduction, the responsible party:

- 1 Must be the individual(s) on the utility bill
- 2 Provide documented proof of income such as most recent tax statement or W-2.
- 3 Have an income at, or below, 50% of the Median Income for Oregon as set by the US Department of Housing and Urban Development (HUD).

City of Tigard



Tigard Parks Maintenance Fee  
Report to Council for  
January 12, 2016 public hearing

Prepared by FCS GROUP  
In association with  
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## SECTION I: INTRODUCTION

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The City of Tigard (City) Parks Division maintains, operates, and owns 548 acres of park land which provides citizens with recreational opportunities, maintains environmentally sensitive lands, and meets or exceeds all regulatory standards. In addition to maintaining park land, the public works department is tasked with the maintenance of trails, planning new facilities, and running recreational activities for citizens of all ages.

As Tigard's population and employment grow, the need for recreational opportunities increase as well. The latest voter approved parks bond has enabled the city to acquire a substantial amount of land it intends to develop into community assets but those dollars cannot be used to develop that land into usable parks. Meanwhile, necessary maintenance of existing parks has been deferred in the face of Tigard's constrained general fund.

This report evaluates the utility rate revenue requirement to enable the City's parks fund to meet its ongoing operating and capital expenses and establishes a basis for a local charge to assist in funding any revenue deficiencies. In addition, this report provides a series of scenarios which analyze the revenue requirements in the case that certain parks priorities are fully funded (e.g., addressing deferred maintenance, developing city-owned park land, funding recreational programs, etc.) and what a parks utility fee designed to address those needs would cost citizens and businesses in Tigard.

The purpose of the Tigard Parks Maintenance Fee (PMF) is to provide a reliable source of revenue for ongoing parks operations and maintenance. The reasons for a PMF include:

- ◆ Maintenance is more expensive the longer it is deferred
- ◆ Other financing mechanisms (e.g., system development charges) help construct capital assets but cannot be used for operations
- ◆ Expenditures have been increasing in all city operations putting undue pressure on the General Fund as a limited resource with many demands
- ◆ Over the last 15 years, park land has grown 66% while staffing to maintain parks has increased 12% in Tigard.

## SECTION II: RATE STUDY METHODOLOGY

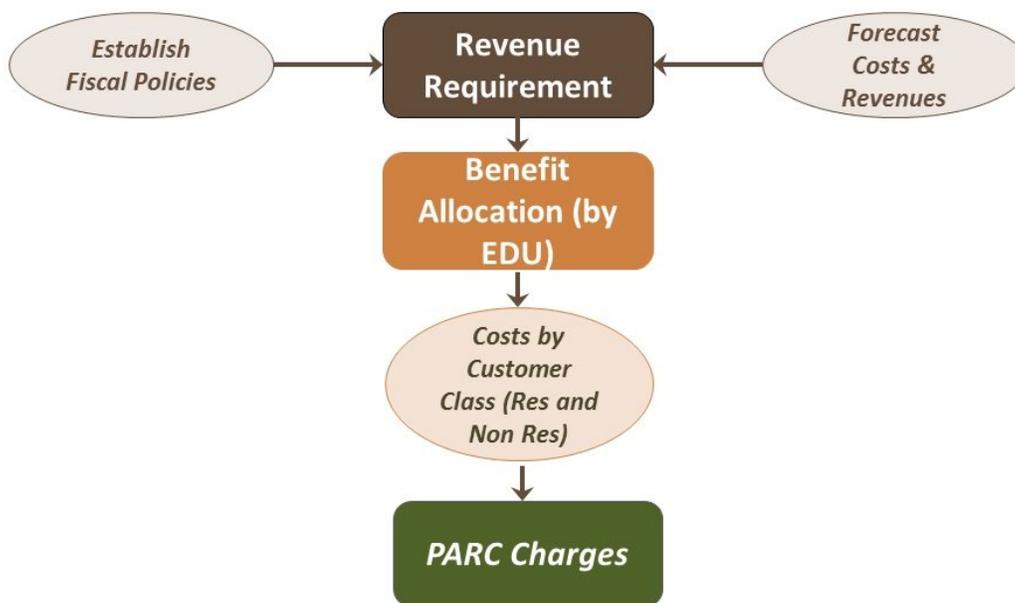
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### A. RATE SETTING PRINCIPLES AND METHODOLOGY

The methods used to establish user rates are based on principles that are generally accepted and widely followed throughout the industry. These principles are designed to produce rates that equitably recover costs from residents and businesses by setting the appropriate level of revenue to be collected from ratepayers, and establishing a rate structure to equitably collect those revenues.

**Exhibit 2.1** illustrates the overview of the methodology used in this rate study process.

Exhibit 2.1: Overview of the Rate Study Process



### B. FISCAL POLICIES

The stewardship of public funds is one of the greatest responsibilities given to the officials and the managers of the City. Therefore, the establishment and maintenance of wise fiscal policies enables City officials to protect public interest and ensure public trust. This study incorporates fiscal policies observed by the City to ensure that current policies are maintained, including reserve levels, capital/system replacement funding and debt service coverage.

## C. REVENUE REQUIREMENT

The revenue requirement analysis will form the basis for a long-range financial plan and multi-year rate management strategy for the parks system. It also enables the City to establish a rate structure which will fully recover the total cost of operating the parks system: capital improvement, capital replacement, operations, maintenance, general administration, fiscal policy attainment, cash reserve management, and expanded programs. Linking rate levels to a financial plan such as this helps to enable not only sound financial performance for the City's parks fund, but also a clear and reasonable relationship between the costs imposed on utility customers and the costs incurred to provide service.

A revenue requirement analysis includes the following core elements to form a complete portrayal of the parks utility's financial obligations.

- ◆ Operating Forecast. Identifies future annual non-capital costs associated with the operation, maintenance, and administration of the system.
- ◆ Deferred Maintenance. Measures the value of asset replacement and current required maintenance activities necessary to maintain adequate parks facilities condition.
- ◆ Capital Funding Plan. Defines a strategy for funding the City's capital improvement program, including an analysis of available resources from system development charges, debt financing, and any special resources that may be readily available (grants, outside contributions, etc.). Identifies if additional funding sources are needed.
- ◆ Revenue Sufficiency Testing. Evaluates the sufficiency of revenues in meeting all financial obligations, including any coverage requirements associated with long-term debt.
- ◆ Rate Strategy Development. Designs a forward-looking strategy for establishing rates to fully fund financial obligations on an annual basis over the projection period.

## D. RATE DESIGN

The principal consideration of rate design is for the rate structure to generate sufficient revenues for the system which are reasonably commensurate with the cost of providing service. The pricing structure is largely dictated by the objectives of the system. Most rate structures consist of a combination of fixed and variable charges. Fixed charges typically attempt to cover system costs that do not vary with usage. Variable charges typically serve two functions, equitably recovering variable costs and encouraging customers to use the system efficiently. In this case, variable costs associated with the parks utility fee are based upon the services and materials the city chooses to fund through the utility fee.

## SECTION III: REVENUE REQUIREMENT

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### A. INTRODUCTION

A revenue requirement analysis forms the basis for a long-range financial plan and multi-year rate management strategy. The analysis is developed by completing an operating forecast that identifies current and future annual operating costs, deferred maintenance costs, and a capital funding plan that defines a strategy for funding the capital improvement needs of the City not being addressed by SDCs, funding for additional recreational activities and programs.

### B. OPERATING FORECAST

The purpose of the operating forecast is to determine at what level the potential rates and charges are sufficient to recover the costs the City incurs to operate and maintain the parks system. The fiscal year (FY) 2015-16 budget provided the primary basis for developing a multi-year forecast for FY 2016-17 through FY 2025-26 expenses. The complete 10-year forecasts are included in the **Technical Appendix**. The ensuing discussion highlights the key assumptions used to develop the parks operating forecast.

#### B.1 Non-User Revenue

Historically, parks funding in Tigard has been dependent upon general fund transfers, parks SDCs, voter-approved bonds, and grants. A summary of key non-user fee revenue assumptions includes:

- ◆ **General Fund Transfers:** General fund transfers provide Tigard's parks with the majority of needed operations and maintenance dollars. It is assumed that these transfers will cease if the parks utility fee is implemented.
- ◆ **SDCs:** SDC fund transfers provide Tigard's parks with the majority of the capital costs necessary for development of new park land or purchase of other assets. These incomes were generally not included in the modeling of this fee.
- ◆ **Voter-Approved Parks Bond:** Residents of Tigard agreed to an increase in their property taxes in order to provide Tigard with money to purchase new parks land. Given that this income stream is finite, bond proceeds were not included in the model.

#### B.2 Expenditure Projections

- ◆ Salaries were budgeted at \$904,416 in FY 2015-16 and were anticipated to grow at 4% annually.
- ◆ Benefits were budgeted at \$374,149 in FY 2015-16 and were anticipated to grow at 6.67% annually.
- ◆ Materials and services were budgeted at \$605,432 and costs were anticipated to grow at 3% annually.

- ◆ Capital Outlay expenses were budgeted at \$49,000 in FY 2015-16 and capital outlay expenses were expected to grow at 4.5% annually.
- ◆ Payments for Citywide Support Services were budgeted at \$270,417 in FY 2015-16 and annual transfers out were expected to grow at 4.1% annually.

It should be noted that recreation program expenses at current levels include a portion of the annual salary, benefits and services budgets. The PMF analysis includes a sensitivity analysis removing the recreation expenditures from the overall budget. In FY 2016, the recreation spending is \$177,410 (\$70,000 salary, \$30,798 benefits and \$76,612 in professional services). If recreation expenses are not included in the PMF revenue requirement, they would likely continue to be funded by the city’s General Fund and User Fees.

Each PMF fee development scenario contains a unique set of parameters with cost and fee assumptions. Discussion of each scenario is included in Section III.D. Detailed tables of scenario-based cost assumptions can be found in **Appendix D** and further cost estimate detail can be found in **Appendix E**.

### B.3 Existing User Fees

Tigard’s parks generate funds when users reserve areas, pay to participate in recreational sports leagues, or to enter designated facilities. City staff indicated the fees would defray \$70,000 of the total department expenditures. We assume that user fee revenue increases by 3 percent per year for the 10-year planning horizon. **Exhibit 3.1** shows the forecasted budget expenditures based on the FY 2015-16 budget including the user fee revenue reduction.

**Exhibit 3.1: Parks Utility Fee Scenarios**

Adopted Budget: 10-Year Projections	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21
<b>Salaries</b>	\$ 940,593	\$ 978,216	\$ 1,017,345	\$ 1,058,039	\$ 1,100,360
<b>Benefits</b>	399,105	425,725	454,121	484,411	516,721
<b>Materials and services</b>	623,595	642,303	661,572	681,419	701,862
<b>Capital outlay</b>	51,205	53,509	55,917	58,433	61,063
<b>Transfers</b>	281,504	293,046	305,061	317,568	330,588
<b>Less: Existing User Fees</b>	(70,000)	(72,100)	(74,263)	(76,491)	(78,786)
<b>Total expenditures</b>	<b>\$ 2,226,001</b>	<b>\$ 2,320,699</b>	<b>\$ 2,419,753</b>	<b>\$ 2,523,379</b>	<b>\$ 2,631,809</b>

## C. CAPITAL FUNDING PLAN

The adopted Tigard parks and trails capital improvement plan includes \$13 million in total costs in the 7-year projection period (**Appendix E2**). Costs represented in this plan are based on inflated dollars to the year of construction. Representative projects include:

- ◆ **Fanno Creek Remeander:** A \$1,147,000 project intended to reduce erosion impacts by lengthening the channel and decreasing the slope of the stream bed. This project will also require the realignment of a portion of the Fanno Creek Regional Trail.
- ◆ **Dirksen Nature Park:** A \$3.8 million project which will maintain 35 acres of natural area while also renovating an existing educational building on the site as well as improving trail connections throughout the property, among other improvements.
- ◆ **Tree Canopy Replacement Program:** A \$600,000 project which intends to replace lost tree canopy along stream corridors, school grounds, highways, and other areas.

- ◆ **Park Land Acquisition:** A \$890,000 dollar effort to identify and purchase park land with funds coming from Tigard's citizen approved parks bond.
- ◆ **Downtown Land Acquisition:** A \$1.3 million effort to identify and purchase park land exclusively within downtown Tigard with funds coming from Tigard's citizen approved parks bond.
- ◆ **Tigard Street Trail and Public Space:** An \$45,000 trail project which is intended to connect SW Tiedeman Avenue to downtown Tigard and Tigard Transit Center by converting a disused rail spur.
- ◆ **Damaged Tree Replacement Program:** A \$300,000 effort to increase the quality and quantity of large trees and tree canopy.
- ◆ **Fanno Creek Trail Connection:** A \$4.8 million project which intends to close numerous gaps on the Fanno Creek Regional Trail present within the city of Tigard.

The capital funding strategy envisions funding these projects through a mix of available cash balances including grants, System Development Charges, and transfers from other funds.

## D. SUMMARY OF REVENUE REQUIREMENT

The operating forecast components of operations and maintenance (O&M) expenses, debt service, and system reinvestment come together to form the multi-year revenue requirement. The revenue requirement compares the overall revenue available to the parks system to the expenses and evaluates the sufficiency of rates on an annual basis.

Seven scenarios were developed to evaluate the potential for Tigard's parks utility fee to support various revenue requirements:

### D.1 Scenario 1: Funding Parks at Existing Levels

**Appendix A1** displays the results of the revenue requirement analysis of scenario 1. In this scenario, the parks utility fee assumes the parks costs which in the past were paid for using general fund transfers. This scenario assumes that no increase in parks funding occurs, meaning that deferral in needed maintenance continues and no funding is added to expand recreational programs or add capital projects as part of the PMF. Revenue requirements gradually and steadily increase as residential and employment growth increase. The revenue requirement for scenario 1 increases from \$2,226,001 in FY 2016-17 to \$3,254,938 in FY 2025-26.

As noted previously, the PMF analysis includes a sensitivity analysis removing the recreation expenditures from the overall budget. In FY 2016, the recreation spending is \$177,410. Hence, if recreation expenses are not included in the PMF revenue requirement, the annual revenue requirement for scenario 1 would be lower by approximately \$180,000 dollars.

### D.2 Scenario 2: Funding Deferred Maintenance

**Appendix A2** displays the results of the revenue requirement analysis of scenario 2. In this scenario, the parks utility fee pays for deferred maintenance costs. This includes equipment and vehicle repair and replacement, repairs to trails, and other maintenance activities. The revenue requirement associated with scenario 2 fluctuates annually based upon the replacement timeline for assets. The initial year of the revenue requirement also addresses previously deferred maintenance whereas the following years address deferred maintenance requirements in that specific year. The revenue requirement for scenario 2 ranges from a high of \$1,179,539 in FY 2016-17 to a low of \$244,343 in FY 2025-26.

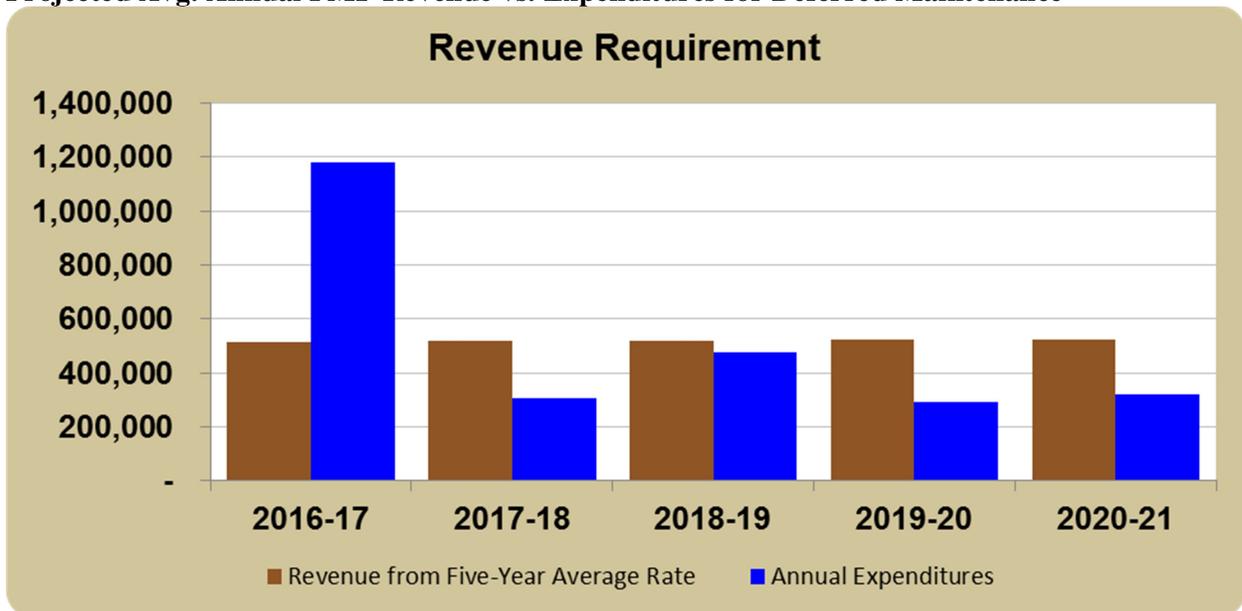
Cost estimates for this scenario can be found in **Appendix D1** while further detail regarding the cost assumptions associated with this revenue requirement can be found in **Appendix E1**.

As shown in the following Exhibit, expenditures in this scenario are highly variable. To correctly account for expenditures in the utility rate and ensure low rate volatility, it is recommended that the city utilize a five-year average PMF rate. The annual revenue compared to annual expenditures for this scenario is shown in **Exhibit 3.2**. Since this approach will likely result in 1 or 2 years with inadequate fund balances to cover planned deferred maintenance, the city may need to transfer (borrow) funds from other city funds to cover temporary imbalances until reserves build up over time.

The five-year (smoothed) revenue requirement for scenario 2 would result in an initial revenue requirement of approximately \$514,000, as noted in **Appendix A2-B**, which is also part of the recommended PMF rate scenario.

**Exhibit 3.2:**

**Projected Avg. Annual PMF Revenue vs. Expenditures for Deferred Maintenance**



**D.3 Scenario 3: Fully Funding CIP**

**Appendix A3** displays the results of the revenue requirement analysis of scenario 3. In this scenario, the parks utility fee pays for the costs of all CIP-related transfers from the Urban Forestry Fund and transfers from the Transportation CIP Fund which are currently expected to fund capital projects. This scenario would reduce parks-related transfers from city accounts while identifying financing necessary to complete anticipated CIP projects (**Appendix E2**). This would also ensure such projects were funded with guaranteed funds rather than assuming funds from SDCs or other sources will be available. The revenue requirement fluctuates through the first five years and then gradually increases over the last five years. This fluctuation is due to the CIP calling for uneven expenses year to year since its costs are associated with the purchase and construction of facilities.

The revenue requirement for scenario 3 begins at \$857,500 in FY 2016-17, fluctuates in the next four years from \$0 to \$1,174,500, and then averages around \$600,000 in the last five years. An annual cost breakdown of this scenario can be found in **Appendix D2** while further detail regarding the cost assumptions associated with this revenue requirement can be found in **Appendix E2**.

## D.4 Scenario 4: Develop Current Lands

**Appendix A4** displays the results of the revenue requirement analysis of scenario 4. In this scenario, the parks utility fee pays for the capital and O&M costs associated with the development of new park land purchased using Tigard's voter approved parks bond. This would allow the city to build parks quicker with more stable funding sources than is currently possible. This scenario's revenue requirement increases over the 10-year planning horizon with costs growing at a faster rate each fiscal year. This is due to rapidly increasing operations and maintenance costs associated with bringing additional facilities on-line. The revenue requirement for scenario 4 increases from \$203,624 in FY 2016-17 to \$452,008 in FY 2025-26. An annual cost breakdown of this scenario can be found in **Appendix D3** while further detail regarding the cost assumptions associated with this revenue requirement can be found in **Appendix E3**.

## D.5 Scenario 5: Develop New Lands

**Appendix A5** displays the results of the revenue requirement analysis of scenario 4. In this scenario, the parks utility fee pays for the currently budgeted parks expenditures and adds the cost of the purchase, development, and O&M of new park land which has not yet been acquired through Tigard's voter approved parks bond. This would allow the city to expand their parks inventory, continuing to build in anticipation of a growing population and employment base. The revenue requirement for scenario 5 increases steadily as operations and maintenance expenses associated with opening new facilities grow. The revenue requirement for scenario 5 increases from \$84,687 in FY 2016-17 to \$486,452 in FY 2025-26. An annual cost breakdown of this scenario can be found in **Appendix D4** while further detail regarding the cost assumptions associated with this revenue requirement can be found in **Appendix E3**.

## D.6 Scenario 6: Funding New Recreational Programs

**Appendix A6** displays the results of the revenue requirement analysis of scenario 6. In this scenario, the parks utility fee pays for the cost of implementing programs identified as council priorities. Among those activities, scenario 6 assumes that one full time recreation employee will be hired in FY 2016-17 and another will be hired in FY 2018-19. Additionally, a recreation guide will be published and made available along with the implementation of an online reservation system for park facility rental. It is anticipated that the reservation system and recreation guide will generate additional revenue for the parks department in the form of participation fees, user fees, and rental fees. Finally, the city will also provide grants and scholarships so that low-income citizens can participate in the newly realized activities. The revenue requirement for this scenario increases steadily from \$153,076 in FY 2016-17 to \$617,733 in FY 2020-21 then, averages \$420,000 in the final five years. An annual cost breakdown of this scenario can be found in **Appendix D5**.

## D.7 Scenario 7: Funding Special Community Assets

**Appendix A7** displays the results of the revenue requirement analysis of scenario 7. In this scenario, the parks utility fee pays for the cost of implementing an arts and culture program through which the city of Tigard would purchase and display artwork throughout the city. In addition, scenario 7 would fund the construction of stormwater facilities in city parks. The revenue requirement for scenario 7 increases along with employment and residential growth because the programs funded by this scenario do not fluctuate in cost based on the year being considered. The revenue requirement increases from \$201,627 in FY 2016-17 to \$248,192 in FY 2025-26. An annual cost breakdown of this scenario can be found in **Appendix D6** while further detail regarding the cost assumptions associated with this revenue requirement can be found in **Appendix E4**.

## SECTION IV: RATE DESIGN

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### A. INTRODUCTION

The principal objective of the rate design stage is to develop parks utility rate structures that collect the appropriate level of revenue. The City currently does not assess local charges for parks utility service. In order to fund the activities identified in the revenue requirement section above, it is recommended that a local charge be formed.

### B. PARKS UTILITY FUNDING

The existing parks funding mechanisms in Tigard are grouped into two purposes: those funds dedicated to capital purchases and those funds dedicated to maintenance for parks. Capital funds have historically come from SDC revenues, transfers from capital funds and grants. Meanwhile, the majority of operations expenses have come from transfers from the city's general fund.

### C. CUSTOMER CHARGES

#### **Equivalent Dwelling Units**

Equivalent Dwelling Units (EDUs) are the basis for allocating annual PARC revenue requirements to customer groups. EDUs, by definition, equate to a one unit of customer demand (usage) of parks and recreation investment within the City of Tigard, whereas one unit is equivalent to the amount of parks and recreation investment needed to support one single family residential dwelling unit.

The methodology for determining EDUs takes into account most current (FY 2015-16) customer data that is maintained and updated periodically by the city as part of its street maintenance fee program. Supplemental data depicting building occupancy (using COSTAR quarterly reports for the Tigard subarea), employment (using confidential Oregon Employment Department data and local business interviews), and dwelling units (using city staff estimates) is compiled using sources noted in **the table below**.

Non-residential EDU conversion factors are derived from the adopted Tigard Parks and Trails SDC Methodology Report (adopted in 2015), with an EDU conversion factor that equates 1 dwelling unit to 15 jobs. Hence, the PMF methodology estimates employment for each commercial and industrial customer and divides it by 15 to calculate non-residential EDUs.

Single family residential EDUs are calculated for each customer using the following formula:

$$\text{Customer Accounts} \times 0.992 \text{ Occupancy Rate} = \text{EDUs}$$

Multifamily residential EDUs are calculated for each customer using the following formula:

$$\mathbf{Dwelling\ Units} \times \mathbf{.942\ Occupancy\ Rate} = \mathbf{EDUs}$$

Commercial EDUs are calculated using the following formula:

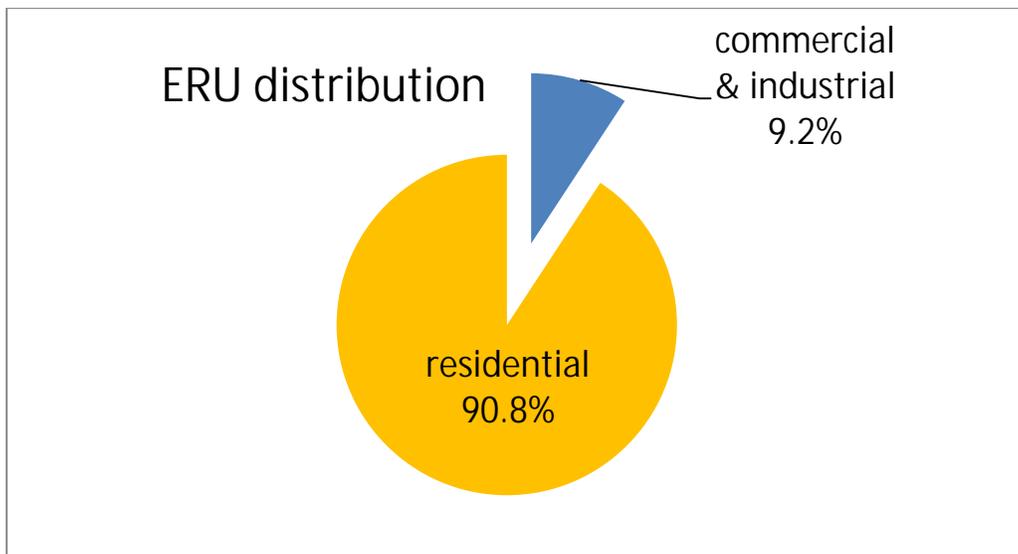
$$\frac{[\mathbf{Parking\ Stalls} \times \mathbf{0.76\ Jobs\ Per\ Stall} \times \mathbf{.995\ Occupancy\ Rate}]}{\mathbf{15\ (EDU\ factor)}} = \mathbf{EDUs}$$

Industrial EDUs are calculated using the following formula:

$$\frac{[\mathbf{Parking\ Stalls} \times \mathbf{1.19\ Jobs\ Per\ Stall} \times \mathbf{1.0\ Occupancy\ Rate}]}{\mathbf{15\ (EDU\ factor)}} = \mathbf{EDUs}$$

As indicated in the **Exhibit 4.1**, the resulting distribution of EDUs, when combined by general customer type equates to a distribution of 90.8% to residential customers and 9.2% to non-residential (commercial and industrial) customers.

Exhibit 4.1: Distribution of Citywide EDUs



An annual EDU growth factor of 0.45% is assumed based on historic customer growth trends in Tigard’s customer utility accounts. A summary of EDU calculations and projections can be found in **Appendix B**.

## Customer Charges

The City shall charge each customer within the City of Tigard based on actual customer account information which is updated annually. Any occupied residential dwelling, multifamily and commercial or industrial customer is to be charged as follows:

**Occupied single family** residential PMF rates are calculated for each customer using the following formula:

$$\mathbf{Dwelling\ Unit} \times \mathbf{monthly\ PMFRate\ per\ EDU} = \mathbf{Monthly\ charge}$$

**Occupied multifamily** customer PARC rates are calculated using the following formula:

$$\text{Dwelling Units} \times \text{monthly PMF Rate per EDU} = \text{Monthly charge}$$

**Occupied commercial** customer PARC rates are calculated using the following formula:

$$\frac{[\text{Parking Stalls} \times 0.76 \text{ Jobs Per Stall}]}{15 \text{ (EDU factor)}} \times \text{monthly PMF per EDU} = \text{Monthly charge}$$

**Occupied industrial** customer PARC rates are calculated using the following formula:

$$\frac{[\text{Parking Stalls} \times 1.19 \text{ Jobs Per Stall}]}{15 \text{ (EDU factor)}} \times \text{monthly PMF per EDU} = \text{Monthly charge}$$

## D. PARKS UTILITY FEE SCENARIOS ANALYSIS

Each of the scenarios and their associated revenue requirement were analyzed to determine potential utility fees for the citizens and businesses of Tigard. An analysis of each scenario resulted in draft PMF rate calculations that were summarized and presented to the City at a Tigard City Council Work Session. The results of each scenario are shown in their respective appendices.

**Exhibit 4.2: Parks Utility Fee Scenarios**

Scenario Comparison	Annual Revenue per EDU FY 2016-17 (Year 1)	Initial Five Year Rate <sup>1</sup>	Equivalent Property Tax	
			Annual Mil rate, FY 2016-17	Annual Avg. Cost on \$240k home
1. Adopted Budget	\$98.17	\$8.18	0.4056	\$97.35
2. Deferred Maintenance	\$22.69	\$1.89	0.2149	\$51.59
3. Fully Fund CIP Projects	\$37.82	\$1.94	0.1563	\$37.50
4. Develop and Operate Current Lands	\$8.98	\$0.92	0.0371	\$8.91
5. Develop and Operate New Lands	\$3.73	\$0.59	0.0154	\$3.70
6. Develop Recreation Programs	\$6.75	\$1.39	0.0279	\$6.69
7. Special Community Assets	\$8.89	\$0.79	0.0367	\$8.82
<b>Total</b>	<b>\$187.03</b>	<b>\$15.70</b>	<b>0.8940</b>	<b>\$214.56</b>

\*Residential and Non-Residential EDUs are Charged the same amount per EDU.

<sup>1</sup>Note that five year rate may cause a revenue deficiency in the first years, if expenditures in early years are higher than later years.

\*\* Total Assessed Value in City of Tigard: \$5,838,019,224

\*\* Average Home Assessed Value:: \$240,000

\*\* Average annual collection factor: 94%

Source: Compiled by FCS GROUP.

## D. RECOMMENDED RATE SCENARIO

The recommended initial PMF rate is intended to address the current budgeted funding requirements for parks and deferred parks maintenance costs. Using the detailed assumptions provided in the Appendix, the annual revenue requirement over the next five years (FY 2016-17 to FY 2020-21) is projected to include \$2,226,001 in parks budget and \$514,457 in deferred maintenance for a total initial year revenue requirement of \$2,720,458.

In order to smooth out the PMF rates, it is recommended that the initial fee be based on the projected parks budget and the five year average revenue requirement for deferred maintenance. The resulting figure will be allocated among the customer groups. It is further recommended that the annual escalation rate be applied starting in year two. An annual escalation of 4.26% is recommended using the assumptions shown in **Exhibit 4.3**.

**Exhibit 4.3: PMF Escalation Rates**

Parks Utility Rate Indices Years 1-5		
Year of Implementation	Annual Rate	Weights
Personnel	4.80%	0.6
Services/Utilities	3.00%	0.25
Materials/Internal Services	4.20%	0.15
<b>Weighted Average</b>	<b>4.26%</b>	

Source: City of Tigard and FCS GROUP; based on estimated expenditures.

The resulting Tigard PMF rates are shown below in **Exhibit 4.4**. Initial monthly PMF rates would be \$10.07 per customer, and increase by approximately 4 percent annually. This charge should be sufficient to generate an annual average revenue amount of \$2,740,458 in FY 2016-17 and \$3,239,691 in FY 2020-21.

Exhibit 4.4: Tigard PMF Rates for Recommended Scenario: Parks Budget plus Deferred Maintenance

Average Revenue Requirement with 5-Year Smoothing of Deferred Maintenance	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21
<b>Parks Budget</b>	\$ 2,226,001	\$ 2,320,699	\$ 2,419,753	\$ 2,523,379	\$ 2,631,809
<b>Deferred Maintenance*</b>	\$ 514,457	\$ 536,372	\$ 559,222	\$ 583,045	\$ 607,883
<b>Total expenditures</b>	<b>\$ 2,740,458</b>	<b>\$ 2,857,072</b>	<b>\$ 2,978,975</b>	<b>\$ 3,106,424</b>	<b>\$ 3,239,691</b>
<b>Allocated costs</b>					
<b>Residential allocation</b>	\$ 2,487,186	\$ 2,593,022	\$ 2,703,659	\$ 2,819,330	\$ 2,940,280
<b>Non-residential allocation</b>	253,272	264,049	275,316	287,094	299,411
<b>Total expenditures</b>	<b>\$ 2,740,458</b>	<b>\$ 2,857,072</b>	<b>\$ 2,978,975</b>	<b>\$ 3,106,424</b>	<b>\$ 3,239,691</b>
<b>EDUs: 5-Year Projections</b>					
<b>Residential</b>	20,579	20,672	20,765	20,858	20,952
<b>Non-Residential</b>	2,096	2,105	2,114	2,124	2,134
<b>Total</b>	<b>22,675</b>	<b>22,777</b>	<b>22,879</b>	<b>22,982</b>	<b>23,086</b>
<b>Rate Calculation: 5-Year Projections (nominal dollars)</b>					
<b>Required annual revenue per EDU</b>					
<b>Residential</b>	\$ 120.86	\$ 125.44	\$ 130.20	\$ 135.17	\$ 140.33
<b>Non-residential</b>	\$ 120.86	\$ 125.44	\$ 130.20	\$ 135.17	\$ 140.33
<b>Monthly rate per EDU</b>					
<b>Residential</b>	<b>\$ 10.07</b>	<b>\$ 10.45</b>	<b>\$ 10.85</b>	<b>\$ 11.26</b>	<b>\$ 11.69</b>
<b>Non-residential</b>	<b>\$ 10.07</b>	<b>\$ 10.45</b>	<b>\$ 10.85</b>	<b>\$ 11.26</b>	<b>\$ 11.69</b>

\* assumes escalation rate of 4.26% on deferred maintenance avg. revenue requirement.

In the sensitivity analysis, the PMF is adjusted downwards to reflect a policy that the fee be used exclusively for parks maintenance only. In this scenario, the annual revenue requirement is reduced by \$184,563 to exclude the annual amount of funds currently expended on recreation facilities and programs. This results in a 74 cent per month per EDU reduction. Hence, the initial PMF would be \$9.33 instead of \$10.07, and subsequent year rates would comport with such a reduction in charges.

## SECTION V: RATE POLICIES

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Parks revenues at current levels are not sufficient to fund ongoing maintenance needs, much less identified parks priorities and the development of parks on city-owned land. Seven scenarios were evaluated for the parks system based on services and activities that Tigard has identified as priorities for the parks department.

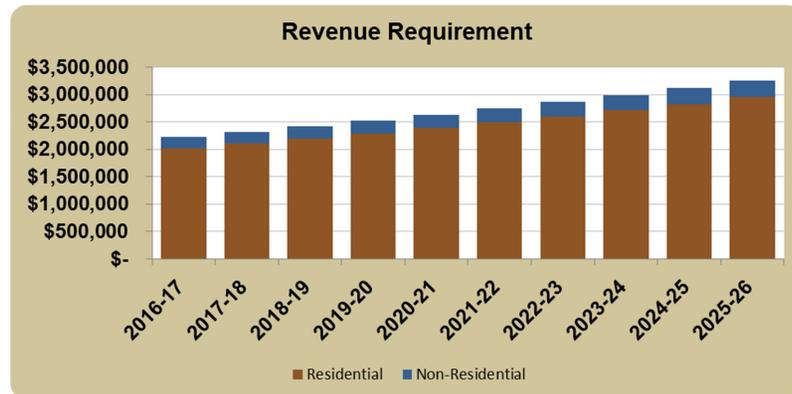
Recommendations of this study include:

- ◆ The recommended initial PMF rate would be set at a level to fund the existing annual parks budget and identified deferred parks maintenance.
- ◆ The Parks Fund should establish a minimum operating reserve that equates to 90-days of expenditures.
- ◆ The City should provide a rate policy that establishes an annual reserve for low income assistance. Based on experience by the City of Tigard with its water rates, an initial annual reserve fund balance of \$25,000 should be established. The city would utilize this fund to provide assistance to individuals and families within the City of Tigard if they meet the certain income parameters. Eligibility is to be determined by St. Vincent de Paul (city partner) using the U.S. Department of Housing and Urban Development income criteria for utility assistance. Once this fund is established, a share of each year's PMF revenue should be transferred into it to maintain a minimum beginning year fund balance of \$25,000.
- ◆ As the City considers acquiring or developing new land for future parks, it shall consider potential impacts on PMF expenditures and revenue requirements, and accordingly make annual adjustments to the PMF rates.
- ◆ The City should adopt a rate policy that establishes an annual escalation rate based on city cost experience or at an annual rate of at least 4 percent.
- ◆ The City shall revisit the study findings during the budget cycle to check that the assumptions used are still appropriate and that no significant changes have occurred that would alter the results of the rate methodology. The City should continue to monitor the financial status of the parks utility, adjusting the parks utility fee rate strategy as needed.

# TECHNICAL APPENDIX

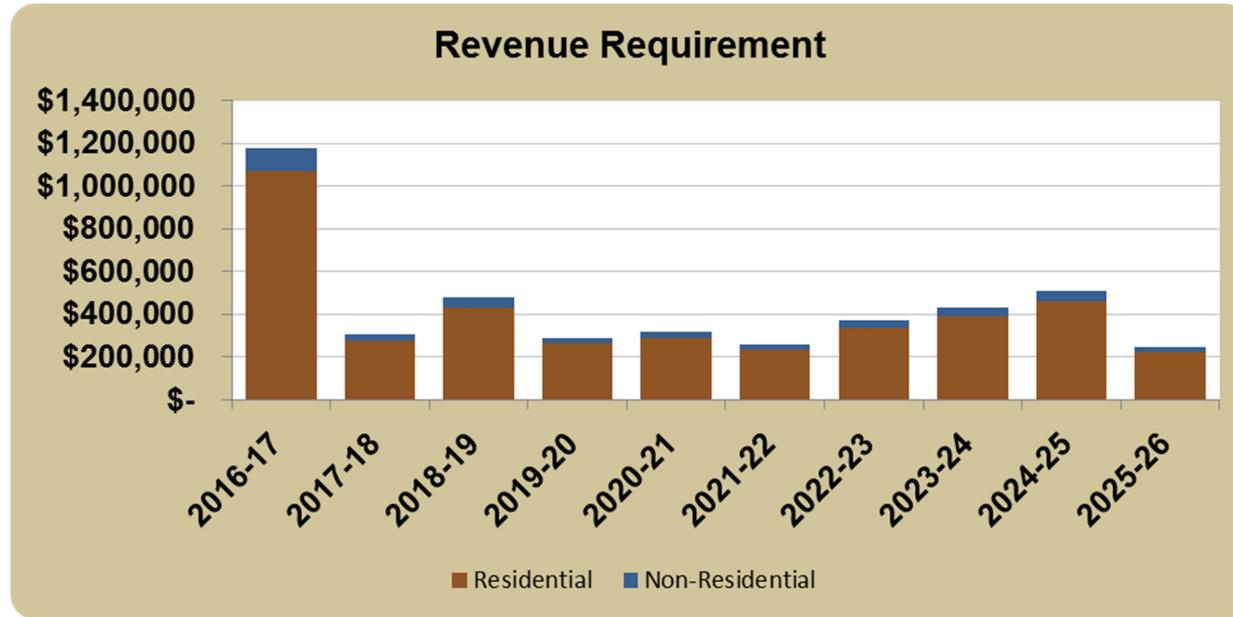
## APPENDIX A: REVENUE REQUIREMENTS

### Appendix A1: Scenario 1 (Adopted Budget) Revenue Requirement



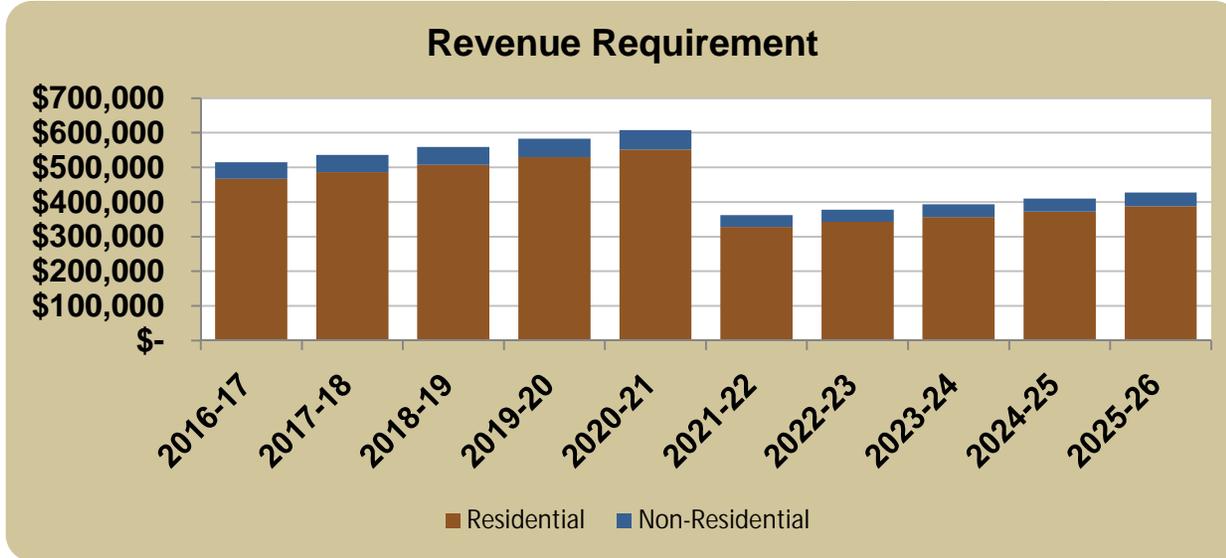
Revenue Requirement: 10-Year Projections	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26
<b>Adjusted cost scenario:</b>										
Adopted Budget	\$ 2,226,001	\$ 2,320,699	\$ 2,419,753	\$ 2,523,379	\$ 2,631,809	\$ 2,745,283	\$ 2,864,056	\$ 2,988,398	\$ 3,118,592	\$ 3,254,938
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 2,226,001</b>	<b>\$ 2,320,699</b>	<b>\$ 2,419,753</b>	<b>\$ 2,523,379</b>	<b>\$ 2,631,809</b>	<b>\$ 2,745,283</b>	<b>\$ 2,864,056</b>	<b>\$ 2,988,398</b>	<b>\$ 3,118,592</b>	<b>\$ 3,254,938</b>
<b>Allocated costs</b>										
Residential allocation	\$ 2,020,275	\$ 2,106,221	\$ 2,196,120	\$ 2,290,170	\$ 2,388,578	\$ 2,491,565	\$ 2,599,361	\$ 2,712,212	\$ 2,830,373	\$ 2,954,118
Non-residential allocation	205,726	214,478	223,632	233,210	243,231	253,718	264,695	276,186	288,219	300,820
<b>Total expenditures</b>	<b>\$ 2,226,001</b>	<b>\$ 2,320,699</b>	<b>\$ 2,419,753</b>	<b>\$ 2,523,379</b>	<b>\$ 2,631,809</b>	<b>\$ 2,745,283</b>	<b>\$ 2,864,056</b>	<b>\$ 2,988,398</b>	<b>\$ 3,118,592</b>	<b>\$ 3,254,938</b>

**Appendix A2-A: Scenario 2 (Deferred Maintenance) Revenue Requirement**



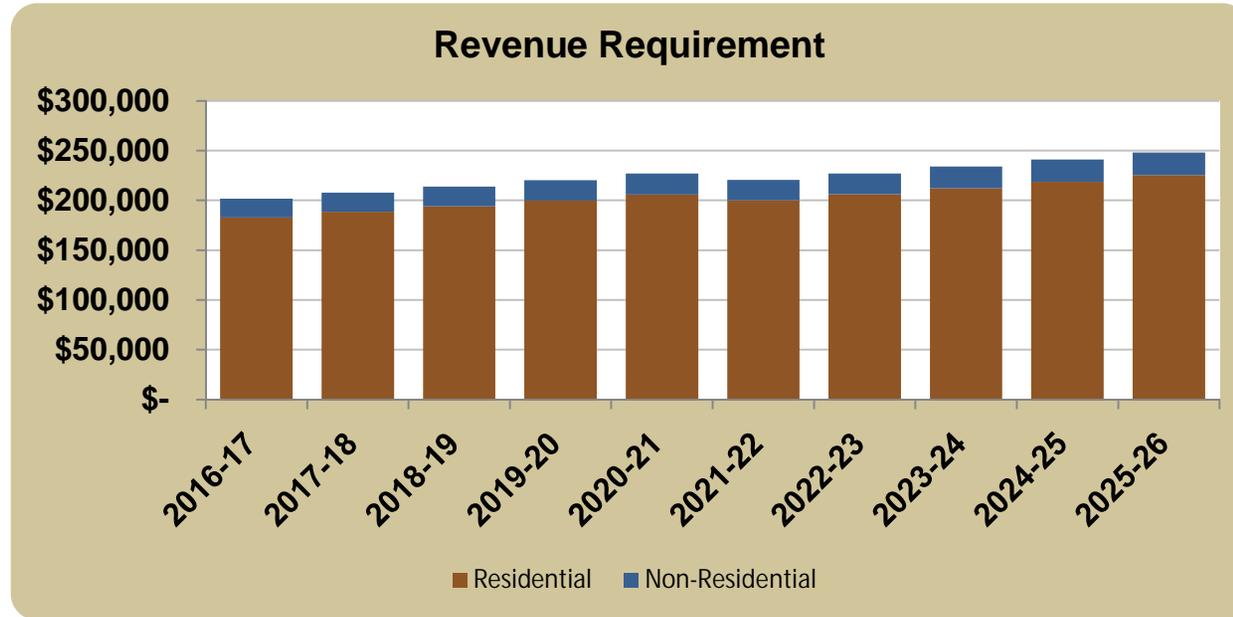
<b>Revenue Requirement: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Adjusted cost scenario:</b>										
Deferred Maintenance	\$ 1,179,539	\$ 306,463	\$ 476,641	\$ 290,388	\$ 319,251	\$ 255,309	\$ 370,340	\$ 431,111	\$ 508,687	\$ 244,343
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 1,179,539</b>	<b>\$ 306,463</b>	<b>\$ 476,641</b>	<b>\$ 290,388</b>	<b>\$ 319,251</b>	<b>\$ 255,309</b>	<b>\$ 370,340</b>	<b>\$ 431,111</b>	<b>\$ 508,687</b>	<b>\$ 244,343</b>
<b>Allocated costs</b>										
Residential allocation	\$ 1,070,527	\$ 278,140	\$ 432,590	\$ 263,551	\$ 289,746	\$ 231,714	\$ 336,113	\$ 391,268	\$ 461,675	\$ 221,761
Non-residential allocation	109,013	28,323	44,051	26,838	29,505	23,596	34,227	39,843	47,013	22,582
<b>Total expenditures</b>	<b>\$ 1,179,539</b>	<b>\$ 306,463</b>	<b>\$ 476,641</b>	<b>\$ 290,388</b>	<b>\$ 319,251</b>	<b>\$ 255,309</b>	<b>\$ 370,340</b>	<b>\$ 431,111</b>	<b>\$ 508,687</b>	<b>\$ 244,343</b>

**Appendix A2-B: Scenario 2 (Deferred Maintenance) Revenue Requirement with five year smoothing**



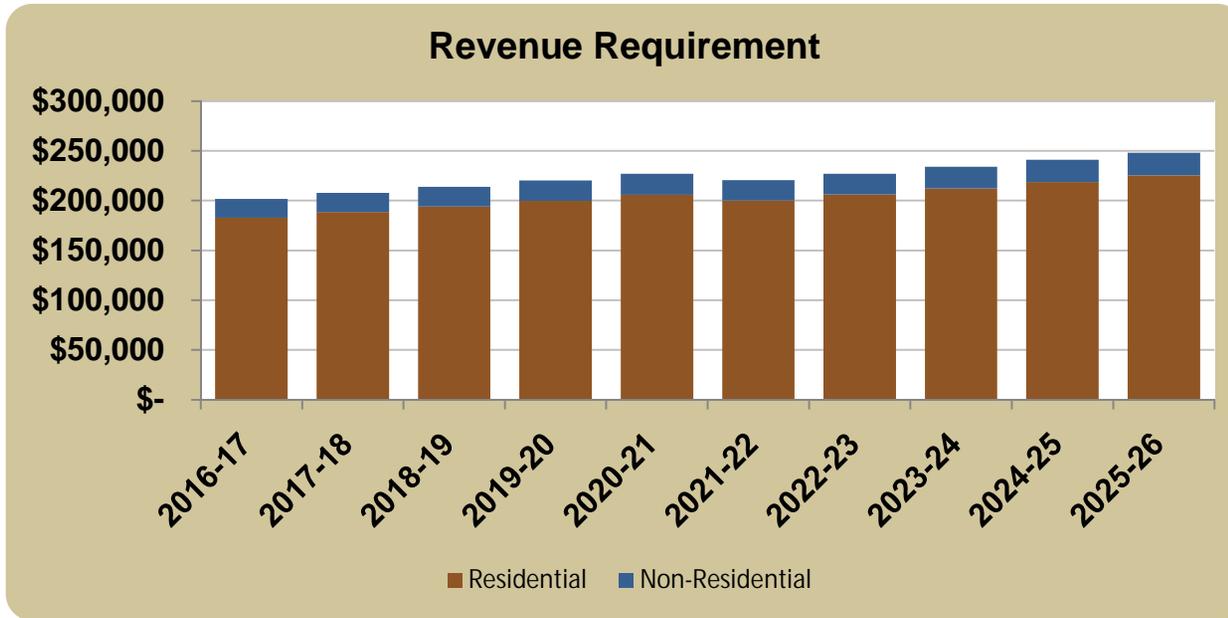
<b>Revenue Requirement: 10-Year Projections</b>	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26
<b>Adjusted cost scenario:</b>										
Deferred Maintenance	\$ 514,457	\$ 536,372	\$ 559,222	\$ 583,045	\$ 607,883	\$ 361,958	\$ 377,378	\$ 393,454	\$ 410,215	\$ 427,690
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 514,457</b>	<b>\$ 536,372</b>	<b>\$ 559,222</b>	<b>\$ 583,045</b>	<b>\$ 607,883</b>	<b>\$ 361,958</b>	<b>\$ 377,378</b>	<b>\$ 393,454</b>	<b>\$ 410,215</b>	<b>\$ 427,690</b>
<b>Allocated costs</b>										
Residential allocation	\$ 466,911	\$ 486,801	\$ 507,539	\$ 529,160	\$ 551,702	\$ 328,506	\$ 342,500	\$ 357,091	\$ 372,303	\$ 388,163
Non-residential allocation	47,546	49,571	51,683	53,885	56,180	33,452	34,877	36,363	37,912	39,527
<b>Total expenditures</b>	<b>\$ 514,457</b>	<b>\$ 536,372</b>	<b>\$ 559,222</b>	<b>\$ 583,045</b>	<b>\$ 607,883</b>	<b>\$ 361,958</b>	<b>\$ 377,378</b>	<b>\$ 393,454</b>	<b>\$ 410,215</b>	<b>\$ 427,690</b>

**Appendix A3: Scenario 3 (Fully Fund CIP Projects) Revenue Requirement**



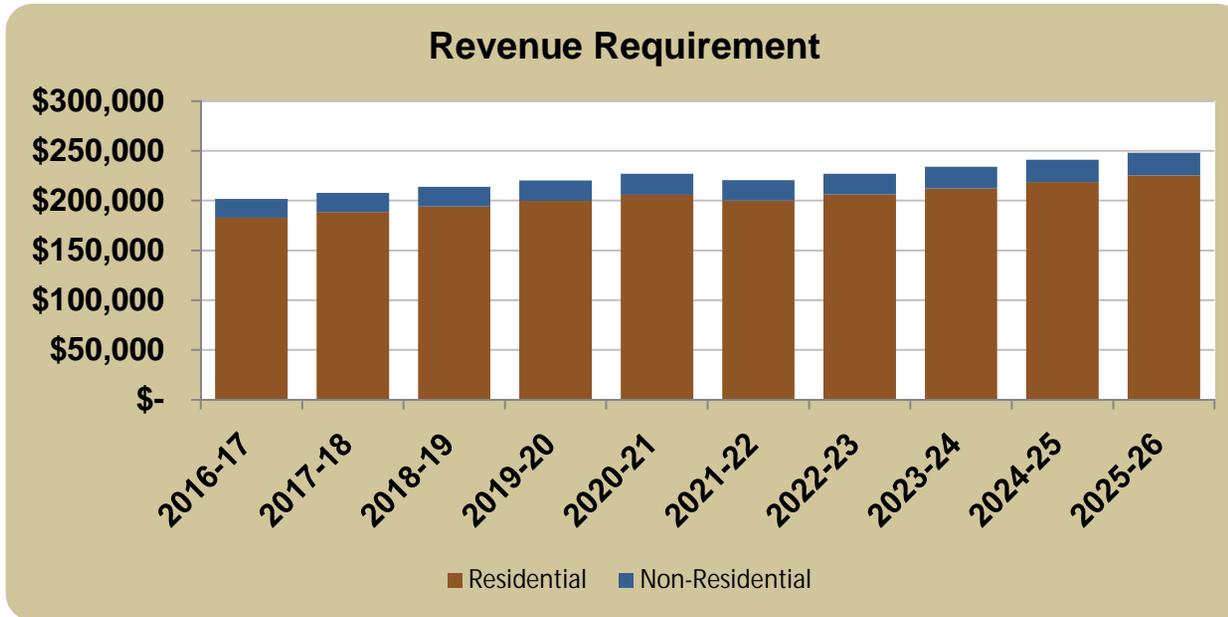
<b>Revenue Requirement: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Adjusted cost scenario:</b>										
Fully Fund CIP Projects	\$ 857,500	\$ 604,150	\$ 1,174,500	\$ -	\$ -	\$ 550,955	\$ 575,748	\$ 601,657	\$ 628,732	\$ 657,025
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 857,500</b>	<b>\$ 604,150</b>	<b>\$ 1,174,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 550,955</b>	<b>\$ 575,748</b>	<b>\$ 601,657</b>	<b>\$ 628,732</b>	<b>\$ 657,025</b>
<b>Allocated costs</b>										
Residential allocation	\$ 778,250	\$ 548,315	\$ 1,065,953	\$ -	\$ -	\$ 500,036	\$ 522,538	\$ 546,052	\$ 570,624	\$ 596,303
Non-residential allocation	79,250	55,835	108,547	-	-	50,919	53,210	55,605	58,107	60,722
<b>Total expenditures</b>	<b>\$ 857,500</b>	<b>\$ 604,150</b>	<b>\$ 1,174,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 550,955</b>	<b>\$ 575,748</b>	<b>\$ 601,657</b>	<b>\$ 628,732</b>	<b>\$ 657,025</b>

**Appendix A4: Scenario 4 (Develop Current Land) Revenue Requirement**



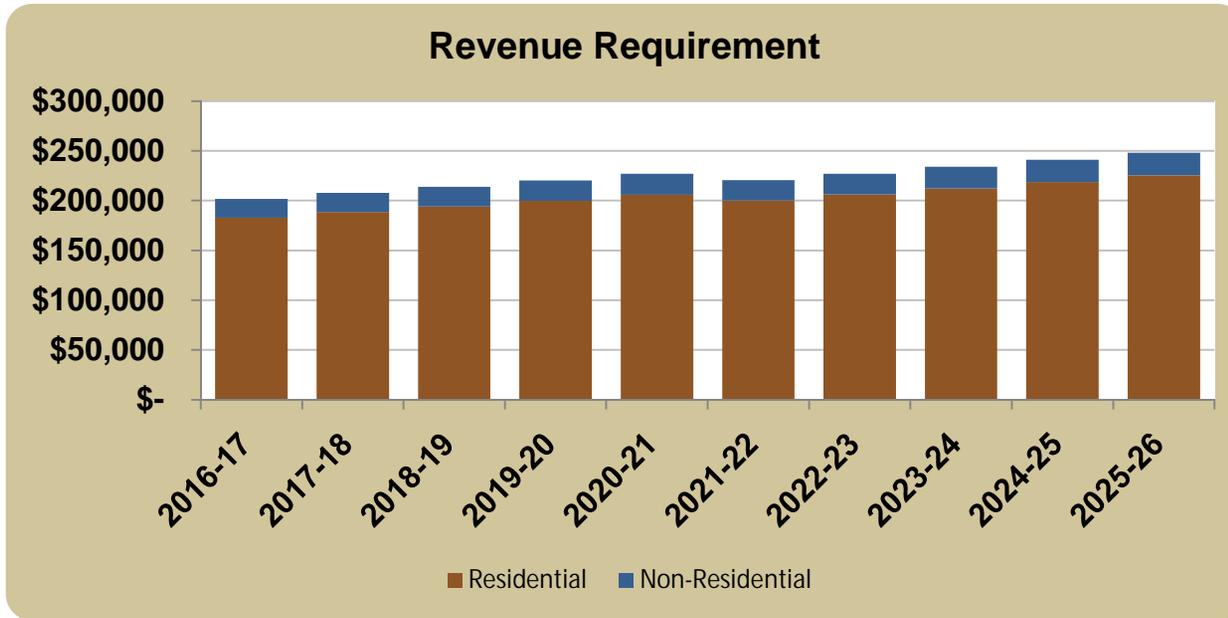
<b>Revenue Requirement: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Adjusted cost scenario:</b>										
Develop Current Land	\$ 203,624	\$ 225,903	\$ 249,379	\$ 274,105	\$ 300,136	\$ 327,532	\$ 356,353	\$ 386,662	\$ 418,524	\$ 452,008
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 203,624</b>	<b>\$ 225,903</b>	<b>\$ 249,379</b>	<b>\$ 274,105</b>	<b>\$ 300,136</b>	<b>\$ 327,532</b>	<b>\$ 356,353</b>	<b>\$ 386,662</b>	<b>\$ 418,524</b>	<b>\$ 452,008</b>
<b>Allocated costs</b>										
Residential allocation	\$ 184,805	\$ 205,025	\$ 226,331	\$ 248,772	\$ 272,398	\$ 297,262	\$ 323,419	\$ 350,927	\$ 379,844	\$ 410,234
Non-residential allocation	18,819	20,878	23,047	25,333	27,738	30,270	32,934	35,735	38,680	41,774
<b>Total expenditures</b>	<b>\$ 203,624</b>	<b>\$ 225,903</b>	<b>\$ 249,379</b>	<b>\$ 274,105</b>	<b>\$ 300,136</b>	<b>\$ 327,532</b>	<b>\$ 356,353</b>	<b>\$ 386,662</b>	<b>\$ 418,524</b>	<b>\$ 452,008</b>

**Appendix A5: Scenario 5 (Develop New Land) Revenue Requirement**



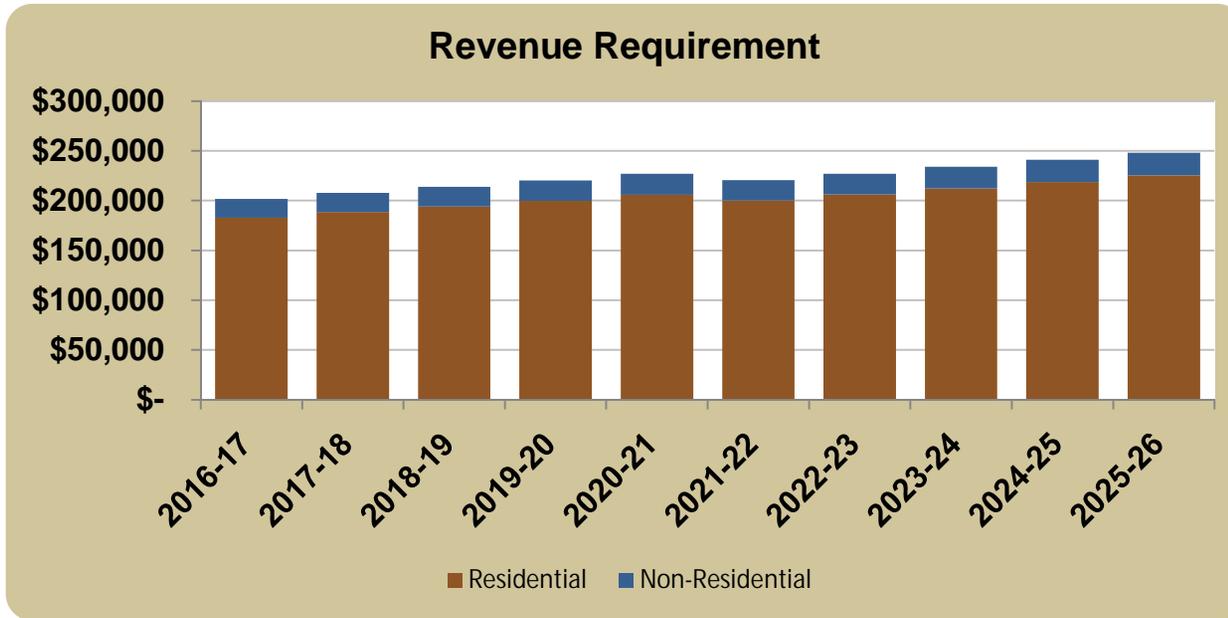
<b>Revenue Requirement: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Adjusted cost scenario:</b>										
Develop New Land	\$ 84,687	\$ 120,155	\$ 157,687	\$ 197,376	\$ 239,316	\$ 283,610	\$ 330,360	\$ 379,674	\$ 431,666	\$ 486,452
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 84,687</b>	<b>\$ 120,155</b>	<b>\$ 157,687</b>	<b>\$ 197,376</b>	<b>\$ 239,316</b>	<b>\$ 283,610</b>	<b>\$ 330,360</b>	<b>\$ 379,674</b>	<b>\$ 431,666</b>	<b>\$ 486,452</b>
<b>Allocated costs</b>										
Residential allocation	\$ 76,861	\$ 109,051	\$ 143,114	\$ 179,134	\$ 217,199	\$ 257,399	\$ 299,828	\$ 344,585	\$ 391,772	\$ 441,494
Non-residential allocation	7,827	11,105	14,573	18,241	22,118	26,211	30,532	35,089	39,894	44,958
<b>Total expenditures</b>	<b>\$ 84,687</b>	<b>\$ 120,155</b>	<b>\$ 157,687</b>	<b>\$ 197,376</b>	<b>\$ 239,316</b>	<b>\$ 283,610</b>	<b>\$ 330,360</b>	<b>\$ 379,674</b>	<b>\$ 431,666</b>	<b>\$ 486,452</b>

**Appendix A6: Scenario 6 (Recreational Programs) Revenue Requirement**



<b>Revenue Requirement: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Adjusted cost scenario:</b>										
Recreational Programs	\$ 153,076	\$ 182,040	\$ 425,845	\$ 519,180	\$ 617,733	\$ 392,478	\$ 405,820	\$ 419,522	\$ 433,592	\$ 448,024
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 153,076</b>	<b>\$ 182,040</b>	<b>\$ 425,845</b>	<b>\$ 519,180</b>	<b>\$ 617,733</b>	<b>\$ 392,478</b>	<b>\$ 405,820</b>	<b>\$ 419,522</b>	<b>\$ 433,592</b>	<b>\$ 448,024</b>
<b>Allocated costs</b>										
Residential allocation	\$ 138,929	\$ 165,216	\$ 386,488	\$ 471,198	\$ 560,643	\$ 356,205	\$ 368,314	\$ 380,750	\$ 393,519	\$ 406,618
Non-residential allocation	14,147	16,824	39,356	47,982	57,091	36,273	37,506	38,772	40,072	41,406
<b>Total expenditures</b>	<b>\$ 153,076</b>	<b>\$ 182,040</b>	<b>\$ 425,845</b>	<b>\$ 519,180</b>	<b>\$ 617,733</b>	<b>\$ 392,478</b>	<b>\$ 405,820</b>	<b>\$ 419,522</b>	<b>\$ 433,592</b>	<b>\$ 448,024</b>

**Appendix A7: Scenario 7 (Special Community Assets) Revenue Requirement**



<b>Revenue Requirement: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Adjusted cost scenario:</b>										
Special Community Assets	\$ 201,627	\$ 207,676	\$ 213,906	\$ 220,323	\$ 226,933	\$ 220,515	\$ 227,131	\$ 233,945	\$ 240,963	\$ 248,192
Manual adjustments	-	-	-	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ 201,627</b>	<b>\$ 207,676</b>	<b>\$ 213,906</b>	<b>\$ 220,323</b>	<b>\$ 226,933</b>	<b>\$ 220,515</b>	<b>\$ 227,131</b>	<b>\$ 233,945</b>	<b>\$ 240,963</b>	<b>\$ 248,192</b>
<b>Allocated costs</b>										
Residential allocation	\$ 182,992	\$ 188,482	\$ 194,137	\$ 199,961	\$ 205,960	\$ 200,136	\$ 206,140	\$ 212,324	\$ 218,694	\$ 225,254
Non-residential allocation	18,634	19,193	19,769	20,362	20,973	20,380	20,991	21,621	22,270	22,938
<b>Total expenditures</b>	<b>\$ 201,627</b>	<b>\$ 207,676</b>	<b>\$ 213,906</b>	<b>\$ 220,323</b>	<b>\$ 226,933</b>	<b>\$ 220,515</b>	<b>\$ 227,131</b>	<b>\$ 233,945</b>	<b>\$ 240,963</b>	<b>\$ 248,192</b>

## APPENDIX B: EQUIVALENT DWELLING UNIT CALCULATIONS AND PROJECTIONS

### Appendix B1: Parks EDU Assumptions and Customer Statistics, City of Tigard (FY 2015-16)

Customer Group	Accounts <sup>1</sup>	Parking Stalls <sup>1</sup>	Jobs Per Stall <sup>2</sup>	DUs per Stall <sup>3</sup>	Occupancy Factor <sup>1</sup>	EDU Factor <sup>4</sup>	EDUs <sup>4</sup>
Commercial	916	40,309	0.76		0.995	15	2,029
Industrial	13	718	1.19		1.000	15	57
Multifamily	587	7,433		1.05	0.942	1.0	7,373
Single Family	13,222	13,222		1.00	0.992	1.0	13,114
<b>TOTAL</b>							
<b>Commercial &amp; Industrial</b>	929						<b>2,086</b>
<b>Residential</b>	13,809						<b>20,487</b>

Notes

<sup>1</sup> Derived from City of Tigard, Street Maintenance Fee customer data.

<sup>2</sup> Calculated based on current estimated jobs (Oregon Employment Department and local business survey data for Tigard).

<sup>3</sup> Calculated based on current estimated dwellings (American Community Survey, 2013 data for City of Tigard)

<sup>4</sup> EDU = equivalent dwelling unit. **Note:** Non-residential ERUs calculated by dividing the number of jobs in Tigard (40,746 based on data gathered for the parks SDC methodology) by a conversion factor of 15 employees per EDU (based on calculations in the Tigard Parks and Trails SDC Methodology Report, 2015).

Compiled by FCS GROUP.

### Appendix B2: 10-Year EDU Projections (All Scenarios)

EDUs: 10-Year Projections	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26
Residential, single-family	13,173	13,232	13,292	13,352	13,412	13,472	13,533	13,594	13,655	13,716
Residential, multi-family	7,406	7,440	7,473	7,507	7,540	7,574	7,608	7,643	7,677	7,712
Non-residential, commercial	2,038	2,048	2,057	2,066	2,075	2,085	2,094	2,103	2,113	2,122
Non-residential, industrial	57	58	58	58	58	59	59	59	59	60
<b>Total</b>	<b>22,675</b>	<b>22,777</b>	<b>22,879</b>	<b>22,982</b>	<b>23,086</b>	<b>23,190</b>	<b>23,294</b>	<b>23,399</b>	<b>23,504</b>	<b>23,610</b>

## APPENDIX C: 10-YEAR RATE PROJECTION

### Appendix C1: 10-Year Rate Projections

Rate Calculation: 10-Year Projections	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26
<b>Required annual revenue per EDU</b>										
Residential	\$ 98.17	\$ 101.89	\$ 105.76	\$ 109.80	\$ 114.00	\$ 118.38	\$ 122.95	\$ 127.72	\$ 132.68	\$ 137.86
Non-residential	\$ 98.17	\$ 101.89	\$ 105.76	\$ 109.80	\$ 114.00	\$ 118.38	\$ 122.95	\$ 127.72	\$ 132.68	\$ 137.86
<b>Monthly rate per EDU</b>										
Residential	\$ 8.18	\$ 8.49	\$ 8.81	\$ 9.15	\$ 9.50	\$ 9.87	\$ 10.25	\$ 10.64	\$ 11.06	\$ 11.49
Non-residential	\$ 8.18	\$ 8.49	\$ 8.81	\$ 9.15	\$ 9.50	\$ 9.87	\$ 10.25	\$ 10.64	\$ 11.06	\$ 11.49
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 8.35	\$ 8.35	\$ 9.00	\$ 9.00	\$ 9.70	\$ 9.70	\$ 10.47	\$ 10.47	\$ 11.30	\$ 11.30
Non-residential	\$ 8.35	\$ 8.35	\$ 9.00	\$ 9.00	\$ 9.70	\$ 9.70	\$ 10.47	\$ 10.47	\$ 11.30	\$ 11.30
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 8.91	\$ 8.91	\$ 8.91	\$ 8.91	\$ 8.91	\$ 10.76	\$ 10.76	\$ 10.76	\$ 10.76	\$ 10.76
Non-residential	\$ 8.91	\$ 8.91	\$ 8.91	\$ 8.91	\$ 8.91	\$ 10.76	\$ 10.76	\$ 10.76	\$ 10.76	\$ 10.76
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96
Non-residential	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96	\$ 9.96

### Appendix C2: Scenario 2 (Deferred Maintenance) 10-Year Rate Projections

Rate Calculation: 10-Year Projections	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26
<b>Required annual revenue per EDU</b>										
Residential	\$ 52.02	\$ 13.46	\$ 20.83	\$ 12.64	\$ 13.83	\$ 11.01	\$ 15.90	\$ 18.42	\$ 21.64	\$ 10.35
Non-residential	\$ 52.02	\$ 13.46	\$ 20.83	\$ 12.64	\$ 13.83	\$ 11.01	\$ 15.90	\$ 18.42	\$ 21.64	\$ 10.35
<b>Monthly rate per EDU</b>										
Residential	\$ 4.33	\$ 1.12	\$ 1.74	\$ 1.05	\$ 1.15	\$ 0.92	\$ 1.32	\$ 1.54	\$ 1.80	\$ 0.86
Non-residential	\$ 4.33	\$ 1.12	\$ 1.74	\$ 1.05	\$ 1.15	\$ 0.92	\$ 1.32	\$ 1.54	\$ 1.80	\$ 0.86
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 2.73	\$ 2.73	\$ 1.40	\$ 1.40	\$ 1.04	\$ 1.04	\$ 1.43	\$ 1.43	\$ 1.33	\$ 1.33
Non-residential	\$ 2.73	\$ 2.73	\$ 1.40	\$ 1.40	\$ 1.04	\$ 1.04	\$ 1.43	\$ 1.43	\$ 1.33	\$ 1.33
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.30	\$ 1.30	\$ 1.30	\$ 1.30	\$ 1.30
Non-residential	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.89	\$ 1.30	\$ 1.30	\$ 1.30	\$ 1.30	\$ 1.30
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61
Non-residential	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61	\$ 1.61

**Appendix C3: Scenario 3 (Fully Fund CIP Projects) 10-Year Rate Projections**

<b>Rate Calculation: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Required annual revenue per EDU</b>										
Residential	\$ 37.82	\$ 26.52	\$ 51.33	\$ -	\$ -	\$ 23.76	\$ 24.72	\$ 25.71	\$ 26.75	\$ 27.83
Non-residential	\$ 37.82	\$ 26.52	\$ 51.33	\$ -	\$ -	\$ 23.76	\$ 24.72	\$ 25.71	\$ 26.75	\$ 27.83
<b>Monthly rate per EDU</b>										
Residential	\$ 3.15	\$ 2.21	\$ 4.28	\$ -	\$ -	\$ 1.98	\$ 2.06	\$ 2.14	\$ 2.23	\$ 2.32
Non-residential	\$ 3.15	\$ 2.21	\$ 4.28	\$ -	\$ -	\$ 1.98	\$ 2.06	\$ 2.14	\$ 2.23	\$ 2.32
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 2.69	\$ 2.69	\$ 2.14	\$ 2.14	\$ 0.99	\$ 0.99	\$ 2.11	\$ 2.11	\$ 2.28	\$ 2.28
Non-residential	\$ 2.69	\$ 2.69	\$ 2.14	\$ 2.14	\$ 0.99	\$ 0.99	\$ 2.11	\$ 2.11	\$ 2.28	\$ 2.28
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 1.94	\$ 1.94	\$ 1.94	\$ 1.94	\$ 1.94	\$ 2.17	\$ 2.17	\$ 2.17	\$ 2.17	\$ 2.17
Non-residential	\$ 1.94	\$ 1.94	\$ 1.94	\$ 1.94	\$ 1.94	\$ 2.17	\$ 2.17	\$ 2.17	\$ 2.17	\$ 2.17
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08
Non-residential	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08	\$ 2.08

**Appendix C4: Scenario 4 (Develop Current Land) 10-Year Rate Projections**

<b>Rate Calculation: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Required annual revenue per EDU</b>										
Residential	\$ 8.98	\$ 9.92	\$ 10.90	\$ 11.93	\$ 13.00	\$ 14.12	\$ 15.30	\$ 16.52	\$ 17.81	\$ 19.14
Non-residential	\$ 8.98	\$ 9.92	\$ 10.90	\$ 11.93	\$ 13.00	\$ 14.12	\$ 15.30	\$ 16.52	\$ 17.81	\$ 19.14
<b>Monthly rate per EDU</b>										
Residential	\$ 0.75	\$ 0.83	\$ 0.91	\$ 0.99	\$ 1.08	\$ 1.18	\$ 1.27	\$ 1.38	\$ 1.48	\$ 1.60
Non-residential	\$ 0.75	\$ 0.83	\$ 0.91	\$ 0.99	\$ 1.08	\$ 1.18	\$ 1.27	\$ 1.38	\$ 1.48	\$ 1.60
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 0.79	\$ 0.79	\$ 0.95	\$ 0.95	\$ 1.13	\$ 1.13	\$ 1.33	\$ 1.33	\$ 1.54	\$ 1.54
Non-residential	\$ 0.79	\$ 0.79	\$ 0.95	\$ 0.95	\$ 1.13	\$ 1.13	\$ 1.33	\$ 1.33	\$ 1.54	\$ 1.54
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 0.92	\$ 0.92	\$ 0.92	\$ 0.92	\$ 0.92	\$ 1.40	\$ 1.40	\$ 1.40	\$ 1.40	\$ 1.40
Non-residential	\$ 0.92	\$ 0.92	\$ 0.92	\$ 0.92	\$ 0.92	\$ 1.40	\$ 1.40	\$ 1.40	\$ 1.40	\$ 1.40
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17
Non-residential	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17	\$ 1.17

**Appendix C5: Scenario 5 (Develop New Land) 10-Year Rate Projections**

<b>Rate Calculation: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Required annual revenue per EDU</b>										
Residential	\$ 3.73	\$ 5.28	\$ 6.89	\$ 8.59	\$ 10.37	\$ 12.23	\$ 14.18	\$ 16.23	\$ 18.37	\$ 20.60
Non-residential	\$ 3.73	\$ 5.28	\$ 6.89	\$ 8.59	\$ 10.37	\$ 12.23	\$ 14.18	\$ 16.23	\$ 18.37	\$ 20.60
<b>Monthly rate per EDU</b>										
Residential	\$ 0.31	\$ 0.44	\$ 0.57	\$ 0.72	\$ 0.86	\$ 1.02	\$ 1.18	\$ 1.35	\$ 1.53	\$ 1.72
Non-residential	\$ 0.31	\$ 0.44	\$ 0.57	\$ 0.72	\$ 0.86	\$ 1.02	\$ 1.18	\$ 1.35	\$ 1.53	\$ 1.72
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 0.38	\$ 0.38	\$ 0.65	\$ 0.65	\$ 0.94	\$ 0.94	\$ 1.27	\$ 1.27	\$ 1.63	\$ 1.63
Non-residential	\$ 0.38	\$ 0.38	\$ 0.65	\$ 0.65	\$ 0.94	\$ 0.94	\$ 1.27	\$ 1.27	\$ 1.63	\$ 1.63
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 0.59	\$ 0.59	\$ 0.59	\$ 0.59	\$ 0.59	\$ 1.37	\$ 1.37	\$ 1.37	\$ 1.37	\$ 1.37
Non-residential	\$ 0.59	\$ 0.59	\$ 0.59	\$ 0.59	\$ 0.59	\$ 1.37	\$ 1.37	\$ 1.37	\$ 1.37	\$ 1.37
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00
Non-residential	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00

**Appendix C6: Scenario 6 (Recreational Programs) 10-Year Rate Projections**

<b>Rate Calculation: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Required annual revenue per EDU</b>										
Residential	\$ 6.75	\$ 7.99	\$ 18.61	\$ 22.59	\$ 26.76	\$ 16.92	\$ 17.42	\$ 17.93	\$ 18.45	\$ 18.98
Non-residential	\$ 6.75	\$ 7.99	\$ 18.61	\$ 22.59	\$ 26.76	\$ 16.92	\$ 17.42	\$ 17.93	\$ 18.45	\$ 18.98
<b>Monthly rate per EDU</b>										
Residential	\$ 0.56	\$ 0.67	\$ 1.55	\$ 1.88	\$ 2.23	\$ 1.41	\$ 1.45	\$ 1.49	\$ 1.54	\$ 1.58
Non-residential	\$ 0.56	\$ 0.67	\$ 1.55	\$ 1.88	\$ 2.23	\$ 1.41	\$ 1.45	\$ 1.49	\$ 1.54	\$ 1.58
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 0.62	\$ 0.62	\$ 1.72	\$ 1.72	\$ 1.82	\$ 1.82	\$ 1.48	\$ 1.48	\$ 1.56	\$ 1.56
Non-residential	\$ 0.62	\$ 0.62	\$ 1.72	\$ 1.72	\$ 1.82	\$ 1.82	\$ 1.48	\$ 1.48	\$ 1.56	\$ 1.56
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 1.39	\$ 1.39	\$ 1.39	\$ 1.39	\$ 1.39	\$ 1.51	\$ 1.51	\$ 1.51	\$ 1.51	\$ 1.51
Non-residential	\$ 1.39	\$ 1.39	\$ 1.39	\$ 1.39	\$ 1.39	\$ 1.51	\$ 1.51	\$ 1.51	\$ 1.51	\$ 1.51
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47
Non-residential	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47	\$ 1.47

**Appendix C7: Scenario 7 (Special Community Assets) 10-Year Rate Projections**

<b>Rate Calculation: 10-Year Projections</b>	<b>Fiscal Year 2016-17</b>	<b>Fiscal Year 2017-18</b>	<b>Fiscal Year 2018-19</b>	<b>Fiscal Year 2019-20</b>	<b>Fiscal Year 2020-21</b>	<b>Fiscal Year 2021-22</b>	<b>Fiscal Year 2022-23</b>	<b>Fiscal Year 2023-24</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>
<b>Required annual revenue per EDU</b>										
Residential	\$ 8.89	\$ 9.12	\$ 9.35	\$ 9.59	\$ 9.83	\$ 9.51	\$ 9.75	\$ 10.00	\$ 10.25	\$ 10.51
Non-residential	\$ 8.89	\$ 9.12	\$ 9.35	\$ 9.59	\$ 9.83	\$ 9.51	\$ 9.75	\$ 10.00	\$ 10.25	\$ 10.51
<b>Monthly rate per EDU</b>										
Residential	\$ 0.74	\$ 0.76	\$ 0.78	\$ 0.80	\$ 0.82	\$ 0.79	\$ 0.81	\$ 0.83	\$ 0.85	\$ 0.88
Non-residential	\$ 0.74	\$ 0.76	\$ 0.78	\$ 0.80	\$ 0.82	\$ 0.79	\$ 0.81	\$ 0.83	\$ 0.85	\$ 0.88
<b>Two-year monthly rate per EDU</b>										
Residential	\$ 0.75	\$ 0.75	\$ 0.79	\$ 0.79	\$ 0.81	\$ 0.81	\$ 0.82	\$ 0.82	\$ 0.87	\$ 0.87
Non-residential	\$ 0.75	\$ 0.75	\$ 0.79	\$ 0.79	\$ 0.81	\$ 0.81	\$ 0.82	\$ 0.82	\$ 0.87	\$ 0.87
<b>Five-year monthly rate per EDU</b>										
Residential	\$ 0.79	\$ 0.79	\$ 0.79	\$ 0.79	\$ 0.79	\$ 0.84	\$ 0.84	\$ 0.84	\$ 0.84	\$ 0.84
Non-residential	\$ 0.79	\$ 0.79	\$ 0.79	\$ 0.79	\$ 0.79	\$ 0.84	\$ 0.84	\$ 0.84	\$ 0.84	\$ 0.84
<b>Ten-year monthly rate per EDU</b>										
Residential	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82
Non-residential	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82	\$ 0.82

## APPENDIX D: TIGARD PARKS UTILITY COST ASSUMPTIONS BY SCENARIO

### Appendix D1: Scenario 2 (Deferred Maintenance) Associated Costs

2. Deferred Parks Maintenance	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026		
Year Needing Replacement	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26	Inflation Notes	Escalation
Parks Equipment	\$207,800	\$31,000	\$102,000	\$10,000	\$79,500	\$15,000	\$22,000	\$117,000	\$55,000	\$0	Materials & Services	3.00%
Parks Asset Inventory	\$602,300	\$35,000	\$138,500	\$25,000	\$25,000	\$25,000	\$95,000	\$42,000	\$137,000	\$0	Capital	4.50%
Parks Facilities Rent (depreciation)	\$31,751	\$31,751	\$31,751	\$31,751	\$31,751	\$31,751	\$31,751	\$31,751	\$31,751	\$31,751	Capital	4.50%
Parks Trails (low end estimate)	\$125,588	\$125,588	\$125,588	\$125,588	\$125,588	\$125,588	\$125,588	\$125,588	\$125,588	\$125,588	Capital	4.50%
Parks Vehicles Replacement	\$166,682	\$59,902	\$25,298	\$54,873	\$0	\$0	\$0	\$0	\$0	\$0	Materials & Services	3.00%
<b>Total - Real Costs</b>	<b>\$1,134,121</b>	<b>\$283,241</b>	<b>\$423,137</b>	<b>\$247,212</b>	<b>\$261,839</b>	<b>\$197,339</b>	<b>\$274,339</b>	<b>\$316,339</b>	<b>\$349,339</b>	<b>\$157,339</b>		
Total - Nominal Costs	\$1,179,539	\$306,463	\$476,641	\$290,388	\$319,251	\$255,309	\$370,340	\$431,111	\$508,687	\$244,343		
<b>Nominal Average, Initial 5 Years</b>	<b>\$514,457</b>											

Source: City of Tigard, compiled by FCS GROUP

### Appendix D2: Scenario 3 (Fully Fund CIP Projects) Associated Costs

3. Identified Capital Improvement Projects (excludes bond proceeds and parks SDC funds)	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26	Inflation	Inflation
<b>CIP Expenses</b>												
Internal Expenses	\$282,500	\$135,900	\$140,600	\$0	\$0							
External Expenses	\$3,410,000	\$3,100,250	\$1,433,900	\$150,000	\$150,000							
<b>Total Expenses</b>	<b>\$3,692,500</b>	<b>\$3,236,150</b>	<b>\$1,574,500</b>	<b>\$150,000</b>	<b>\$150,000</b>							
<b>CIP Identified Revenues</b>												
Bonds/SDCs	\$817,440	\$1,072,000	\$250,000	\$0	\$0							
Transfers from enterprise funds	\$97,560	\$0	\$0	\$0	\$0							
Transfers from transp CIP fund	\$0	\$0	\$1,174,500	\$0	\$0							
Regional Flexible Funds	\$1,670,000	\$1,410,000	\$0	\$0	\$0							
Transfers from parks capital fund	\$857,500	\$604,150	\$0	\$0	\$0							
Transfers from other funds (urban forestry)	\$250,000	\$150,000	\$150,000	\$150,000	\$150,000							
Transfers from other funds (general fund)	\$0	\$0	\$0	\$0	\$0							
<b>Total Revenues</b>	<b>\$3,692,500</b>	<b>\$3,236,150</b>	<b>\$1,574,500</b>	<b>\$150,000</b>	<b>\$150,000</b>							
<b>Costs Included in the Utility Fee</b>												
Transfers from Urban Forestry Fund	\$857,500	\$604,150	\$1,174,500	\$0	\$0						Capital	4.50%
<b>Total - Real Costs</b>	<b>\$857,500</b>	<b>\$604,150</b>	<b>\$1,174,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$527,230</b>	<b>\$527,230</b>	<b>\$527,230</b>	<b>\$527,230</b>	<b>\$527,230</b>		
Total - Nominal Costs	\$857,500	\$604,150	\$1,174,500	\$0	\$0	\$550,955	\$575,748	\$601,657	\$628,732	\$657,025		
<b>Nominal Average Over Years</b>	<b>\$565,027</b>											

Source: City of Tigard, compiled by FCS GROUP

### Appendix D3: Scenario 4 (Develop Current Land) Associated Costs

4. Development of Current Parks Land Inventory	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26	Inflation Notes	Inflation
Annual Capital Costs	\$182,490	\$182,490	\$182,490	\$182,490	\$182,490	\$182,490	\$182,490	\$182,490	\$182,490	\$182,490	Capital	4.50%
Annual O&M Costs	\$12,546	\$25,092	\$37,638	\$50,184	\$62,730	\$75,276	\$87,822	\$100,368	\$112,914	\$125,460	Materials & Services	3.00%
<b>Total - Real Costs</b>	<b>\$195,036</b>	<b>\$207,582</b>	<b>\$220,128</b>	<b>\$232,674</b>	<b>\$245,220</b>	<b>\$257,766</b>	<b>\$270,312</b>	<b>\$282,858</b>	<b>\$295,404</b>	<b>\$307,950</b>		
Total - Nominal Costs	\$203,624	\$225,903	\$249,379	\$274,105	\$300,136	\$327,532	\$356,353	\$386,662	\$418,524	\$452,008		
<b>Nominal Average Over Years</b>	<b>\$319,423</b>											

Source: City of Tigard, compiled by FCS GROUP

Note: This analysis excludes bond proceeds and parks SDC funds.

**Appendix D4: Scenario 5 (Develop New Land) Associated Costs**

5. Development of New Parks on Land Not Yet Acquired												
	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26	Inflation Notes	Inflation
Annual Capital Costs	\$51,194	\$51,194	\$51,194	\$51,194	\$51,194	\$51,194	\$51,194	\$51,194	\$51,194	\$51,194	Capital	4.50%
Annual O&M Costs	\$30,281	\$60,562	\$90,842	\$121,123	\$151,404	\$181,685	\$211,966	\$242,246	\$272,527	\$302,808	Materials & Services	3.00%
Total - Real Costs	\$81,475	\$111,756	\$142,037	\$172,318	\$202,598	\$232,879	\$263,160	\$293,441	\$323,722	\$354,002		
Total - Nominal Costs	\$84,687	\$120,155	\$157,687	\$197,376	\$239,316	\$283,610	\$330,360	\$379,674	\$431,666	\$486,452		
Nominal Average Over Years	\$271,098											

Source: City of Tigard, compiled by FCS GROUP

Note: This analysis excludes bond proceeds and parks SDC funds.

**Appendix D5: Scenario 6 (Recreational Programs) Associated Costs**

6. Introduction of Recreational Programs												
Year of Implementation	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26	Inflation Notes	Inflation
Recreation Staffing - 1 FTE first two years; 2 FTE in all following years	\$135,000	\$135,000	\$230,000	\$230,000	\$230,000						Personnel Services	4.00%
Professional Services - Recreation Guide Equipment & Technology - Online Reservation System	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000						Materials & Services	3.00%
City Investment - Grants, Scholarships, and Pilot Programs	\$0	\$0	\$100,000	\$200,000	\$300,000						Materials & Services	3.00%
Program Revenue	\$56,000	\$87,500	\$200,000	\$200,000	\$200,000						Materials & Services	3.00%
	(\$63,300)	(\$72,750)	(\$165,000)	(\$195,000)	(\$225,000)							
Total - Real Costs	\$147,700	\$169,750	\$385,000	\$455,000	\$525,000	\$336,490	\$336,490	\$336,490	\$336,490	\$336,490		
Total - Nominal Costs	\$153,076	\$182,040	\$425,845	\$519,180	\$617,733	\$392,478	\$405,820	\$419,522	\$433,592	\$448,024		
Nominal Average Over Years	\$399,731											

Source: City of Tigard, Recreation Program Study, March 2015; compiled by FCS GROUP

**Appendix D6: Scenario 7 (Special Community Assets) Associated Costs**

7. Inclusion of Special Community Assets												
	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Fiscal Year 2025-26	Inflation Notes	Inflation
Arts and Cultural Program Costs	\$95,754	\$95,754	\$95,754	\$95,754	\$95,754						Materials & Services	3.00%
Stormwater Program Costs	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000						Materials & Services	3.00%
Total - Real Costs	\$195,754	\$195,754	\$195,754	\$195,754	\$195,754	\$195,754	\$195,754	\$195,754	\$195,754	\$195,754		
Total - Nominal Costs	\$201,627	\$207,676	\$213,906	\$220,323	\$226,933	\$220,515	\$227,131	\$233,945	\$240,963	\$248,192		
Nominal Average Over Years	\$224,121											

Source: City of Tigard and FCS GROUP.

# APPENDIX E: TIGARD PARKS UTILITY SCENARIO COST ASSUMPTIONS

## Appendix E1: O&M current and estimated future costs

Estimated O/M Costs for Current & Future Park Development							
	Neighborhood & Pocket Parks	Community Parks	Linear Parks	Open Space	Trails	Total	Avg Net New Cost at end of each 5 year cycle
<b>Operations and Maintenance Costs</b>							
Costs per Acre	\$ 4,400	\$ 7,880	\$ 645	\$ 705	\$ 4,450		
Costs per Mile					\$ 10,900		
<b>Cost per Park Type</b>							
Current developed acres	53.0 ac	191.1 ac	23.1 ac	252.9 ac	4.6 ac	524.7	
Total O&M Costs	\$ 233,376	\$ 1,506,026	\$ 14,867	\$ 178,302	\$ 20,470	\$ 1,953,040	
Development of undeveloped parks and trails	23.0 ac	19.0 ac	0.0 ac	0.0 ac	0.0 ac	42.0	
Total O&M Costs	\$ 101,200	\$ 149,720	\$ -	\$ -	\$ -	\$ 250,920	\$ 62,730
Additional acres to acquire and develop	34.1 ac	42.1 ac	37.0 ac	66.1 ac	4.9 mi	184.2	
Total O&M Costs	\$ 149,821	\$ 331,753	\$ 23,892	\$ 46,631	\$ 53,519	\$ 605,616	\$ 151,404

Source: City of Tigard, compiled by Conservationtechnix; and FCS GROUP.

Existing Park Inventory (Acres) by Type & Development Level					
	Level 1	Level 2	Level 3	Level 4	Subtotal
Community	104.8	52.92	19.4		177.12
Neighborhood	18.86	29.12	9.43	2.77	60.18
Pocket	0.61				0.61
Open Space			102.14	178.37	280.51
Linear Park			5.13	17.92	23.05
Special Properties	18.15	0.13	0.18		18.46
Trails		4.6			4.6
Subtotal	142.42	86.77	136.28	199.06	564.53

Note: Level 1 is highest maintenance level; Level 4 is lowest

Source: City of Tigard, compiled by Conservationtechnix.

Estimated O/M Cost Percentages by Type & Development Level (Existing Invento		
By Development Level		
L1	62%	87%
L2	25%	
L3	7%	
L4	6%	
By Park Classification		
Community	72%	85%
Neighborhood	13%	
Pocket	0%	
Open Space	10%	
Linear Park	1%	
Special Properties	3%	
Trails	1%	

Estimated O/M Costs per Acre by Classification		
	Estimated	Rounded
Community	\$ 7,878	\$ 7,880
Neighborhood & Pocket	\$ 4,341	\$ 4,400
Open Space	\$ 705	\$ 705
Linear Park	\$ 645	\$ 645
Special Properties	\$ 2,877	\$ 2,880
Trails (per acre)	\$ 4,450	\$ 4,450
Trails (per mile)	\$ 10,900	\$ 10,900

Source: Conservationtechnix.

### Appendix E2: Identified Capital Improvement Projects

Fiscal Year Ending 6/30:	2015	2016	2017	2018	2019	2020	2021
<b>92013 - Fanno Creek Remeander</b>							
Revenues							
Bonds/SDCs	\$0	\$0	\$145,000	\$752,000	\$250,000	\$0	\$0
Expenses							
Internal Expenses	\$0	\$0	\$25,000	\$45,000	\$90,000	\$0	\$0
External Expenses	\$0	\$0	\$120,000	\$707,000	\$160,000	\$0	\$0
<b>92016 - Dirksen Nature Park</b>							
Revenues							
Bonds/SDCs	\$375,000	\$295,593	\$0	\$0	\$0	\$0	\$0
Transfers from enterprise funds	\$12,000	\$165,000	\$0	\$0	\$0	\$0	\$0
Transfers from other funds (urban forestry)	\$100,000	\$100,000	\$100,000	\$0	\$0	\$0	\$0
Transfers from parks capital fund	\$0	\$0	\$857,500	\$604,150	\$0	\$0	\$0
Transfers from transp CIP fund	\$0	\$0	\$0	\$0	\$1,174,500	\$0	\$0
Expenses							
Internal Expenses	\$77,000	\$55,393	\$57,500	\$40,900	\$50,600	\$0	\$0
External Expenses	\$410,000	\$505,200	\$900,000	\$563,250	\$1,123,900	\$0	\$0
<b>92017 - Tree Canopy Replacement Program</b>							
Revenues							
Transfers from other funds (urban forestry)	\$0	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Expenses							
Internal Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
External Expenses	\$0	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
<b>92026 - Park Land Acquisition</b>							
Revenues							
Bonds/SDCs	\$4,004	\$885,649	\$0	\$0	\$0	\$0	\$0
Expenses							
Internal Expenses	\$4,004	\$0	\$0	\$0	\$0	\$0	\$0
External Expenses	\$0	\$885,649	\$0	\$0	\$0	\$0	\$0
<b>92028 - Downtown Land Acquisition</b>							
Revenues							
Bonds/SDCs	\$530,000	\$770,000	\$0	\$0	\$0	\$0	\$0
Expenses							
Internal Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
External Expenses	\$530,000	\$770,000	\$0	\$0	\$0	\$0	\$0
<b>92034 - Tigard Street Trail and Public Space (Main St. to Tiedeman Ave./Tigard St.)</b>							
Revenues							
Bonds/SDCs	\$15,000	\$10,000	\$0	\$0	\$0	\$0	\$0
Transfers from other funds (general fund)	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0
Expenses							
Internal Expenses	\$35,000	\$10,000	\$0	\$0	\$0	\$0	\$0
External Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>92035 - City of Tigard/Tigard-Tualatin School District Park Development</b>							
Revenues							
Bonds/SDCs	\$0	\$135,000	\$0	\$0	\$0	\$0	\$0
Expenses							
Internal Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
External Expenses	\$0	\$135,000	\$0	\$0	\$0	\$0	\$0
<b>92037 - Damaged Tree Replacement Program</b>							
Revenues							
Transfers from other funds (urban forestry)	\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Expenses							
Internal Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
External Expenses	\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
<b>92046 - Fanno Creek Trail Connection (RFFA Grant)</b>							
Revenues							
Bonds/SDCs	\$5,000	\$420,000	\$672,440	\$320,000	\$0	\$0	\$0
Transfers from enterprise funds	\$5,000	\$200,000	\$97,560	\$0	\$0	\$0	\$0
Regional Flexible Funds	\$0	\$0	\$1,670,000	\$1,410,000	\$0	\$0	\$0
Expenses							
Internal Expenses	\$10,000	\$169,107	\$200,000	\$50,000	\$0	\$0	\$0
External Expenses	\$0	\$450,893	\$2,240,000	\$1,680,000	\$0	\$0	\$0
<b>Total</b>							
Revenues							
Bonds/SDCs	\$929,004	\$2,516,242	\$817,440	\$1,072,000	\$250,000	\$0	\$0
Transfers from enterprise funds	\$17,000	\$365,000	\$97,560	\$0	\$0	\$0	\$0
Transfers from transp CIP fund	\$0	\$0	\$0	\$0	\$1,174,500	\$0	\$0
Regional Flexible Funds	\$0	\$0	\$1,670,000	\$1,410,000	\$0	\$0	\$0
Transfers from parks capital fund	\$0	\$0	\$857,500	\$604,150	\$0	\$0	\$0
Transfers from other funds (urban forestry)	\$100,000	\$250,000	\$250,000	\$150,000	\$150,000	\$150,000	\$150,000
Transfers from other funds (general fund)	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0
Total Revenues	\$1,066,004	\$3,131,242	\$3,692,500	\$3,236,150	\$1,574,500	\$150,000	\$150,000
Expenses							
Internal Expenses	\$126,004	\$234,500	\$282,500	\$135,900	\$140,600	\$0	\$0
External Expenses	\$940,000	\$2,896,742	\$3,410,000	\$3,100,250	\$1,433,900	\$150,000	\$150,000
Total Expenses	\$1,066,004	\$3,131,242	\$3,692,500	\$3,236,150	\$1,574,500	\$150,000	\$150,000

Source: City of Tigard, compiled by FCS GROUP

**Appendix E3: Development of Current Parks Land Inventory & Addition of New Parks**

	Timing	City Cost for Land	Non-SDC Funded Portion	PARC-Eligible Costs	City Cost for Development	Non-SDC Funded Portion	PARC-Eligible Costs	Scenario 4 Eligible - Dev of Current Parks	Scenario 5 Eligible - Addition of new Parks
<b>Neighborhood/pocket parks:</b>									
<b>Total Land/Development</b>		<b>34.05</b>			<b>57.05</b>			<b>2.28</b>	<b>25.28</b>
Bonita Park	0-10 years	\$0	6.68%	\$0	\$75,000	44.30%	\$33,229	\$33,229	\$0
Metzger Elementary School	5-15 years	\$0	6.68%	\$0	\$437,000	44.30%	\$193,612	\$193,612	\$0
Northview Park	5-15 years	\$0	6.68%	\$0	\$367,000	44.30%	\$162,599	\$162,599	\$0
Proposed Local Park (P12)	5-15 years	\$549,840	6.68%	\$36,754	\$927,000	44.30%	\$410,706	\$0	\$447,460
Proposed Local Park (P9)	5-15 years	\$1,202,775	6.68%	\$80,399	\$927,000	44.30%	\$410,706	\$0	\$491,105
Future Neighborhood Park	10+ years	\$4,811,100	6.68%	\$321,595	\$2,947,800	44.30%	\$1,306,019	\$0	\$1,627,614
River Terrace Parks	1-20 years	\$3,752,000	6.68%	\$250,800	\$2,216,375	44.30%	\$981,962	\$0	\$1,232,762
<b>Total neighborhood/pocket parks</b>								<b>\$389,440</b>	<b>\$3,798,942</b>
<b>Community parks:</b>									
<b>Total Land/Development</b>		<b>42.10</b>			<b>61.10</b>			<b>0.00</b>	<b>0.00</b>
Sunrise Community Park	0-10 years	\$0	0.00%	\$0	\$2,468,000	0.00%	\$0	\$0	\$0
New Community Park (P11)	5-15 years	\$100,000	0.00%	\$0	\$900,000	0.00%	\$0	\$0	\$0
New Community Park Complex	10+ years	\$6,108,325	0.00%	\$0	\$10,084,000	0.00%	\$0	\$0	\$0
Fanno Creek Park: Urban Plaza	0-10 years	\$687,300	0.00%	\$0	\$4,100,000	0.00%	\$0	\$0	\$0
Community parks in River Terrace	1-20 years	\$7,508,000	0.00%	\$0	\$8,386,000	0.00%	\$0	\$0	\$0
<b>Total community parks</b>								<b>\$0</b>	<b>\$0</b>
<b>Linear parks:</b>									
<b>Total Land/Development</b>		<b>37.04</b>			<b>37.04</b>			<b>10.56</b>	<b>10.56</b>
Tigard Triangle Area (P3)	0-10 years	\$0	28.52%	\$0	\$250,000	28.52%	\$71,293	\$71,293	\$0
Commercial Park	5-15 years	\$0	28.52%	\$0	\$545,000	28.52%	\$155,420	\$155,420	\$0
Englewood Park	5-15 years	\$0	28.52%	\$0	\$1,340,000	28.52%	\$382,133	\$382,133	\$0
Fanno Creek Park: Park Gateway	0-10 years	\$0	28.52%	\$0	\$850,000	28.52%	\$242,398	\$242,398	\$0
Fanno Creek Park: Upland Park	0-10 years	\$0	28.52%	\$0	\$1,100,000	28.52%	\$313,691	\$313,691	\$0
Undeveloped Linear Park (P7)	5-15 years	\$0	28.52%	\$0	\$275,000	28.52%	\$78,423	\$78,423	\$0
River Terrace Linear Parks	1-20 years	\$3,128,000	28.52%	\$892,024	\$228,000	28.52%	\$65,020	\$0	\$957,044
<b>Total linear parks</b>								<b>\$1,243,358</b>	<b>\$957,044</b>
<b>Open space:</b>									
<b>Total Land/Development</b>		<b>66.14</b>			<b>66.14</b>			<b>0.00</b>	<b>0.00</b>
Open Space 1	5-15 years	\$412,380	0.00%	\$0	\$0	0.00%	\$0	\$0	\$0
Open Space 2	10+ years	\$567,023	0.00%	\$0	\$0	0.00%	\$0	\$0	\$0
<b>Total open space</b>								<b>\$0</b>	<b>\$0</b>
<b>Trails:</b>									
<b>Total Land/Development</b>		<b>6.75</b>			<b>6.75</b>			<b>0.00</b>	<b>0.00</b>
Fanno Creek (already funded) (trail project )	0-10 years	\$0	0.00%	\$0	\$670,000	0.00%	\$0	\$0	\$0
Westside Trail	0-10 years	\$0	0.00%	\$0	\$0	0.00%	\$0	\$0	\$0
Tigard Street (trail project A)	0-10 years	\$0	0.00%	\$0	\$634,000	0.00%	\$0	\$0	\$0
Fanno Creek (trail project C)	0-10 years	\$0	0.00%	\$0	\$1,040,000	0.00%	\$0	\$0	\$0
Fanno Creek & Tualatin River (trail project D)	0-10 years	\$0	0.00%	\$0	\$1,609,500	0.00%	\$0	\$0	\$0
Summer Creek (trail project F)	0-10 years	\$0	0.00%	\$0	\$742,500	0.00%	\$0	\$0	\$0
Fanno Creek (trail project G)	5-15 years	\$0	0.00%	\$0	\$0	0.00%	\$0	\$0	\$0
Fanno Creek (trail project H)	5-15 years	\$0	0.00%	\$0	\$206,500	0.00%	\$0	\$0	\$0
Tigard Street (trail project I)	5-15 years	\$0	0.00%	\$0	\$0	0.00%	\$0	\$0	\$0
Ascension (trail project N)	10+ years	\$0	0.00%	\$0	\$461,000	0.00%	\$0	\$0	\$0
Krueger Creek & Summer Creek (trail project P)	10+ years	\$0	0.00%	\$0	\$495,500	0.00%	\$0	\$0	\$0
River Terrace Trails	1-20 years	\$690,000	0.00%	\$0	\$764,000	0.00%	\$0	\$0	\$0
<b>Total trails</b>								<b>\$0</b>	<b>\$0</b>
<b>Total Costs</b>		<b>\$29,516,743</b>			<b>\$45,046,175</b>			<b>\$1,632,809</b>	<b>\$4,755,996</b>

Source: Parks SDC Methodology, compiled by FCS GROUP.

**Appendix E4: Arts and Culture Program Assumptions**

Arts and Culture Program Assumptions			
	Total Costs*	Per Capita Cost	Tigard
Personnel Services	\$20,640	\$0.27	\$13,232
Materials and Services	\$128,720	\$1.68	\$82,522
Capital Outlay	\$0	\$0.00	\$0
Other	\$0	\$0.00	\$0
<b>Total</b>	<b>\$149,360</b>	<b>\$1.95</b>	<b>\$95,754</b>
Population	76,650		49,140

Source: based on similar program in Medford, Oregon.





City of Tigard

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# Park Maintenance Fee

January 12, 2016



# Agenda

- Background on FY 2016 Budget Decision to create a Park Maintenance Fee.
- Park Maintenance Fee Background and Policy Direction
- Park Maintenance Fee Calculation and Discussion



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# Background on FY 2016 Budget Decision to Create a Park Maintenance Fee



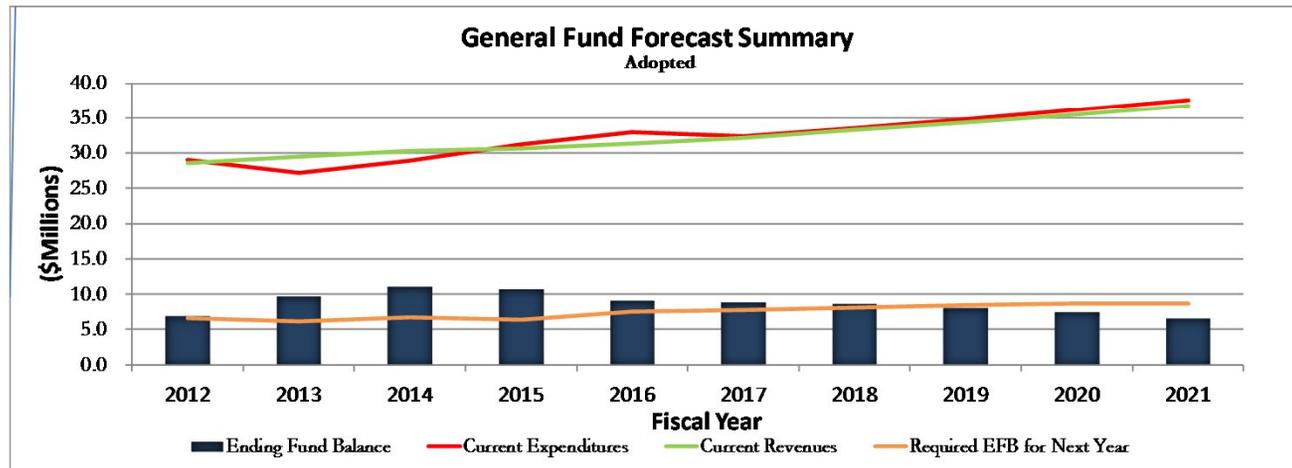
## Issues Leading into FY 16

- Budget Cuts in 2010 & 2012
- Since 2009, Population up 8% and workforce down 9%
- GF Rev grows 3.5% vs. Expenses grow 4.0%
- General Fund pays for Police, Library, Community Building, and Parks

# Forecast w/o Key FY 16 Decisions

**General Fund Forecast Summary**  
(Dollars in Millions)

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Current Expenditures	29.0	27.2	29.0	31.2	33.0	32.3	33.6	34.8	36.2	37.6
Current Revenues	28.5	29.5	30.3	30.6	31.3	32.2	33.3	34.3	35.5	36.8
Required EFB for Next Year	6.6	6.1	6.7	6.4	7.5	7.8	8.1	8.4	8.7	8.7
Ending Fund Balance	6.9	9.6	11.0	10.8	9.0	8.9	8.6	8.1	7.4	6.6



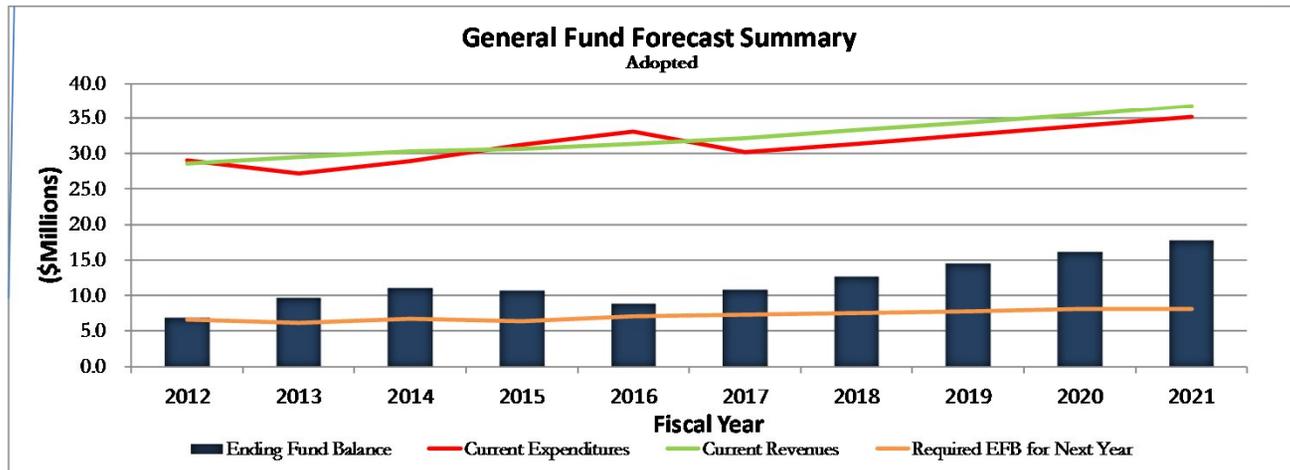
## Key FY 16 Decisions

- Current Park Maintenance costs \$2.2 Million.
- During FY 16, Council will establish a Park Maintenance Fee (PMF) to fund parks in a new way.
- Starting FY 17, the \$2.2 Million of Parks Maintenance is no longer in the General Fund.

## Forecast w/o Parks Maintenance in FY 17

**General Fund Forecast Summary**  
(Dollars in Millions)

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Current Expenditures	29.0	27.2	29.0	31.2	33.1	30.2	31.4	32.6	33.8	35.2
Current Revenues	28.5	29.5	30.3	30.6	31.3	32.2	33.3	34.3	35.5	36.8
Required EFB for Next Year	6.6	6.1	6.7	6.4	7.0	7.3	7.5	7.8	8.1	8.1
Ending Fund Balance	6.9	9.6	11.0	10.8	8.9	10.8	12.7	14.5	16.2	17.8



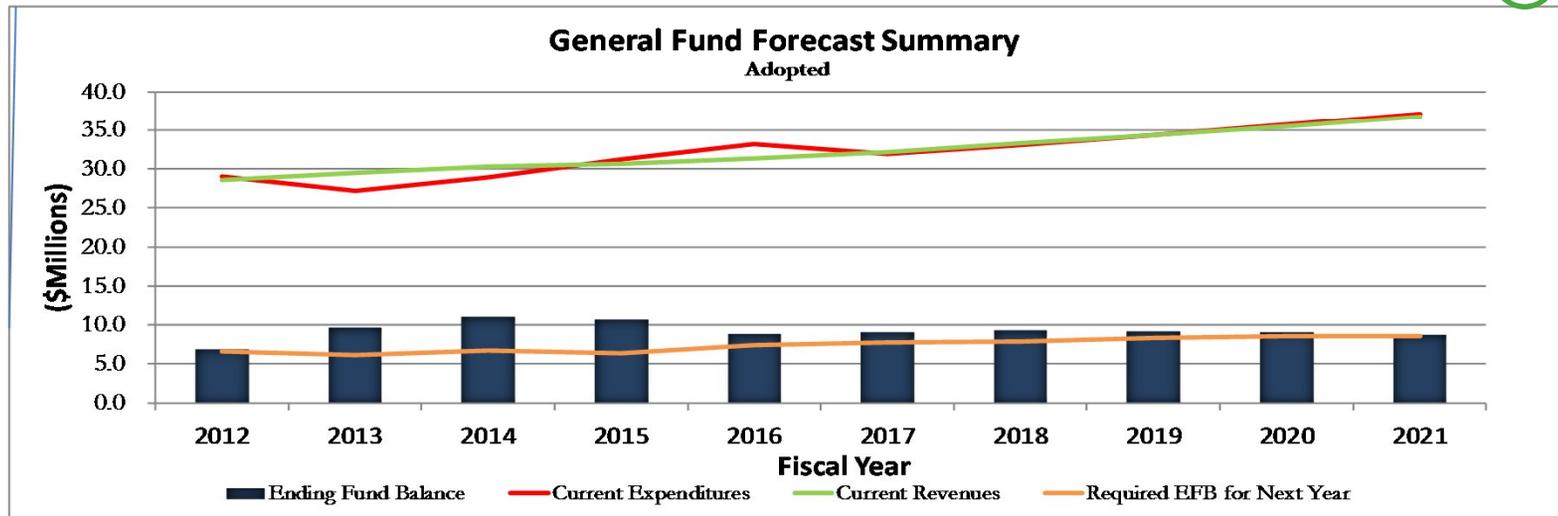
## Reallocation of \$2.2 Million

- \$500K already obligated:
  - ▶ \$100K of GF already obligated for opening the Library on Thursdays.
  - ▶ Minimum of \$400K is not programmed to achieve 6-year sustainability.
- Starting FY 17, \$1.7 Million of GF that used to pay for Parks could be available.

# FY 16 Adopted Forecast w/ Key Decisions

**General Fund Forecast Summary**  
(Dollars in Millions)

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Current Expenditures	29.0	27.2	29.0	31.2	33.2	31.9	33.1	34.4	35.7	37.1
Current Revenues	28.5	29.5	30.3	30.6	31.3	32.2	33.3	34.3	35.5	36.8
Required EFB for Next Year	6.6	6.1	6.7	6.4	7.4	7.7	7.9	8.3	8.6	8.6
Ending Fund Balance	6.9	9.6	11.0	10.8	8.8	9.1	9.3	9.2	9.1	8.8





City of Tigard

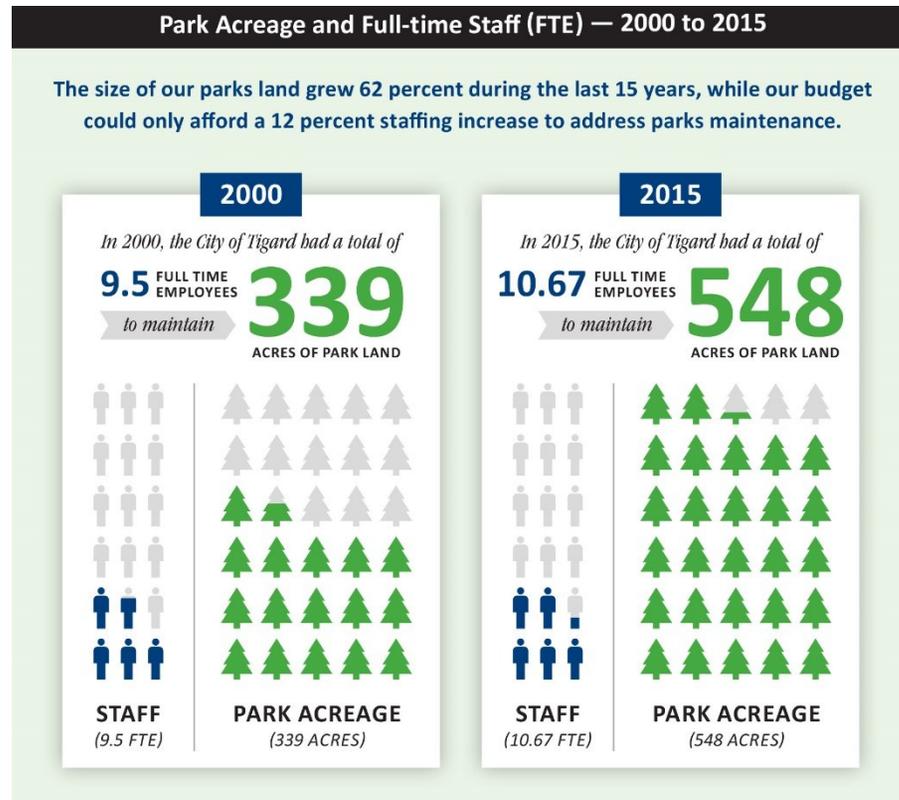
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# Park Maintenance Fee Background and Policy Direction



### Reasons for a PMF

- Over the last 15 years, park land has grown 66% while staffing to maintain the parks has only grown 12%.
- Maintenance gets more expensive the longer it is deferred.
- Other financing mechanisms (e.g., system development charges) help construct capital assets, not maintain them.
- Expenditures increasing each year, the main source of funding for maintenance (General Fund) is a limited resource with many demands.



# Background

- Purpose of PMF is to identify a reliable source of revenue for parks ongoing operations and maintenance.
- Staff and rate consultants presented seven service level scenarios to Council at prior Workshops.

# Seven Service Level Scenarios

1. Current parks operations and maintenance
2. Deferred parks maintenance
3. Identified capital improvement projects
4. Development of current parks land inventory (land acquired through bond)

# Seven Service Level Scenarios

5. Development and maintenance of new parks (land not yet acquired)
6. Introduction of a recreational program
7. Inclusion of special community assets
  - ▶ Arts and culture
  - ▶ Stormwater programs and maintenance (in parks)

# Summary of Council Direction

- Keep fee structure simple
- Fee paid by residential and non-residential customers
- Fee based on scenarios #1 & #2 only
- Use annual average cost for the deferred maintenance scenario
- Use annual inflation factor
- Include program for low income



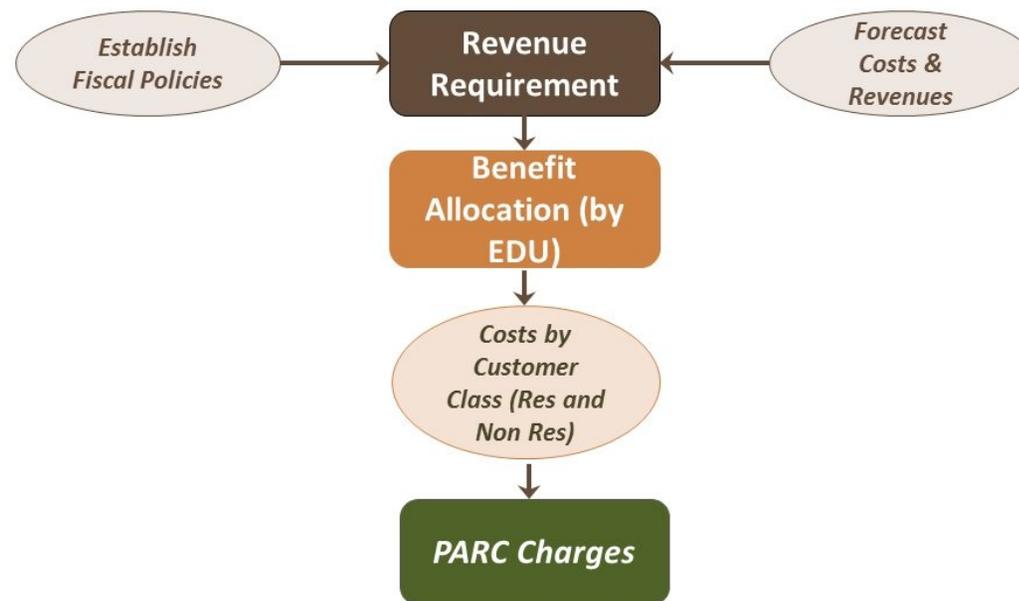
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# Park Maintenance Fee Calculation



# Rate Study Process



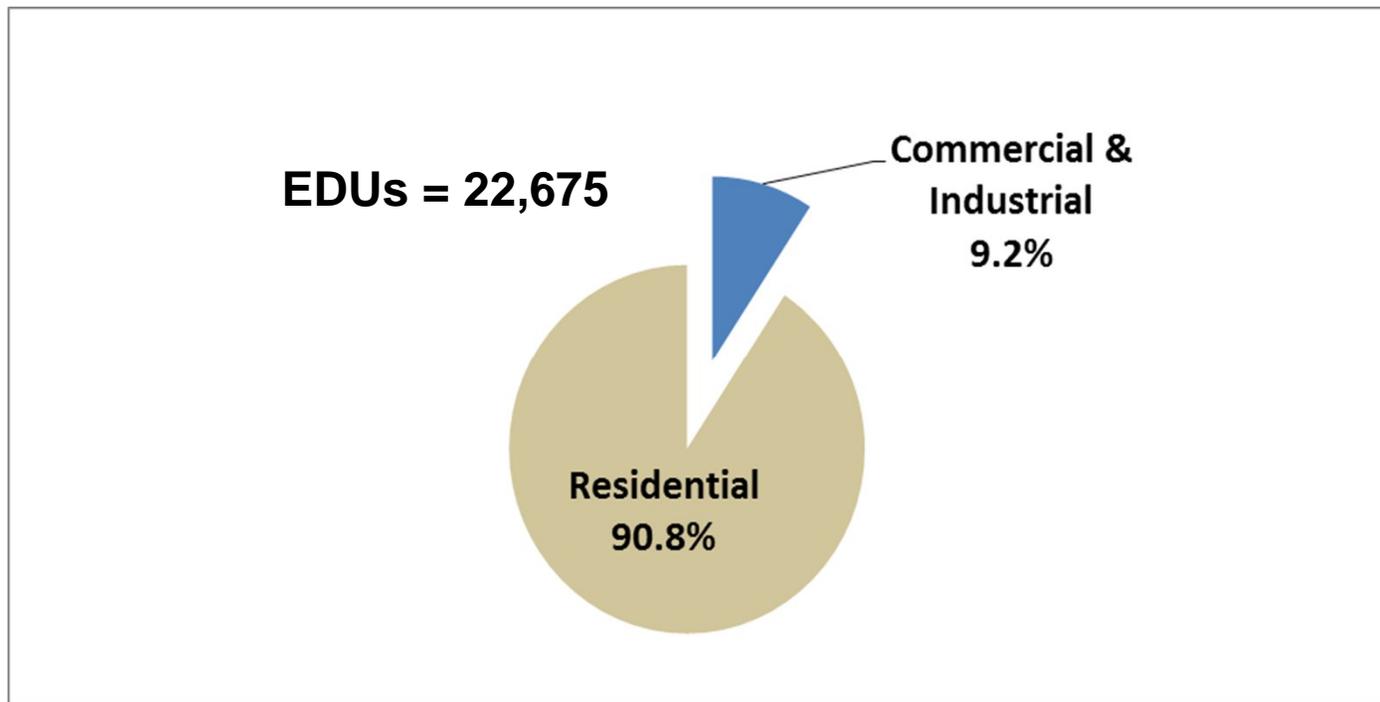
# Revenue Requirement FY17

- Scenario #1: Existing Services
  - ▶ Expenses: \$2,296,001
  - ▶ Less User Fees: \$70,000
  - ▶ Revenue Required: \$2,226,001
- Scenario #2: Funding Deferred Services
  - ▶ \$514,457 in new expenses
- Total Required Revenue: \$2,740,458

# Equivalent Dwelling Units

- Each occupied residential unit is an EDU
- For Commercial and Industrial:
  - ▶ 15 employees is an EDU
  - ▶ Employment Data for our area is compared to Tigard's Data on parking equivalents used for the Street Maintenance Fee to create a ratio that determine EDUs.

# Equivalent Dwelling Units



# Fee Calculation

- Annual Revenue Requirement / EDUs / 12 months = PMF
- \$2,740,458 / 22,675 EDUs / 12 =
- \$10.07 Park Maintenance Fee.

# Annual Fee Index

Parks Utility Rate Indices Years 1-5		
Year of Implementation	Annual Rate	Weights
Personnel	4.80%	0.6
Services/Utilities	3.00%	0.25
Materials/Internal Services	4.20%	0.15
Weighted Average	4.26%	

Source: City of Tigard and FCS GROUP; based on estimated expenditures.

# Low Income Program

- Similar to program for water bill relief
- Available for rate payers with income at, or below, 50% of Oregon median income.
- Renewable annually
- Amount of discount for Council decision.
- May require future PMF increase to fund.

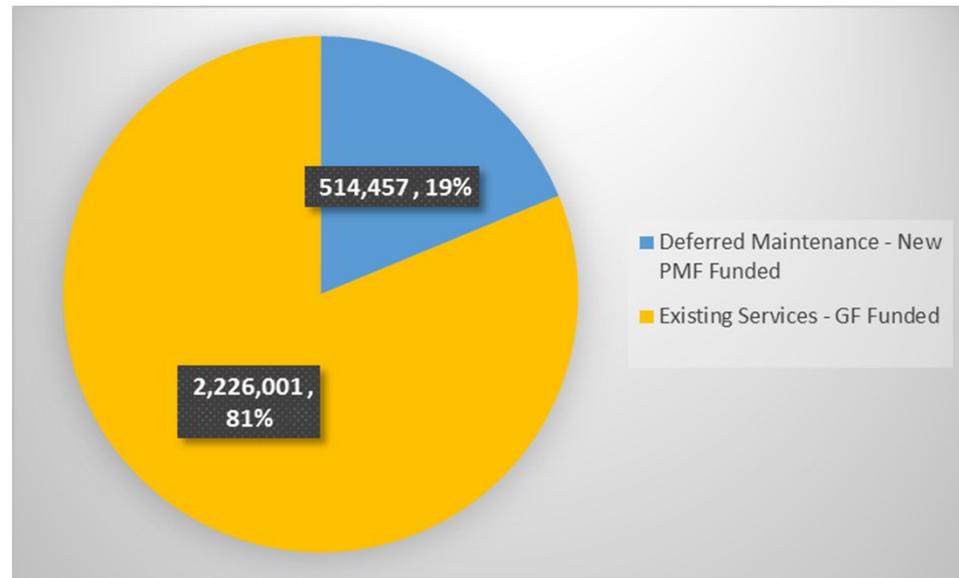
# Phase-in Consideration

The PMF serves two purposes:

1. Funding \$2,740,458 of Park Services, and
2. Enabling the reallocation of \$2,226,001 of General Fund that used to fund existing park services to other needed GF services.

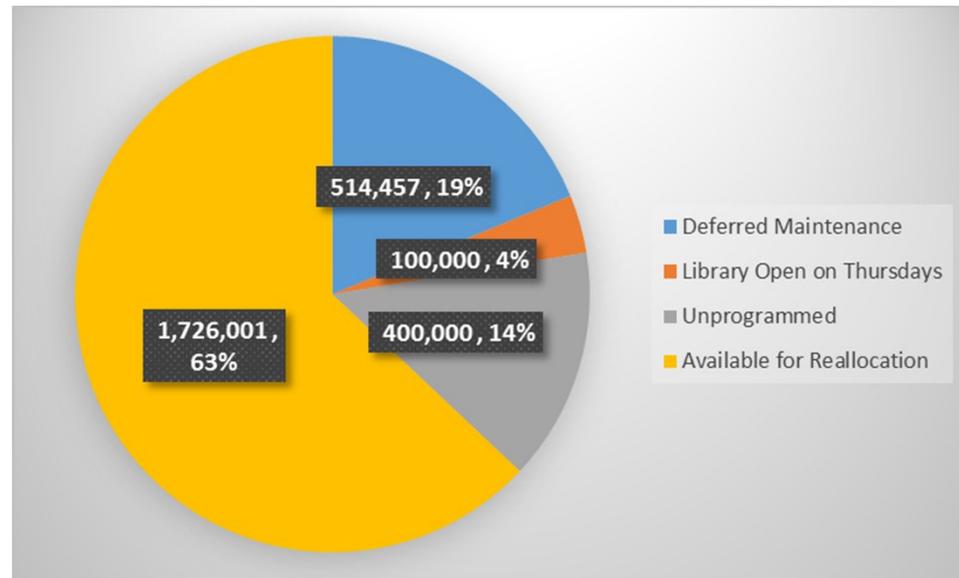
# Phase-in Consideration

Components of \$2,740,458 in Revenue Generated for Parks Services by PMF.



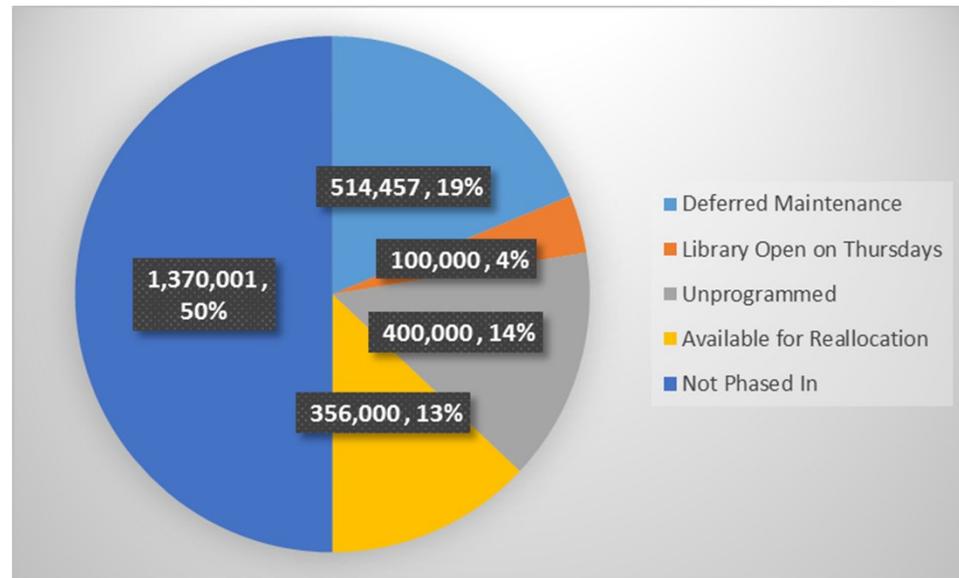
# Phase-in Consideration

At least 37% of the PMF must be implemented to fund Deferred Maintenance, Library, and Unprogrammed set-aside



# Phase-in Consideration

With a 50% initial phase in of the PMF, \$356K of GF is made available for reallocation during the FY17 budget process.



# Council Consideration

- Determine whether or not to implement a PMF
- Passage of TMC 3.70
- Determine amount, phase-in, and timing of PMF
- Include Index
- Amount of Low Income Discount

**AIS-2463**

**7.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 30 Minutes

**Agenda Title:** Medium Density Residential (R-12) Preservation

**Submitted By:** Gary Pagenstecher, Community Development

**Item Type:** Ordinance  
Public Hearing - Legislative

**Meeting Type:** Council  
Business Meeting - Main

**Public Hearing:** Yes

**Publication Date:**

**Information**

**ISSUE**

Shall Council adopt an ordinance to amend the Comprehensive Plan Designations and Zoning Districts Map to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use?

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff, and the Planning Commission, by a vote of 6 to 1 in favor, recommend that City Council approve the proposed amendments.

**KEY FACTS AND INFORMATION SUMMARY**

The City is initiating the Comprehensive Plan and Zoning Map Amendments to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use. Staff proposes the change in response to separate development applications for two sites involving R-12 zoning. Two pre-application conferences were held in March and August of 2015 for proposals to rezone from C-P to R-12 (or R-25) several contiguous parcels located on SW Spruce and 72nd Avenue (**Site A**). The owners and interested parties are supportive of the City's legislative proposal to accomplish this.

In April 2015 the City received an application for a Comp Plan and Zone Change (CPA2015-00003/ZON2015-00004) for a parcel owned by the Tigard-Tualatin school district zoned R-12 with frontage on Pacific Hwy (**Site B**). The applicant proposed to change the plan and zoning designation of the site to General Commercial (C-G). In addition to this comprehensive plan and zoning map amendment request, the Applicant requested concurrent Site Development Review approval from the City to allow a 15,085 square foot specialty retail store with associated parking, circulation, landscaping and site improvements. These applications have been withdrawn in favor of the City's legislative action to rezone the subject

parcel, as proposed.

Pursuant to the City's housing goal to provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents, preservation of R-12 zoned lands is warranted because it allows a full range of housing types at a minimum lot size of 3,050 square feet. The zone provides flexibility for both attached and detached ownership and multifamily rental type housing which supports affordable housing options in the city. Attached single-family residential or detached single-family residential on small lots are an important component of the city's strategy to provide for a range of housing types and for providing a more affordable housing type. This is not low-income housing but a level of affordability for first time home buyers, singles, retirees, and other groups that are having a difficult time finding affordable single-family residential options in Tigard's neighborhoods.

The timing of the applications identified above is such that the City staff would have likely recommended denial of the proposed R-12 to C-G zone change to avoid loss of R-12 zoned land. However, the City's proposal combines the two zone change proposals so that a finding of no net loss of R-12 can be made through the legislative process

The locational characteristics of the subject parcels otherwise support the comp plan amendments and zone changes. The property zoned C-P (**Site A**) fronts on a local and a neighborhood street and is adjacent to property zoned R-4.5 and low-density unincorporated Washington County. The adjacent lower class streets and low density residential use zone makes the property more suitable for medium residential use that forms a transition from the C-G zone to the south and the R-12 zone to the north. Residential-zoned land adjacent to Pacific Hwy is rare in Tigard and is primarily associated with private and public school ownership and use, which is allowed conditionally in residential zones. The Tigard-Tualatin School District has identified the subject property (**Site B**) as surplus and intends to sell it for the highest best use. The proposed C-G zone is the dominant zone along Pacific Hwy (classified as Primary Arterial) and the existing zone of the adjacent parcels. This action would result in a net increase of 0.17 acres zoned R-12.

## **OTHER ALTERNATIVES**

Not approve the proposed amendments.

## **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

NA

## **DATES OF PREVIOUS COUNCIL CONSIDERATION**

None

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## **Attachments**

Ordinance

Exhibit A

Exhibit B

Exhibit C

PC Minutes

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CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
ORDINANCE NO. 16-\_\_\_

---

AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENT CPA 2015-00005 AND ZONE CHANGE ZON 2015-00007 TO AMEND THE TIGARD COMPREHENSIVE PLAN DESIGNATIONS AND ZONING DISTRICTS MAP AT TWO SITES.

WHEREAS, Section 18.380.020 of the City of Tigard Community Development Code requires legislative amendments to be undertaken by means of a Type IV procedure, as governed by Section 18.390.060; and

WHEREAS, the city has proposed an amendment to the Tigard Comprehensive Plan Map to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use; and

WHEREAS, on December 14, 2015, the Tigard Planning Commission held a public hearing, which was noticed in accordance with city standards, and recommended approval of the proposed CPA 2015-00005/ ZON 2015-00007 by motion with a 6-1 vote in favor; and

WHEREAS, on January 12, 2016, the Tigard City Council held a public hearing, which was noticed in accordance with city standards, to consider the Commission's recommendation on CPA 2015-00005/ZON2015-00007, hear public testimony, and apply applicable decision-making criteria; and

WHEREAS, on January 12, 2016, the Tigard City Council approved CPA 2015-00005/ZON 2015-00007 pursuant to the public hearing and its deliberations; and

WHEREAS, Council's decision to approve CPA 2015-00005/ZON 2015-00007 and adopt this ordinance was based on the findings and conclusions found in Exhibit "C" and the associated land use record which is incorporated herein by reference and is contained in land use file CPA 2015-00005/ZON 2015-00007.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Tigard City Council amends the Tigard Comprehensive Plan Map to change the Comprehensive Plan Designations and Zoning Districts as shown in Exhibit "A" and Exhibit "B."

SECTION 2 Tigard City Council adopts the findings and conclusions contained in Exhibit "C" in support of the Council's action and to be the legislative basis for this ordinance.

SECTION 3: The City Council finds that the immediate applicability of the new zones to the subject properties provided in this Ordinance is necessary to protect the public welfare by preserving affordable housing options contained in the City's Comprehensive Plan while at the same time facilitating development.

SECTION 4: For the reasons set forth in Section 3, an emergency is declared to exist and this Ordinance takes effect upon adoption by the City Council and signature of the Mayor.

By \_\_\_\_\_ vote of all Council members present after being read by number and title only, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

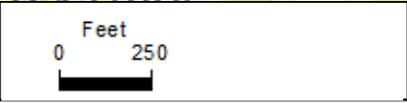
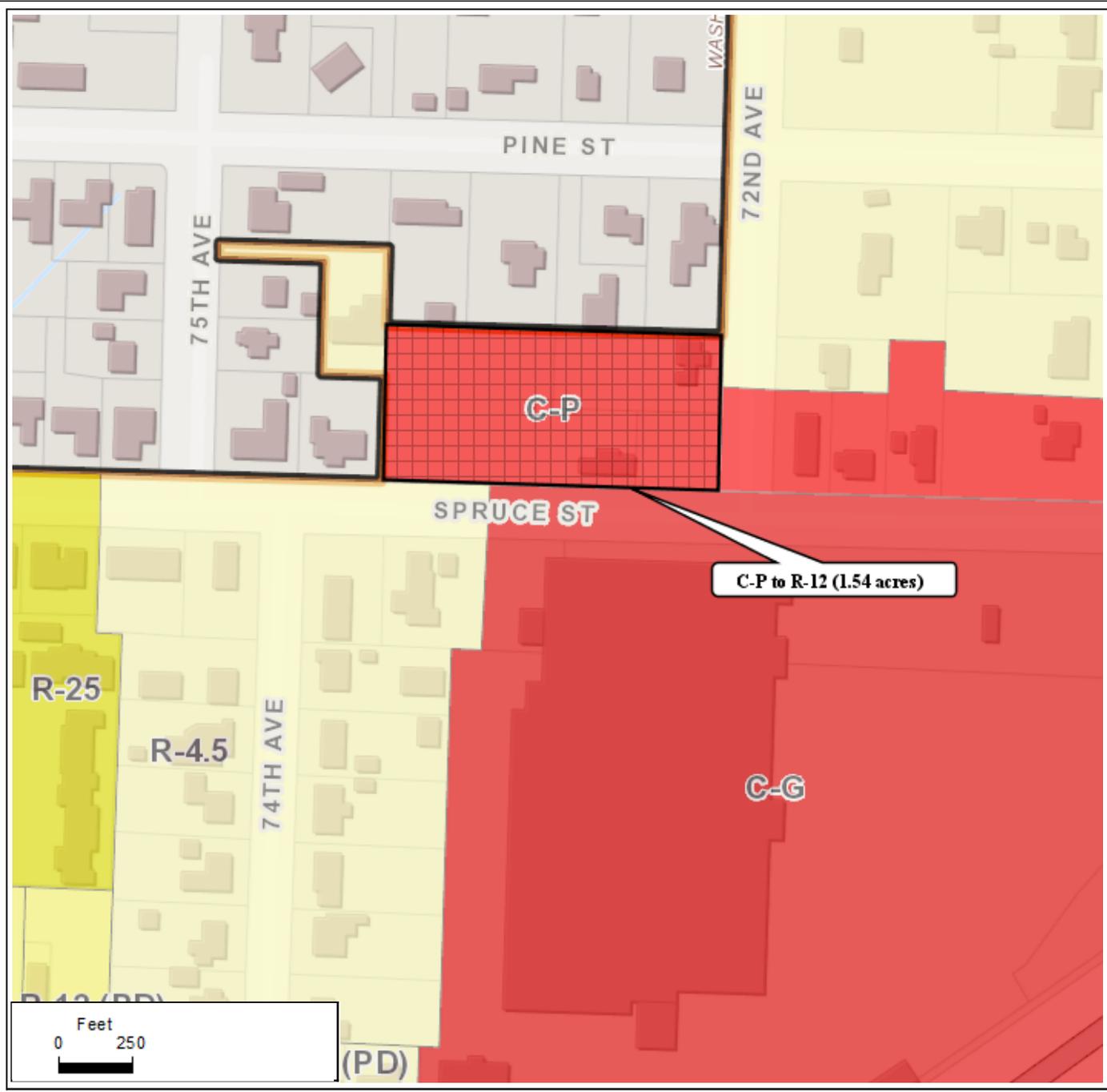
\_\_\_\_\_  
Carol A. Krager, City Recorder

APPROVED: By Tigard City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
John L. Cook, Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney



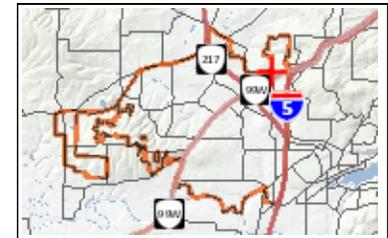
## VICINITY MAP

CPA 2015-00005  
ZON 2015-00007

Medium Residential (R-12)  
Preservation

SITE A

Subject Site



Information on this map is for general location only and should be verified with the Development Services Division.

Approx. Scale 1:2,000 - 1 in = 167 ft

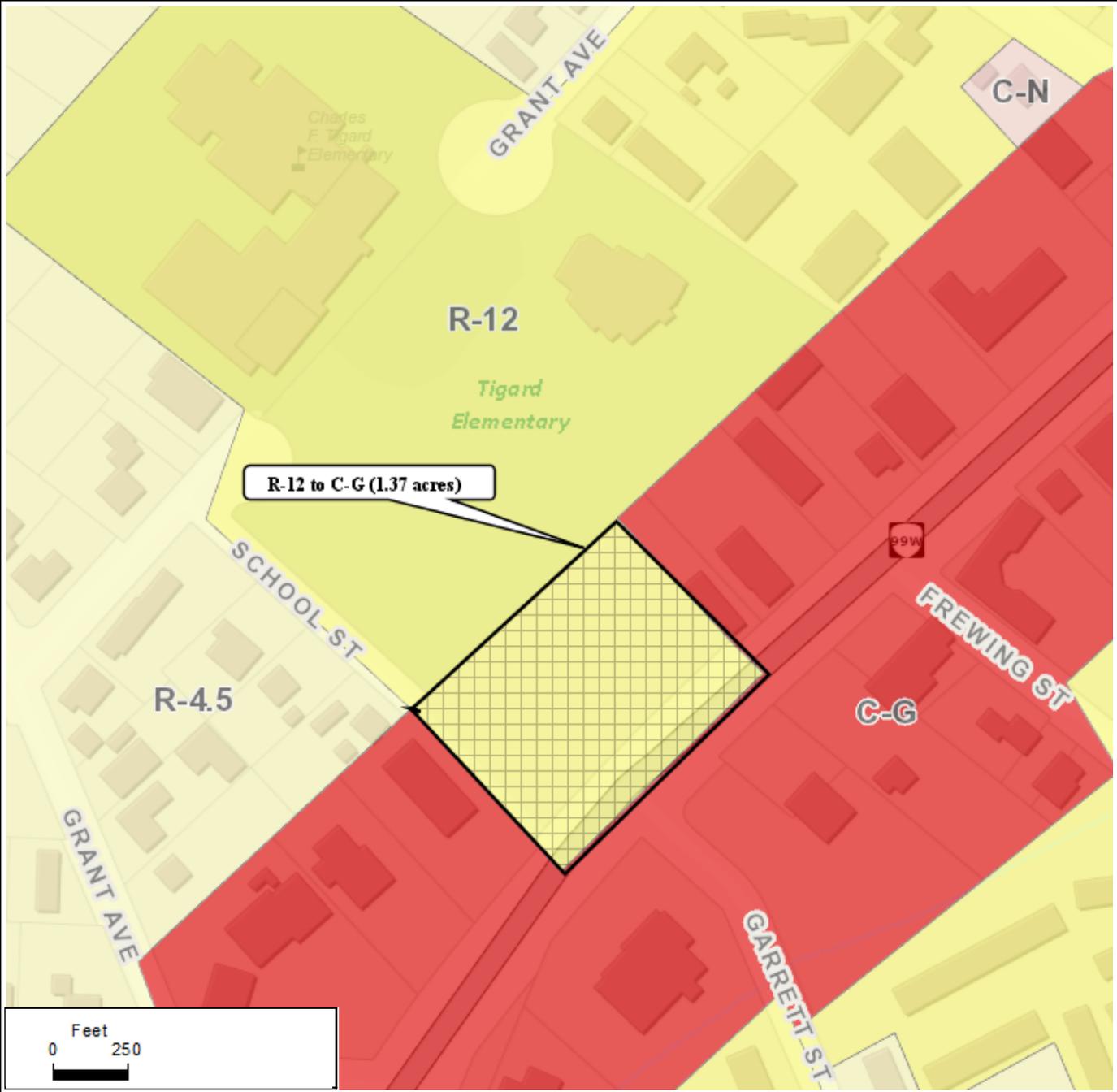
Map printed at 09:19 AM on 05-Nov-15

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TIGARD MAPS

City of Tigard  
13125 SW Hall Blvd  
Tigard, OR 97223  
503 639-4171  
www.tigard-or.gov





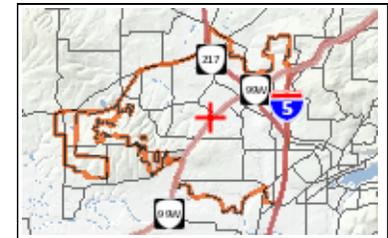
## VICINITY MAP

CPA 2015-00005  
ZON 2015-00007

Medium Residential (R-12)  
Preservation

SITE B

Subject Site



Information on this map is for general location only and should be verified with the Development Services Division.

Approx. Scale 1:2,000 - 1 in = 167 ft

Map printed at 09:11 AM on 05-Nov-15

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**PLANNING COMMISSION RECOMMENDATION  
TO CITY COUNCIL  
FOR THE CITY OF TIGARD, OREGON**



**120 DAYS = N/A**

**SECTION I. APPLICATION SUMMARY**

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**FILE NO.:** Comprehensive Plan Amendment (CPA) 2015-00005  
Zone Change (ZON) 2015-00007

**FILE TITLE:** MEDIUM DENSITY RESIDENTIAL (R-12) PRESERVATION

**APPLICANT:** City of Tigard  
13125 SW Hall Boulevard  
Tigard, OR 97223

**REQUEST:** The city is initiating this Comprehensive Plan and Zoning Map Amendment to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use. The City proposes changing the Comprehensive Plan Designations and Zoning District Classifications of the subject parcels in **SITE A** (3 parcels totaling 1.54 acres) from Professional Commercial (C-P) to Medium Density Residential (R-12); and changing the Comprehensive Plan Designations and Zoning Map Classifications of the subject parcel in **SITE B** (1 parcel of 1.37 acres) from Medium Density Residential (R-12) to General Commercial (C-G).

**LOCATION:** **SITE A:** 7303 SW Spruce St., 10705 SW 72nd Ave., 10735 SW 72nd Ave; TAX MAP/ LOT #'s: 1S136AC02200, 1S136AC02400, 1S136AC02500; and  
**SITE B:** 13125 SW Pacific Hwy TAX MAP/ LOT # 2S102CB00200

**COMP PLAN  
DESIGNATION/  
ZONING**

**DISTRICT:** FROM: Medium Density Residential (R-12) and Professional Commercial (C-P)  
TO: General Commercial (C-G) and Medium Density Residential (R-12)

**APPLICABLE  
REVIEW  
CRITERIA:** Community Development Code Chapters 18.380.020 and 18.390.060.G;  
Comprehensive Plan Goals 1, 2, 10; Statewide Planning Goals 1, 2, 10; and  
Metro's Urban Growth Management Functional Plan Title 1.

## SECTION II PLANNING COMMISSION RECOMMENDATION

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The Planning Commission recommends that the City Council adopt by ordinance the proposed Comprehensive Plan and Zoning Map Amendments, as determined through the public hearing process.

## SECTION III BACKGROUND INFORMATION

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### Project History

The city is initiating this Comprehensive Plan and Zoning Map Amendment to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use. Staff proposes the change in response to two development applications, both of which involve R-12 zoning.

Two pre-application conferences were held in March and August of 2015 for proposals to rezone from C-P to R-12 or R-25 several contiguous parcels located on SW Spruce and 72<sup>nd</sup> Avenue (**Site A**). The owners and interested parties are supportive of the city's legislative proposal to accomplish this.

In April 2015 the city received an application for a Comp Plan and Zone Change (CPA2015-0003/ZON2015-00004) for a parcel owned by the school district zoned R-12 with frontage on Pacific Hwy (**Site B**). The Applicant proposed to change the plan and zoning designation of the site to General Commercial (C-G). In addition to this comprehensive plan and zoning map amendment request, the Applicant requested concurrent Site Development Review approval from the City to allow a 15,085 square foot (SF) specialty retail store with associated parking, circulation, landscaping and site improvements. These applications have been withdrawn, in favor of the city's legislative action to rezone the subject parcel, as proposed.

Pursuant to the City's housing goal to provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents, the affordable housing types allowed in the R-12 zone warrant the need to preserve R-12 zoned lands. The timing of the applications identified above is such that the city staff would have likely recommended denial of the proposed R-12 to C-G zone change to avoid loss of R-12 zoned land. However, the city's proposal combines the two zone change proposals so that a finding of no net loss of R-12 can be made through the legislative process.

The locational characteristics of the subject parcels otherwise support the comp plan amendments and zone changes. The property zoned C-P (**Site A**) fronts on a local and a neighborhood street and is adjacent to property zoned R-4.5 and low-density unincorporated Washington County. The adjacent lower class streets and low density residential use zone makes the property more suitable for medium residential use that forms a transition from the C-G zone to the south and the R-12 zone to the north.

Residential-zoned land adjacent to Pacific Hwy is rare in Tigard and is primarily associated with private and public school ownership and use, which is allowed conditionally in residential zones. The Tigard-Tualatin School District has identified the subject property (**Site B**) as surplus and intends to sell it for the highest best use. The proposed C-G zone is the dominant zone along Pacific Hwy (classified as Primary Arterial) and the existing zone of the adjacent parcels.

This action would result in a net increase of 0.17 acres zoned R-12.

## Site Description

**Site A** (3 parcels totaling 1.54 acres) is developed with single-family residences and was annexed in 2006 (ZCA2006-00003), which changed the county zone from Commercial Office (OC) to the City's Professional Commercial (C-P) zone, the zone most closely implementing the County's plan map designation. The current zone does not allow residential use, which the market has identified as its highest best use as evidenced by the pre-application conference applications cited above. The subject site is located across Spruce Street from Fred Meyers and within 1,000 feet of Pacific Hwy.

**Site B** (1 parcel of 1.37 acres) is currently a vacant lot owned by the Tigard – Tualatin School District. The site abuts the south side of the Charles F. Tigard Elementary School. The subject property abuts SW Pacific Highway, a Principal Arterial that is designated in the Metro Urban Growth Functional Plan as a High Capacity Transit Corridor. The highway is also maintained and under jurisdictional ownership of the Oregon Department of Transportation (ODOT). The site is bordered to the east and west by commercial development. The property is the only parcel located along the highway between McKenzie Street and Canterbury Lane, an approximately 1.12 mile segment that is not currently designated for commercial use. The subject site is approximately .25 miles from the Metro Town Center adopted boundary.

## Proposal Description

The city is initiating this Comprehensive Plan and Zoning Map Amendment to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use. The City proposes changing the Comprehensive Plan Designations and Zoning District Classifications of the subject parcels in **SITE A** (3 parcels totaling 1.54 acres) from Professional Commercial (C-P) to Medium Density Residential (R-12); and changing the Comprehensive Plan Designations and Zoning Map Classifications of the subject parcel in **SITE B** (1 parcel of 1.37 acres) from Medium Density Residential (R-12) to General Commercial (C-G).

## Planning Commission Recommendation

On December 14, 2015 the Tigard Planning Commission held a public hearing to consider the proposal and make a recommendation to Council. As discussed in greater detail in Section VIII of this report and in the minutes of the hearing, public testimony was received and considered by the Planning Commission as part of their deliberations. At the conclusion of their deliberations, the Planning Commission voted 6 to 1 in favor of a motion recommending City Council adopt the proposed amendments.

## SECTION IV. APPLICABLE CRITERIA, FINDINGS AND CONCLUSIONS

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This section contains all the applicable city, state and metro policies, provisions, and criteria that apply to the proposed comprehensive plan amendment and zone change. Each section is addressed demonstrating how each requirement is met.

APPLICABLE PROVISIONS OF THE TIGARD COMMUNITY DEVELOPMENT CODE (TITLE 18)

<b>Chapter 18.380: Zoning Map and Text Amendments</b>	<b>Chapter 18.380.020 Legislative Amendments to the Title and Map A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.309.060G</b>
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FINDING: The proposed legislative amendments are being reviewed under the Type IV legislative procedure as set forth in the chapter. This procedure requires public hearings before both the Planning Commission and City Council.

**Chapter 18.390: Decision-Making Procedures**      **Chapter 18.390.020. Description of Decision-Making Procedures**  
**B.4. Type IV Procedure. Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council.**

FINDING: This Comprehensive Plan Amendment (CPA) to the Tigard Comprehensive Plan Designations and Zoning Districts map involves implementation of city policies as applied generally throughout the City of Tigard. Therefore it will be reviewed under the Type IV procedure as detailed in Section 18.390.060.G. In accordance with this section, the amendment is initially being considered by the Planning Commission with City Council making the final decision.

**Chapter 18.390: Decision-Making Procedures**      **Chapter 18.390.060.G. Decision-making considerations. The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:**

- 1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;**
- 2. Any federal or state statutes or regulations found applicable;**
- 3. Any applicable Metro regulations;**
- 4. Any applicable comprehensive plan policies; and**
- 5. Any applicable provisions of the City’s implementing ordinances.**

FINDING: Findings and conclusions are provided within this report for the applicable listed factors on which the recommendation by the Commission and the decision by the Council shall be based.

CONCLUSION: Based on the findings above and below, these provisions are met.

APPLICABLE COMPREHENSIVE PLAN POLICIES

**Chapter 1: Citizen Involvement**

*Goal 1.1 Provide citizens, affected agencies, and other jurisdictions the opportunity to participate in all phases of the planning process.*

**Policy 2**      **The City shall define and publicize an appropriate role for citizens in each phase of the land use planning process.**

**Policy 5**      **The opportunities for citizen involvement provided by the City shall be appropriate to the scale of the planning effort and shall involve a broad cross-section of the community.**

FINDING: Citizens, affected agencies, and other jurisdictions were given the “opportunity to participate in all phases of the planning process.” Several opportunities for

participation are built into the Comprehensive Plan amendment process, including:

- Public Hearing notification requirements pursuant to Chapter 18.390.060 of the Tigard Community Development Code and Measure 56. Public hearing notice of the Planning Commission and City Council public hearings was sent to the interested parties list (11-5-15) and all property owners within 500 feet of the subject parcels (11-19-15). Measure 56 Notice was mailed to subject property owners.
- A notice was published in the November 19, 2015 issue of The Tigard Times (in accordance with Tigard Development Code Chapter 18.390). The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the Staff Report to the Planning Commission could be viewed.
- Both Sites A and B were posted with a notice board on November 23, 2015.
- Posting on the City's web site (11-24-15)

CONCLUSION: Based on the findings above, Tigard Comprehensive Plan Goal 1.1 Policies 2 and 5 are met.

## **Chapter 2: Land Use Planning**

*Goal 2.1 Maintain an up-to-date Comprehensive Plan, implementing regulations and action plans as the legislative basis of Tigard's land use planning program.*

**Policy 1**            **The City's land use program shall establish a clear policy direction, comply with state and regional requirements, and serve its citizens' own interests.**

The goals and policies contained in the Tigard Comprehensive Plan provide the basis for the city's land use planning program. This policy is met.

**Policy 2**            **The City's land use regulations, related plans, and implementing actions shall be consistent with and implement its Comprehensive Plan.**

As described in this staff report, the amendment complies with all applicable statewide planning goals, regional regulations, comprehensive plan policies, and serves the interest of the citizens. This policy is met.

**Policy 3**            **The City shall coordinate the adoption, amendment, and implementation of its land use program with other potentially affected jurisdictions and agencies.**

Potentially affected jurisdictions and agencies were given an opportunity to comment. Any comments that were received are addressed in Section VI: Outside Agency Comments. This policy is met.

**Policy 5 The City shall promote intense urban level development in Metro designated Centers and Corridors, and employment and industrial areas.”**

The Metro 2040 Growth Concept Map shows that Pacific Hwy, through Tigard, is designated as a “Corridor.” The proposal to up-zone Site B from residential to commercial would increase development intensity consistent with the “intense urban level development” envisioned for Metro designated corridors. This policy is met.

**Policy 6 The City shall promote the development and maintenance of a range of land use types which are of sufficient economic value to fund needed services and advance the community’s social and fiscal stability.**

In a February 22, 2011 Economic Opportunities Analysis (EOA) conducted by Cogan Owens Cogan, LLC and FCS Group the forecasted 20-year vacant land need for commercial, mixed use and industrial lands in the City over the 2011 to 2031 time period was prepared. As noted in Table 7, Page 9 of the EOA, it was determined that the City would need a *minimum* of 51-acres of vacant commercial land to satisfy its commercial land needs over that 20-year growth period. A moderate estimate of commercial land need of 68-acres was identified and a high forecasted need of 85-acres was projected.

As noted in the January 1, 2014 BLI prepared by the City, the City’s most recent vacant lands inventory identified an existing vacant commercial inventory of 46.55-acres. The proposed comprehensive plan and zoning map amendment will help fill this projected deficit of available commercial land by adding 1.37-acres of commercial land to the City’s vacant commercial land inventory, thereby improving the City’s available commercial development capacity. Furthermore, consistent with this plan policy, the proposed project will enable the transition of the site from school to private commercial use, thereby placing the property back on the public tax rolls and enabling the generation of property taxes from the newly created development. These projected public revenues will enable the funding of needed City services and advance the community’s social and fiscal stability as desired. This Policy is met.

**Policy 7 The City’s regulatory land use maps and development code shall implement the Comprehensive Plan by providing for needed urban land uses including:**

- A. Residential;**
- B. Commercial and office employment including business parks;**
- C. Mixed use;**
- D. Industrial;**
- E. Overlay districts where natural resource protections or special planning and regulatory tools are warranted; and**
- F. Public services**

According to Chapter 9, Economic Development of the City of Tigard comprehensive plan, approximately 85 percent of Tigard residents work

outside of the City limits. Additionally, approximately 69 percent of the existing land in the City is zoned for residential use, while 31 percent is zoned for commercial, industrial, and mixed use development. The proposed zone change will ensure that this balance of residential and employment uses in the City is maintained with a loss of 1.57 acres of land zoned C-P, balanced with a gain of 1.37 acres of C-G (Site B), and 1.37 acres of land zoned R-12 is replaced with 1.57 acres of R-12 (Site A). This policy is met.

## Policy 15

**In addition to other Comprehensive Plan goals and policies deemed applicable, amendments to Tigard's Comprehensive Plan/Zone Map shall be subject to the following specific criteria:**

**A. Transportation and other public facilities and services shall be available, or committed to be made available, and of sufficient capacity to serve the land uses allowed by the proposed map designation;**

**B. Development of land uses allowed by the new designation shall not negatively affect existing or planned transportation or other public facilities and services;**

ODOT's trip generation analysis for Site A (ODOT Comment letter, dated 12-2-2015) showed a reduction of trips, from 220 PM trips under the current C-P zone to 43 PM trips under the proposed R-12 zone. Therefore, a determination of no significant adverse effect on the transportation system can be made for Site A.

The transportation impacts for Site B have been detailed in the Transportation Impact Analysis prepared by Kittelson & Associates, Inc., dated July 15th, 2015. As described in the report, the project site can be developed while maintaining acceptable levels of service and safety on the existing transportation system. No changes in street classifications are necessary. However, the report recommends limiting movements at the SW School Road intersection with SW Pacific Highway to right-in, right-out, and left-in. The northeastern driveway access to the site from SW Pacific Highway will also be restricted and will be limited to a right-in and right-out to ensure safe access from SW Pacific Highway.

The TPR 'Future Conditions Analysis' on page 9 of the report identifies the potential impacts that the existing zoning and proposed zone change could have on the surrounding transportation system using reasonable worst-case development conditions. A detailed review of how the proposed zone change complies with the TPR begins on page 24 of the analysis. Proposed recommended mitigation measures are found on Page 25. Future development of the site will be required to implement these mitigation measures.

In both Sites A and B, additional public services such as stormwater, water and sanitary sewer will connect to existing infrastructure and it is not anticipated that the proposed designation changes to R-12 for Site A and to G-C for Site B will result in additional demands on public services. This policy is met.

**C. The new land use designation shall fulfill a proven community need such as provision of needed commercial goods and services, employment, housing, public and community services, etc. in the particular location, versus other appropriately designated and developable properties;**

Site A's conversion from C-P to R-12 would compensate for the loss of R-12 in Site B. R-12 zoned land permits attached single-family and multi-family housing types, which contribute to the city's variety of more affordable housing stock. Site A is located at 72<sup>nd</sup> Avenue and Spruce Street, a neighborhood and local street, respectively, and is between land zoned low density residential on the north and general commercial to the south. This site is more suitable to residential use over that of Site B, which fronts Pacific Hwy, an arterial.

Site B's conversion to C-G from R-12 would fulfill a proven community need for employment and provision of goods in that location.

The City's 2011 Economic Opportunities Analysis (EOA) forecast a 20-year vacant land need for commercial, mixed use and industrial lands in the City over the 2011 to 2031 time period was prepared. As noted in Table 7, Page 9 of the EOA, it was determined that the City would need a minimum of 51-acres of vacant commercial land to satisfy its commercial land needs over that 20-year growth period. A moderate estimate of commercial land need of 68-acres was identified and a high forecasted need of 85-acres was projected.

As noted in the January 1, 2014 BLI prepared by the City, the City's most recent vacant lands inventory identified an existing vacant commercial inventory of 46.55-acres. The proposed comprehensive plan and zoning map amendment will help fill this projected deficit of available commercial land by adding 1.37-acres of commercial land to the City's vacant commercial land inventory, thereby improving the City's available commercial development capacity.

Furthermore, consistent with this plan policy, the proposed project will enable the transaction of the site from school to private commercial use, thereby placing the property back on the public tax rolls and enabling the generation of property taxes from the newly created development. These projected public revenues will enable the funding of needed City services and advance the community's social and fiscal stability as desired.

Lastly, the proposed comprehensive plan amendment will help create employment opportunities for residents of Tigard, which currently sees approximately 85 percent of its employees work in other communities, according to Chapter 9, Economic Development of the City of Tigard comprehensive plan. This Policy is met.

**D. Demonstration that there is an inadequate amount of developable, appropriately designated, land for the land uses that would be allowed by the new designation;**

Rezoning Site A maintains existing R-12 zone capacity.

As noted above for Site B, there is a projected minimum deficit of vacant commercial land of approximately 4.45-acres. The proposed comprehensive plan and zoning map amendment will reduce this projected deficit by approximately 1.37-acres.

**E. Demonstration that land uses allowed in the proposed designation could be developed in compliance with all applicable regulations and the purposes of any overlay district would be fulfilled;**

**F. Land uses permitted by the proposed designation would be compatible, or capable of being made compatible, with environmental conditions and surrounding land uses; and**

The proposed zones in Sites A and B would allow uses compatible with adjacent uses; there is no reason to believe the property could not be developed in conformance with R-12 and C-G standards. There is no overlay district on the subject properties. This policy is met.

**G. Demonstration that the amendment does not detract from the viability of the City's natural systems.**

The subject properties have been previously developed and are predominantly flat land without any sensitive natural resources. The proposed rezone would not detract from the viability of the City's natural systems. This policy is met.

## **Policy 20**

**The City shall periodically review and if necessary update its Comprehensive Plan and regulatory maps and implementing measures to ensure they are current and responsive to community needs, provide reliable information, and conform to applicable state law, administrative rules, and regional requirements.**

The city is initiating this Comprehensive Plan and Zoning Map Amendment to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use. Staff proposes the change in response to disparate development community applications (Sites A and B), both involving R-12 zoning. The City's determination to update its Comprehensive Plan and Zoning map through this legislative process will ensure it is current and responsive to community needs and will conform to applicable state law, administrative rules, and regional requirements. This policy is met.

**CONCLUSION:** Based on the findings above, Tigard Comprehensive Plan Goal 2.1 Policies 1, 2, 3, 6, 7, 14, 15 and 20 are met.

## **Chapter 10: Housing**

***Goal 10.1 Provide opportunities for a variety of housing types at a range of price levels to meet the diverse housing needs of current and future City residents.***

## Policy 1

**The City shall adopt and maintain land use policies, codes, and standards that provide opportunities to develop a variety of housing types that meet the needs, preferences and financial capabilities of Tigard's present and future residents.**

Currently, approximately 69% of land is zoned for residential land uses. As noted in the January 1, 2014 BLI conducted by the City, there are a total of 34.26 acres of land zoned R-12 that are vacant.

As identified in the City's most recent BLI map, dated January 1, 2014, the project site has not been identified as a buildable, likely due to its ownership by the school district and aggregation with adjoining school properties. Therefore, the conversion of the site's zoning district to C-G will not have a demonstrable effect on the planned residential capacity of the City.

In 2013 the Council adopted a Housing Strategies report prepared by Angelo Planning Group and Johnson & Reid in support of the Periodic Review update to Goal 10, Housing. This report illustrated that at that time the city had about twice as much buildable land in areas zoned R-7 (72.1 net buildable acres) than in areas zoned R-12 (36.7 net buildable acres). The report analyzed the city's current and future housing needs, which included the following conclusions of relevance to the application:

- "In general, there is a need for some less expensive ownership units and rental units."
- "Single family attached units are projected to meet nearly 20% of future housing need."
- "It is projected that in coming decades a greater share of housing will be attached types, including attached single family."

This type of housing is possible in the R-12 zone, which allows attached and multi-family housing on 3,050 square-foot lots. With this legislative action, the loss of R-12 zoning in Site B is replaced by the increase R-12 zoning in Site A, preserving a versatile residential zone to meet the preferences and financial capabilities of Tigard's present and future residents. This policy is met.

**CONCLUSION:** Based on the findings above, Tigard Comprehensive Plan Goal 10.1 Policy 1 is met.

## APPLICABLE METRO REGULATIONS

### **Urban Growth Management Functional Plan**

#### **Title 1: Housing Capacity**

**The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity.**

#### **3.07.120 Housing Capacity**

**A. A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection D or E. A city or county may reduce its minimum zoned capacity in other locations under subsections C, D or E.**

Site B is located on Pacific Hwy, designated a “Corridor” in the Regional Framework Plan. Therefore, the proposed rezone of Site B from R-12 to C-G, reducing the minimum zoned capacity of R-12 zoned land, is subject to subsection D or E.

**E. A city or county may reduce the minimum zoned capacity of a single lot or parcel so long as the reduction has a negligible effect on the city’s or county’s overall minimum zoned residential capacity.**

As identified in the City’s most recent BLI map, dated January 1, 2014, the project site has not been identified as buildable, likely due to its ownership by the school district and aggregation with adjoining school properties. Therefore, the conversion of the site’s zoning district to C-G will not have a demonstrable effect on the planned residential capacity of the City.

The City’s Housing Strategies Report indicates that “in general, there is a need for some less expensive ownership units and rental units.” This type of housing is possible in the R-12 zone, which allows attached and multi-family housing on 3,050 square-foot lots. With this legislative action, the loss of R-12 in Site B is replaced by the increase in R-12 in Site A, resulting in a marginal net increase of R-12 zoned land and preserving a versatile residential zone to meet the preferences and financial capabilities of Tigard’s present and future residents. This policy is met.

CONCLUSION: Based on the findings above, Metro’s Urban Growth Management Functional Plan Title 1 is met.

## THE STATEWIDE PLANNING GOALS AND GUIDELINES ADOPTED UNDER OREGON REVISED STATUTES CHAPTER 197

The City’s Comprehensive Plan incorporated the Statewide Planning Goals and was acknowledged by the state as being in compliance with state law; therefore, the Statewide Goals are addressed under the Comprehensive Plan Policies Sections. The following Statewide Planning Goals are applicable: Goal 1: Citizen Involvement; Goal 2: Land Use Planning; Goal 10: Housing.

## TRANSPORTATION PLANNING RULE COMPLIANCE

### OAR Section 660-12-0060 Plan and Land Use Regulation Amendments

**(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**

**(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**

The proposed R-12 zone for Site A and C-G zone for Site B will not require or result in any changes to the functional classification of any transportation facility in the vicinity of the site.

**(b) Change standards implementing a functional classification system; or**

The proposed C-G zoning will not require or result in any changes to the standards that implement the functional classification system.

**(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**

**(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**

The proposed R-12 zone for Site A will result in future traffic volumes and access in a manner consistent with the functional classification of SW 72<sup>nd</sup> Avenue, a local street, and Spruce Street, a neighborhood route. ODOT's trip generation analysis for Site A (ODOT Comment letter, dated 12-2-2015) showed a reduction of trips, from 220 PM trips under the current C-P zone to 43 PM trips under the proposed R-12 zone. Therefore, with the reduction of trips under the new zone, the type and level of travel and access would be consistent with the existing functional classification of the transportation facilities.

The proposed C-G zoning for Site B will result in future traffic volumes and access in a manner consistent with the functional classification of OR 99W in the study area. Although a component of the C-G zoning site trips are expected to travel behind the subject property along SW School Road and SW Grant Avenue, due to a proposed left turn egress restriction at the OR 99W/SW School Road intersection, the amount is minor and should not be any more significant than the buses that frequented this route when the subject site property was a bus storage facility for the Tigard-Tualatin School District.

**(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**

The proposed C-G zoning for Site B will degrade the operational performance of the SW School Road/SW Garrett Street/OR 99W intersection with a v/c ratio of greater than 3.0 for the SW School Road approach under year 2035 weekday p.m. peak hour conditions (Appendix H, Kittelson July 15, 2015 TIA). This finding results in a "significant affect" determination, but is remedied by the site access control measures recommended in this report.

**(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

The OR 99W/SW Walnut Street intersection is projected to fail with a v/c ratio of 1.03 under year 2035 weekday p.m. peak hour conditions assuming development under the current R-12 zoning. However, because the v/c ratio remains the same at 1.03 under the proposed C-G zoning development scenario, the performance of this intersection is not degraded further. Therefore, a finding of "significant affect" is not triggered by this section of the TPR.

## CONCLUSIONS AND RECOMMENDATIONS

The proposed C-G zoning for the subject site has the potential to create a significant affect at an aligned OR 99W/SW School Road/SW Garrett Street intersection. This significant affect can be remedied by the following mitigation measures, which are recommended to be applied to any future commercial development of the site through Site Development Review:

- Maintain the current SW School Road alignment and access to OR 99W, but restrict turn movements to right-in/right-out/left-in only by constructing a raised concrete island and traffic separator in the center median lane of the highway.
- Close the current site access to OR 99W across from SW Garrett Street, and construct a new site driveway near the northern property limits. The new driveway would be effectively restricted to right-in/right-out only movements due to the raised traffic separator that already exists in the median lane of the highway

## **SECTION V. ADDITIONAL CITY STAFF COMMENTS**

**The City of Tigard’s Current Planning Division, Development Services Division (Engineering), and Public Works Department** had an opportunity to review this proposal and had no objections.

## **SECTION VI. OUTSIDE AGENCY COMMENTS**

The following agencies/jurisdictions had an opportunity to review this proposal and did not respond: **Metro Land Use and Planning, Clean Water Services, Tigard Tualatin School District #23J, Washington County, Department of Land Use and Transportation, Oregon Department of Land Conservation and Development.**

**Oregon Department of Transportation, Region 1** reviewed this proposal and provided a comment letter dated December 2, 2015 from Marah Danielson, ODOT Development Review Planner. ODOT determined that for Site A (7303 SW Spruce St), vehicle trips to OR 99W intersections will likely be reduced and that the proposed zone change from C-P to R-12 does not significantly affect a state highway facility. ODOT determined that for Site B (13135 SW Pacific Highway), vehicle trips to OR 99W intersections at Walnut and Park under the proposed zone change from R-12 to C-G would not significantly affect a state highway facility.

ODOT supports proposed mitigations to address the safety concern of introducing more vehicle turning conflicts at School Street onto OR 99W and recommends the following conditions on subsequent development of the site:

1. Restrict turn movements at the SW School Rd/OR 99W intersection to right-in/right-out/left-in only by constructing a raised concrete island (traffic separator) in the center of OR 99W to prevent vehicles from turning left onto the highway.
2. Close the existing site driveway to OR 99W across from SW Garret St and construction of a new site driveway near the northern property limits (the new driveway location would be restricted to right-in/right-out only movements due to the existing raised traffic separator on the highway).

Future applications for development on the property at 13135 SW Pacific Hwy will be required to implement these mitigation measures through Site Development Review.

## **SECTION VII. INTERESTED PARTIES COMMENTS**

The Planning Commission received and considered both written and oral comments from residents and stakeholders as part of their deliberations on December 14, 2015.

Written comments were submitted by the following interested parties:

- Jim Long, 10730 SW 72<sup>nd</sup> Avenue, Tigard, OR 97223, comments submitted at hearing

Oral comments were submitted by the following individuals:

- Kelly Houssaini, Miller Nash, LLP (Site B representative)
- Mathew Zinzer, DOWEL (Site A representative)
- Noreen Gibbons 10730 SW 72<sup>nd</sup> Ave, Portland, OR 97223
- Nancy Tracy, 7310 SW Pine Street, Tigard OR 97223
- Ann and Nathan Murdock, 7415 SW Spruce Street, Tigard OR 97223

Listed below are the main highlights from the oral and written comments received. The full text of all comments can be found in the project file and Planning Commission minutes of December 14, 2015.

Testimony in favor, received from representatives of the school property, is appreciative of the city being pro-active in amending its comp plan and zoning map to better reflect locational characteristics of Site B.

Testimony in opposition, received from neighbors, identify the following concerns with respect to future development under the proposed R-12 zone for Site A:

Increased traffic and on-street parking,  
Loss of open space and potentially, blocked views  
Lot size not in keeping with neighborhood character  
Preference for retaining the existing C-P zone  
Objection with the legislative process and notice procedures

The Planning Commission was presented copies of all written comments and heard all oral testimony before a motion to recommend approval of the proposed amendments. Overall, the Planning Commission found the project to meet all relevant approval criteria pertaining to the issues raised by the public.

## **SECTION VIII. CONCLUSION**

As demonstrated by the findings above, the proposed changes comply with the applicable Statewide Planning Goals, applicable regional, state and federal regulations, the Tigard Comprehensive Plan, and applicable provisions of the City's implementing ordinances.

Therefore, the Planning Commission recommends that the City Council adopt by ordinance the proposed Comprehensive Plan Amendment and Zone Change, as determined through the public hearing process.

*Gary B. Pagenstecher*

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PREPARED BY: Gary Pagenstecher  
Associate Planner

December 7, 2015

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DATE

*Kenny Asher*

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APPROVED BY: Kenny Asher  
Community Development Director

December 7, 2015

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DATE

**CITY OF TIGARD  
PLANNING COMMISSION  
DRAFT Meeting Minutes  
December 14, 2015**

**CALL TO ORDER**

President Rogers called the meeting to order at 7:00 p.m. The meeting was held in the Tigard Civic Center, Town Hall, at 13125 SW Hall Blvd.

**ROLL CALL**

**Present:** President Rogers  
Vice President Fitzgerald  
Alt. Commissioner Enloe  
Commissioner Feeney  
Commissioner Lieuallen  
Commissioner Middaugh  
Alt. Commissioner Mooney  
Commissioner Muldoon  
Commissioner Schmidt

**Absent:** None

**Staff Present:** John Floyd, Associate Planner; Doreen Laughlin, Executive Assistant; Gary Pagenstecher, Associate Planner; John Floyd, Associate Planner

**COMMUNICATIONS** - None

**CONSIDER MINUTES**

December 7 Meeting Minutes: President Rogers asked if there were any additions, deletions, or corrections to the December 7 minutes; there being none, Rogers declared the minutes approved as submitted.

Before opening the public hearing, President Rogers addressed the commission about the order of the agenda. The commission agreed to change the order of the agenda to complete old business first; so it was decided to begin with the continued public hearing rather than the originally scheduled item. The Comprehensive Plan item “MEDIUM DENSITY RESIDENTIAL (R-12) PRESERVATION Comprehensive Plan Amendment (CPA) 2015-00005” would be heard afterward.

**REOPEN CONTINUED PUBLIC HEARING**

President Rogers reopened the continued public hearing.

**HERITAGE CROSSING ZONE CHANGE AND SUBDIVISION (ALTERNATIVE PROPOSAL- CONTINUED: ZON2015-00006/SUB2015-00015/ADJ2015-00003**

**REQUEST:** The applicant is requesting a concurrent Zoning Map Amendment, Subdivision, and Special Adjustment to street standards to develop approximately 9.10 acres located at 15435 SW Hall Boulevard. The quasi-judicial zoning map amendment would change 6.05 acres of the project site from R-12 to R-7, with no change in zoning to the remaining 3.05 acres. Associated with the application is a concurrent

request for subdivision of the site into 62 single-family lots, and a special adjustment to street standards to allow new local streets to match existing streets that adjoin the property. The applicant submitted a similar proposal earlier this year, which was indefinitely suspended by the City Council on October 20, 2015 (see file ZON2015-00002, SUB2015-00001, VAR2015-00001). **APPLICANT:** Venture Properties **LOCATION:** 15435 SW Hall Blvd **ZONES:** R-12 to R-7 **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.370.020.C.9, 18.380.030.C, and 18.430.040.A; and Metro Urban Growth Management Functional Plan Title 1

## STAFF REPORT

Associate Planner John Floyd read into the record the six items/letters that came in since the last hearing and gave his response to each one:

- An email from Vice President Fitzgerald dated 12/8/15 in which she requested updated letters from Metro (regarding Title 1) and the Tigard Housing Planner (both letters were provided for their information.)
- Two letters – one from TVF&R and one from ODOT – stating that neither agency had objections to the project. ODOT had a list of recommended conditions of approval should the Planning Commission decide to approve the project.
- Joint letter from the Fair Housing Council of Oregon and the Land Housing Advocates – This is significant because:
  - It supports staff recommendation of denial citing:
    - Policy 2.1.15.C-D
    - Policy 10.1.1
  - Project would “negatively impact housing choice, diversity, and affordability within Tigard.”
  - It would endanger Washington County’s ability to affirmatively further fair housing under the federal Fair Housing Act.
    - Tigard is held to this same requirement as the City receives federal money.
  - Cited the Washington County Consolidate Plan 2015-2020 regarding housing conditions.
    - Dramatic changes in poverty and vacancy rates in the last ten years due to suburbanization of poverty.
    - Incredibly tight rental market
    - Increased demand for affordable housing – both renters and homebuyers.
- Letter from Brian Harper of Metro
  - States they have withdrawn their previous objection based on Title 1
  - Also said that their change of position should not be used to settle the issue, as there remain other code and policy issues for the PC to consider.
- Updated letter from Tigard Housing Planner – Marissa Grass
  - Main Points:
    - Cited two studies that concluded affordable ownership and rental housing is of particular importance at this time.
    - Tigard has over 2.6 times the amount of buildable land zoned R-7 as compared to R-12
    - Proximity to services is relevant factors in multiple comp plan policies.
    - Issues of compatibility are false – multiple parts of the city where R-7 adjoins R-12

- Recommends project should be denied to preserve existing opportunities for needed housing with R-12 zoning.

At this point, John addressed the 76 page document package the applicant had turned in the previous week, noting that the staff report addresses most of the issues that had been raised in those documents. He said there were two parts of the recommended “Draft Findings of Fact” proposed by the applicant and presented to the City Council – specifically on page 3 of the “Draft Findings of Fact” regarding 18.390.030.B.3 – Evidence of Change in the Neighborhood that he believes are relevant:

“The area has become increasingly less dense since 1983.”

- Staff does not concur with this proposed finding (detailed on page 18 of the Staff Report)
  - Land immediately to the west was up-zoned from R-4.5 to R-7.
  - Cumulative density along northern and western boundaries actually increased in 1996 as part of Applewood Subdivision Approval

“The area that has developed around the Site has developed under low-density residential standards.”

- Both Comp Plan and TDC would define adjoining properties as “Medium-Density Residential”
- Existing zoning is similar in intensity than adjacent properties

## **STAFF RECOMMENDATION**

Staff recommends the Planning Commission DENY the proposed zone change based on findings and evidence contained in Section V of the Staff Report.

## **APPLICANT’S PRESENTATION**

Attorney Mike Robinson spoke on behalf of the applicant and said rather than go over the applicant presentation again that they would like to hear what the public has to say and then they would rebut both the documents that had come into the record and whatever might be said during the testimony time.

## **TESTIMONY IN FAVOR - None**

## **TESTIMONY IN OPPOSITION - None**

## **APPLICANTS REBUTTAL**

Attorney Mike Robinson came up again and reminded the commissioners that when you look at it, what you’re really looking at is a difference of twelve units; that’s the difference between what was submitted before - which requested the entire site be zoned R-7 - versus the compromise application which is asking to be partly zoned R-7 with R-12 remaining adjacent to Hall Blvd.

Regarding the Metro letter – the reason the Metro letter is in the record is that Commissioner Fitzgerald asked staff to obtain a letter from Metro. In the prior application Metro had said “We don’t think the application meets Title 1.” In shorthand, the Title 1 standard is – you can change a

zoning map designation so long as it has what Title 1 refers to as a “negligible effect.” There’s no definition of that except what you would think of as the ordinary dictionary definition – “small.” So having the letter we have from Metro in the record now is helpful for this body - it now says in the first sentence of the 2<sup>nd</sup> paragraph is “We’ve reviewed the new proposal from the applicant and have decided to withdraw our previous objection.” That’s an appropriate position on Metro’s part. We’re talking about just 12 units – a negligible effect. So Metro’s concluded that this application satisfies Title 1. That’s a significant change from their position last time, and I think that’s due to the applicant’s willingness to compromise – leaving the R-12 up on Hall Blvd and putting R-7 where it belongs – adjacent to all of those single family homes with the wide lots. Please remember we’re talking about a loss of 12 dwelling units out of a total of 6,308. I think Metro is correct that it’s a negligible effect. I think this commission can make that same finding and we’d like you to make that finding.

Regarding the Fair Housing Council letter. Let me divide that letter into two parts. There’s a reference to Tigard Comp Plan Policies and I can tell you that as late as today, Ms. Bragar, who’s an attorney at Garvey Schubert, and who is one of the two authors of the letter. had not read the application. I emailed her Metro’s letter and she said to us “Would you send us the application?” So they wrote the letter without having read the application. Clearly they read the staff report, but I think before you write a letter, you really should read the application.

The letter is really divided in two parts – the plan policies that one could find by looking in the staff report – and this Washington County Consolidated Plan. That plan is not an approval criteria. It’s important for us to understand housing needs in this county, but it’s not a land use regulation, it’s not a Comprehensive Plan provision – it’s not relevant – it’s not approval criteria that you would find relevant to this kind of application. Moreover, the plan covers the entire county. Think about the big UGB expansion areas – River Terrace in this city – South Cooper Mountain in Beaverton, North Bethany in Washington County... there are literally thousands of multi-family and attached units. So to the extent that someone wants to argue, as the Fair Housing Council has done, that losing a mere 12 units by rezoning R-12 to R-7 on a portion of this site, somehow violates that plan... I think is just wrong because there are many 100’s if not 1000’s of units in these three large UGB areas that provide for multi-family and attached single-family dwelling opportunities. So even if the plan were an approval criterion, we’ve had these large expansion areas that Metro brought into the boundary in 2002 that are now being developed. Look at River Terrace. Those areas have more than added to the small lot, attached single-family and multi-family development far, far excess of the 12 units we’re talking about.

Mr. Robinson addressed the three plan policies that the Fair Housing letter referred to that were in the staff report:

Comp Plan Policy 2.1.15.C is met by the applicant because there is a need for housing in the R-7 zone. In the words of the plan policy “In this particular location.” That’s the operative factor in that plan policy. That policy is not concerned with city-wide conditions – it’s concerned with “in this particular location.”

Comp Plan Policy 2.1.15.D is met by the applicant because there’s an inadequate amount of R-7 land. Ms. Doukas’ slide presentation and the narrative demonstrates the fact that there’s more need for R-7 land here than R-12.

Comp Plan Policy 10.1.1 is frankly not an applicable standard in any kind of a development application. It is direction to the city to adopt certain kinds of codes - it's the plan's guidance for the city saying "Implement this plan a certain way." Not only does it not apply to development applications, even if it did - it doesn't refer to map amendments - and that's what's before you tonight; the map amendment.

So while we respect the good work the Fair Housing Council does, this letter doesn't offer you any reason to deny this application. The Washington County Consolidated Plan is neither an approval criterion, nor is it particularly relevant to the outcome, because it ignores the fact that we have literally hundreds of acres of new land that have come into the boundary and that are being developed with different kinds of non-large lot single family homes.

The only zones that touch and abut this site are R-5 and R-7 - not R-12. Our point is that if you look at the map, this site is abutted by R-5, which is low density. Most of the neighbors who live in R-7 would believe they're low density as well - not medium density. The only reason this piece is still R-12 is the ownership. It's only with the passing of the owner that this property came on the market. Had this property been actively developed, I think you could safely conclude that it wouldn't be R-12 today. It's the only R-12 on that side of the street - it's surrounded by either R-7 or R-5 zones.

When you voted last time, a number of you made comments about wishing the applicant had done something different and tried something else. That's why we came back - we thought this was a worthy effort to make - we don't think it's appropriate, nor is it required by the code, to put R-12 next to existing R-7 and R-5 single family zoning district developments - we think if the compromise should be made - leave the R-12 adjacent to Hall Blvd. That supports, in staff's view, the transit line on Hall - but change the rest to R-7 which results in a compatible, similar development. Your code is flexible enough to allow that. The evidence in the record supports the necessary findings that this body would need to make to approve this. We think this is an application that's well supported by the evidence, and that you can approve.

## QUESTIONS

**There are many places in the staff report where staff points out a policy and then feels that policy isn't met and then additionally that it couldn't be conditioned to be met. What is your reaction to that?**

I could go through each policy but I can divide my responses in general into two groups. One: A number of the plan policies cited in the staff report are not applicable for one of two reasons - either they're aspirational - they use language like "should" rather than mandatory language like "shall" or, more importantly, as I cited earlier to one of the plan policies in chapter 10, they're really direction to the city about how to implement the plan. They don't have a good role in applying to development applications. In some cases, in my opinion, they simply don't apply in the way staff suggested they do. You can find, as our findings document did, that many of those plan policies simply aren't applicable, shouldn't be applicable because they're not mandatory, or simply don't apply to development applications.

The second general reason is in the case of those plan policies that do apply - you have to judge about which set of evidence that you think better implements the plan policy. We think Ms. Doukas did a very good job showing the history and why those important criteria providing for a

zone change are met. Those plan policies are satisfied by substantial evidence submitted by the applicant and that gives the Planning Commission a basis to approve the application.

**You mentioned that the twelve lots are negligible – was there any thought of changing it around to actually meet the minimum lot requirement?**

Mimi Doukas AKS Engineering, representing Venture, came up to address that question. The response to that has to do with how we transition those densities and how we create the community internal to the property, and what is the right way to transition that density? If we put that much of the smaller product in, it begins to change the entire character of the neighborhood – it changes the streetscape. So it really has to do with the community building within the neighborhood and the right way to transition from a market standpoint.

Mike Robinson came up and noted that if the Justice Department or a court were to look at whether the city or the county is complying with the Fair Housing Law, both state and federal, they're going to look at the totality of the situation. They'd look at whether the city has a pattern of discriminating against low-income individuals through their zoning actions. "First of all," he said, "federal law is not an approval criterion for this application, but more importantly, the totality of the circumstances in the city and county is that with all of those UGB areas, there's no possibility, in my view, that the Fair Housing Law is not satisfied in this application because it has such a de minimis effect on your zoning capacity. It wouldn't rise to the level that any responsible attorney would suggest to their governing body that a case should be brought against the city."

**FINAL COMMENTS OF STAFF**

Associate Planner John Floyd: Page 3 of the staff report comes down to a lot of the staff's recommendations on this. There are two tables on page three. The first is a density comparison and the second is a comparison of allowed housing types. The applicant's argument is that this is just a loss of 12 units. It's not just a matter of numbers, I could site some specific policies if you'd like but it's also a matter of location. There's a cumulative amount of services in this area that we think's also appropriate that relates to the number. That's the adjacency and proximity of schools with sidewalk connections to all the schools; it's the proximity of a small neighborhood commercial center nearby, the city library. Cumulatively these things are important. All these factors were a reason why this area was assigned to R-12 zoning back in 1983 and these locational factors haven't changed. Staff's position is that the reason the City Council applied the zoning back then is still relevant today. The applicant has also talked about a need for R-7 zoned land, without analysis of impact to housing types allowed under R-12. The analysis has been pretty one-sided in terms of the numbers. I think the application is incomplete in that regard too.

**APPLICANT REBUTTAL**

Mike Robinson came up and said "I could certainly go through this again, but I think we've said enough and I think you all are probably thinking you've heard enough, so I thank you for your time."

**PUBLIC HEARING CLOSED**

## DELIBERATION ON ZONING CHANGE

There was some discussion about how difficult this decision is due to a very strong staff report but also a very strong application. They decided to focus on the zone change only at this point. The question was whether they would support the R-12 or whether they would support the application as proposed.

Some of the responses from the commissioners:

- The relatively “soft” responses from the agencies such as Metro don’t make it easy to make the decision. It’s back to the commission to decide.
- I’m torn as well, it seems like the appropriate thing to do is to maintain the current zoning based on where it is and the supply in the city for that zone. I’m leaning towards maintaining the R-12 zone.
- I’d probably agree with that. As far as River Terrace and other locations in the city being brought into the conversation... this area is for housing for people who can’t afford more expensive homes or economic values. River Terrace in my opinion as a development... there are a few little locations that are affordable but beyond that I don’t think we have enough affordable housing in Tigard and I think to change that zoning in this specific area - while some may view that the city facilities are not in proximity, but for our city they’re in good proximity to that neighborhood. I think we should remain the same zoning to help out more people.
- I’m leaning the other way. I like the idea of having the boundaries at the street and I like what’s being proposed. It’s got the lower and the higher density. I think that 12 lots is de minimis.
- I was one of the one’s that said I’d like to see something in the middle and now the applicant came back with something. The question does open up as other commissioners have mentioned is – it isn’t going to count – it’s minimal to me. But losing enough housing count – I’m really looking at that criteria as well – everyone’s referencing River Terrace. It’s also stating in there about “in a particular location” – are we talking citywide? Or are we talking in this neighborhood? That’s where I’m having a little harder time right now. Yes, the whole area was (inaudible) and rezoned, or redeveloped – now it’s a little piece. I’m definitely on the fence.
- A couple things stood out in my mind for that area. Is the bussing and walkability and diversity of housing, in that area – which is relatively exclusive. In support of this change – I don’t like thinking that the neighbors come and think they’re not heard. I do think it’s important and in our Comprehensive Plan – I believe it’s 1.1 that says there’s supposed to be public input. I think we’re supposed to take that into account and should weigh very strongly. I like this plan that came back with a compromise. Would I want my property to back up against two row-houses? Not so much. I’d want it to be a single house like mine. Also –Metro’s comment pushed me a long way to believing this is a negligible change to the inventory at this point and that they’re not opposed. That helped me get a long way towards what the neighbors and the developers are wanting.

At this point there were some questions about the two islands. One of the commissioners noted that in Mimi Doukas’ presentation, she had one of the alternates having R-12 for both islands. It was decided to reopen the hearing and ask Mimi Doukas some questions.

## **REOPENED THE PUBLIC HEARING**

President Rogers spoke to Mimi Doukas – “So the Commission itself is looking at R-12 for both islands. Has that been a consideration or something that has been looked at before? Does this pencil out?”

Doukas – It’s more than just penciling out. It’s how the community functions and how you can bring those houses to market but from a purely logistical and density standpoint, you can’t just mirror that island over. You won’t hit the right densities with the R-12. There’s land within that right of way and the storm water facility. You can’t hit the right numbers with that exact type of product. It would push it to smaller lots or attached products. It all sort of unravels at that point. One of the commissioners showed Ms. Doukas a drawing that showed both islands with R-12. Ms. Doukas pointed out that there was also a big red box in the corner of the plan stating, “This does not meet minimum density.”

## **STAFF COMMENT**

John Floyd said he believes there are ways the applicant could possibly modify the site plan to meet minimum density should the Planning Commission want to go with the additional island option as was being discussed. He said staff could work with the applicant to find ways to meet minimum density if that’s the route they would like to take.

Commissioner Muldoon asked if they could condition the application.

Ms. Doukas stated “If I’m hearing you right, you’re concerned about diversity of housing and adding another island is not going to add to the diversity of housing, it’s going to add a few more of a product type that we’ve already got within the community. We are providing smaller lots and we’re providing larger lots and all you’re talking about doing is changing the proportion of those. It’s still diversity of housing and you’re still providing opportunity within the region so I feel like the way that it’s currently designed, we really are already there. It’s talking about degrees.

## **CLOSED PUBLIC HEARING**

## **DELIBERATION**

There was more discussion as to who was for and who was against the application. It didn’t appear there was a majority. Some were for, some against.

At this point, Mike Robinson asked if he could come back on behalf of the applicant. President Rogers said he could and he reopened the public hearing.

## **REOPENED PUBLIC HEARING**

Attorney Robinson said, “If we could be sure that staff says there are ways to meet the minimum density, we’d be happy to work with staff and I think we’d consider what you’ve been tossing around which is R-7 on the perimeter, R-12 on the islands with the condition of that. So I’m thinking if you wanted to do a motion that proposed that – provided we can do the minimum density without too difficult gymnastics to get there, that might work. I simply don’t know your code well enough – I’d have to look at it to determine what you’d need to do, but I think we’re

willing to consider. But we're talking about detached single-family lots. We don't want to do attached here. We don't think the neighbors want to see attached here. So if the motion could provide for R-7 on the perimeter, R-12 in the interior islands that you've been referring to, with the proviso that there's got to be a way to meet minimum density – because you'll get a different letter from Metro if we don't meet minimum density - I think we could be comfortable with that. But it's got to be detached lots; we're not offering attached.

John Floyd said staff would be willing to work with the applicant if the Planning Commission wants to give direction. He said he would recommend against specifying a specific number of lots – providing the applicant meets the minimum density.

President Rogers closed the public hearing.

## **CLOSED THE PUBLIC HEARING**

### **MOTION ON ZONING CHANGE**

**Commissioner Muldoon** made the following motion – **“Motion is for ZON2015-00006 as proposed but with R-12 for the second island meeting minimum density - working with staff - with detached lots.** Seconded by **Commission Middaugh**

A vote was taken.

In Favor: Commissioners Muldoon, Middaugh, and Feeney  
Opposed: Commissioners Lieuallen, Fitzgerald, and Schmidt  
Abstain – President Rogers

Count is 3 for, 3 against, 1 abstention

### **VOTE RESULTS IN A 3 -3 TIE**

When questioned, the commissioners said they needed to see more before deciding.

At this point, it was decided to continue the hearing to get a revised plan which hopefully the commission would be in favor of. After looking at the calendar it was decided to continue to January 25.

President Rogers gave a summary to the applicant of what's wanted: “The commission desires to see that R-12 zoning applied to that second island – and again, minimum density requirements applied to the entire development itself.” Is that correct, Commissioners? All the commissioners agreed.

## **HEARING IS CONTINUED TO JANUARY 25, 2016**

### **FIVE MINUTE RECESS**

### **PUBLIC HEARING**

**MEDIUM DENSITY RESIDENTIAL (R-12) PRESERVATION Comprehensive Plan Amendment (CPA) 2015-00005; Zone Change (ZON) 2015-00007**

**REQUEST:** The city is initiating this Comprehensive Plan and Zoning Map Amendment to facilitate preservation of R-12 zoned land and ensure it is applied in a location that supports residential use. The City proposes changing the Comprehensive Plan Designations and Zoning District Classifications of the subject parcels in **SITE A** (3 parcels totaling 1.54 acres) from Professional Commercial (C-P) to Medium Density Residential (R-12); and changing the Comprehensive Plan Designations and Zoning Map Classifications of the subject parcel in **SITE B** (1 parcel of 1.37 acres) from Medium Density Residential (R-12) to General Commercial (C-G). **APPLICANT:** City of Tigard **LOCATION: SITE A:** 7303 SW Spruce St., 10705 SW 72nd Ave., 10735 SW 72nd Ave; TAX MAP/ LOT #'s: [1S136AC02200](#), 1S136AC02400, 1S136AC02500; and **SITE B:** 13125 SW Pacific Hwy TAX MAP/ LOT # 2S102CB00200 **ZONES:** FROM: Medium Density Residential (R-12) and Professional Commercial (C-P) TO: General Commercial (C-G) and Medium Density Residential (R-12) **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.380.020 and 18.390.060.G; Comprehensive Plan Goals 1, 2, 10; Statewide Planning Goals 1, 2, 10; and Metro's Urban Growth Management Functional Plan Title 1.

## **STAFF REPORT**

Associate Planner, Gary Pagenstecher went over the staff report (the staff report is available for viewing and downloading on-line one week before each hearing.)

Pursuant to the City's housing goal to provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents, the affordable housing types allowed in the R-12 zone warrant the need to preserve R-12 zoned lands. The timing of the applications identified above is such that the city staff would have likely recommended denial of the proposed R-12 to C-G zone change to avoid loss of R-12 zoned land. However, the city's proposal combines the two zone change proposals so that a finding of no net loss of R-12 can be made through the legislative process.

The locational characteristics of the subject parcels otherwise support the comp plan amendments and zone changes. The property zoned C-P (Site A) fronts on a local and a neighborhood street and is adjacent to property zoned R-4.5 and low-density unincorporated Washington County. The adjacent lower class streets and low density residential use zone makes the property more suitable for medium residential use that forms a transition from the C-G zone to the south and the R-12 zone to the north.

Residential-zoned land adjacent to Pacific Hwy is rare in Tigard and is primarily associated with private and public school ownership and use, which is allowed conditionally in residential zones. The Tigard-Tualatin School District has identified the subject property (Site B) as surplus and intends to sell it for the highest best use. The proposed C-G zone is the dominant zone along Pacific Hwy (classified as Primary Arterial) and the existing zone of the adjacent parcels.

This action would result in a net increase of 0.17 acres zoned R-12.

**Tom McGuire, Assistant Community Development Director**, came up and explained in a bit more detail as to why the city is recommending this swap of zoning. "We've had a pre-app and applicant interested in this school district property, wanting to change that zone to C-G and, according to their market research, that was the best use that they were proposing for that property. We've also had two pre-application conferences for the other property – the commercially zoned property - to change that to R-12; but no application has come in. Given the

other applications that we've had with R-12 zone changes, we wanted to make sure that we are consistent in the findings that we're making on these quasi-judicial cases. Looking at the two sites - we saw that they are just about the same size. The neighborhood commercial is slightly larger and so, given we had interest from both property owners - we had development interests - we looked at that and we thought that it made the most sense to actually step in as a city and legislatively swap those zones. We've got the R-12 residential in a better place for residential zoning off of Hwy 99W and we've got commercial development on Hwy 99W, which makes more sense. Again, as Gary explained, there are two places on 99W zoned residential - the rest of it is all commercial. And those are in areas where there are schools, or were school property - and it was placed there through the conditional use process. So that's just a little more background as to why this decision was made, and why this is before you.

## **STAFF RECOMMENDATION**

In Section VIII CONCLUSION, Staff recommends that the Planning Commission recommend approval of the proposed amendments to the Tigard City Council as determined through the public hearing process.

## **TESTIMONY IN FAVOR**

**Kelley Hossaini with Miller Nash 111 SW 5<sup>th</sup> Ave., Suite 3400, Portland 97204** - representing the Tigard Tualatin School District - said they are very pleased with staff being pro-active and taking this opportunity to put both of these pieces of property into zones that make more sense given where they are. The property on Hwy 99 has been owned by the School District since the 1940's - maybe even earlier. It was zoned residential to accommodate the district's use of the property. The property was declared as surplus in 2005 and put it on the market in 2006. There was some interest in the property from Commercial uses - no interest whatsoever from anyone wanting to do residential. The property was taken off the market due to the economic downturn. It was put back on the market a couple of years ago and a year ago to Leadership Circle interested in the property and actually wants to put a "Natural Grocer" there which I think would be great to have there and near the elementary school. If the zone change fails there will just be an incorrectly zoned piece of property that will sit there - not on the tax rolls, not providing jobs, taxes for the city - it would just sit there because we've never had any interest whatsoever in a residential use right there on 99. She thinks the zone change makes sense. As a reminder, this is a zone change only - there are no development applications before you. Any concern about the actual workings of what might go on the site - those would best be tackled when applications actually come in.

**Matthew Zinzer - 720 SW Washington St., Suite 750, Portland 97205** works for Dowell, the planning and civil engineers for Leadership Circle, said they have been looking at this "Natural Grocer" and working well with the City of Tigard and ODOT to make sure the site is feasible and we are working diligently for that and we see no issues with the design continuing forward.

## **TESTIMONY IN OPPOSITION**

**Noreen Gibbons - 10730 SW 72<sup>nd</sup> Ave., Portland 97223** - said her property is just across the street from Site A. She bought her property because it was commercially zoned across the street and she didn't believe there would ever be a bunch of houses located there. That was her impetus to buy the property in the first place. She received a letter (notice) in the mail and also saw the sign that was put up on the corner advertising this meeting. She wanted to make a point to say that she

believes that is very inadequate notification. A day or two after the sign was put up it was curled and now, because of the rain and wind, it's down on the ground. She believes community input is important and she is interested in quality of life. She is concerned about additional traffic and believes this would cause more cars, more congestion. The character of the neighborhood does not match R-12; it will change the character of the neighborhood – and not for the better. Two and three story houses there will cause her to lose her view of Parrot Mountain and it will impact her quality of life.

**Nancy Tracy – 7310 SW Pine St., Tigard 97223** – has lived there for 53 years. Her focus is the value of open space. She believes kids need physical exercise and could be playing out in that area. She believes the city is calling this a done deal. Tigard should make this land available for kids and parents and for walking. She thinks this is being rushed. There should be a moratorium. She would like the city to stop looking at open space as waste land.

**Nathan Murdock – 7415 SW Spruce St. Tigard 97223** – had also submitted a letter which was an exhibit in the staff report. He said most of what he and his wife have to say are on the back of that letter. He is concerned about traffic with safety as the main concern. Parking is a problem now – it would only get worse. He is not opposed to residential but make it residential for what's there and ¼ acre lots should be a very minimum.

**Ann Murdock – 7415 SW Pine St., Tigard 97223** – People are parking in front of her home now because of the property at the end of 74<sup>th</sup> where there are a lot of little homes – four feet apart – with families that have at least 2 cars apiece. It's a mess already; more houses would only add to that mess. She said she may not even be able to get into her driveway. She likes the idea of a park being there instead.

**Jim Long – 10730 SW 72<sup>nd</sup> Ave., Tigard** – spoke on behalf of at least four people so was allowed 15 minutes for testimony - he distributed written testimony. He said that he'd hit heavy traffic getting back and was sorry to have to submit a draft (**Exhibit A**). He noted that he is the elected chair of CPO-4M, the Citizens Participation Organization serving East Tigard – Metzger and Durham. He said the CPO had voted unanimously to endorse retaining the Commercial-Professional zoning for Site A (the property at the corner of 72<sup>nd</sup> Ave & SW Spruce Streets. He didn't like the file title – stating that it is a misnomer and really is misleading to citizens. It's not “Residential Preservation” – it's not commercial professional preservation – it's a swap. He hopes it's not a done deal. He stated that the staff report incorrectly states that the current zone does not allow residential use. He tried calling the number listed on the notice to get more information – it was supposed to be Gary Pagenstecher's number but it was somebody else and he said he never got a response back (Monday, December 7). He noted that Code 18.390.053 C2A – Goal 1 of the Comprehensive Plan states that citizens should be involved in every part of the process. He stated that he came in to the city on November 20 to ask to look at the documents and Gary said there weren't any. He doesn't believe that's transparency. Public notices didn't hold up to the weather. He had photos (shown on the written testimony) showing they had blown down on the ground – ineffective – unreadable. He believes this is a violation of due process 197.763. He said this hearing doesn't have the effect it should have. He doesn't like the zone swap being heard as a legislative process instead of a quasi-judicial process. He strongly believes this should be a quasi-judicial proceeding – it allows more citizen involvement and appeal that way. This seems to be highly irregular – it's like the fox watching the henhouse. He noted that he saw a “for sale” sign up on the property and wonders if this a done deal. He spoke about the land not being level – contrary to the staff report. He would like the city to leave this area as commercial.

Mr. Long stated that the staff report incorrectly states the site description of Site A stating that the current zone does not allow residential use. He said that is wrong because there are two houses on Site A now that have been lived in as residences for decades and that across 72<sup>nd</sup> there are residences that are zoned Commercial. He noted several things that the CPO would like to see: All documents that prompted the city to (inaudible) applicant for Comprehensive Plan Amendment in 2015-00005 zone change; the date the application was deemed complete; the affidavit of record; the staff report related to ordinance documents for 2006 annexation of what is now Site A; the housing strategies report by Angelo Planning Group that's referred to; 2010 Cogan Owens Cogan Economic Opportunities Analysis of 2011; the commercial inventory of the city; the residential inventory of the city; population projections; jobs projections; language in the 2006 annexation ordinance that justified the importance of Site A to be commercial-professional. Because of so many outstanding questions, they ask for a continuance for an opportunity to provide more evidence or for the Planning Commission to deny this. They would like the Planning Commission to deny the city Planning's Department request and maintain the existing zoning for Site A.

## **QUESTIONS FROM THE COMMISSIONERS**

**So are you asking to leave Site A the way it is? Commercial?** Yes, leave it commercial. It's been for sale for years – maybe they're asking too much. I don't know, but it doesn't seem like there's justification to change it to 3-story high attached houses or whatever it would be – but R-12 would allow something like that, from what I understand.

## **REBUTTAL**

Gary Pagenstecher, Associate Planner, said his comments (Exhibit A) were distributed to the Planning Commissioners and he doesn't have a copy. He said he doesn't have a rebuttal except that he'd heard issues with process and substance and that there are definite ideas the neighborhood has for this property. "The city has a different idea which we've adequately set forth in the staff report and it's consistent with the current property owner's interest. If the Planning Commission decides to continue, I'm sure I'll have a very specific rebuttal at that point."

## **PUBLIC HEARING CLOSED**

No further testimony or questions from the audience are allowed.

## **DELIBERATION**

There was some deliberation over who is for this swap of zones and who is not. The School District is wanting the swap as testified about earlier. Gary pointed out that the city had made a point of including the owners of Site A in the proposal and that they'd agreed with it. The owner is interested in having a residential zone there – they're interested in that because they realize the market is there for residential use but they hadn't found (that market) since it'd been annexed for commercial use. So the city and the current property owners have a consistent goal here – rezoning to a residential use.

## **MOTION**

**Commissioner Fitzgerald** made the following motion: **“I move the Planning Commission forward a recommendation of approval to the City Council of application CPA2015-00005 and Zone Change ZON2015-00007 and adoption of the findings that have been received.”**

**Commissioner Feeney** seconded the motion.

A vote was taken and the motion passed 6 – 1; with Commissioner Lieuallen opposing.

## **MOTION PASSES - 6-1**

President Rogers noted that the City Council makes the final decision and that this will go to City Council on January 12<sup>th</sup>.

## **OTHER BUSINESS**

Tom McGuire reminded the commission that the next Planning Commission meeting will be held on January 11<sup>th</sup> and that it will be a training session.

## **ADJOURNMENT**

President Rogers adjourned the meeting at 9:34 p.m.

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Doreen Laughlin, Planning Commission Secretary

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ATTEST: President Rogers

**AIS-2376**

**8.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 5 Minutes

**Agenda Title:** Consider Amendment to City Manager Employment Contract

**Prepared For:** Dana Bennett

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

**Item Type:** Motion Requested

**Meeting Type:** Council Business Meeting - Main

**Public Hearing** Yes

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

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**Information**

**ISSUE**

Does the City Council want to amend the City Manager's Employment Contract to reflect an adjustment in compensation based on the results of their annual performance review, and authorize the Mayor to sign the amendment?

**STAFF RECOMMENDATION / ACTION REQUEST**

At the direction of council, staff is bringing forward a recommendation to amend the City Manager's Employment Contract to create a vehicle allowance at the rate of \$4,000 per year, to be paid in equal monthly contributions. Staff recommends that this change go into effect as of January 2016. This compensation addition is consistent with benefits provided to other City Managers within the local labor market.

**KEY FACTS AND INFORMATION SUMMARY**

The current City Manager began working for Tigard in December of 2011 and voluntarily took a pay reduction in July of 2012 to ease the impacts of a difficult financial time. She received a merit increase in January of 2014 and again in early 2015. Council completed an evaluation of her 2015 performance on December 8, 2015 and directed staff to prepare the proposed amendment.

**OTHER ALTERNATIVES**

Choose to make no amendment to the City Managers Employment Contract at this time.

### **COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

The recommended action is consistent with the outcome of the annual performance review and performance against goals for calendar year 2015.

### **DATES OF PREVIOUS CONSIDERATION**

On November 10, 2015 Council provided an opportunity for public testimony regarding the process and criteria by which the City Manager would be evaluated. Then on December 8, 2015 Council conducted the City Manager's Annual Performance Review and discussed the option of adding a vehicle allowance as part of the City Manager's compensation package.

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### **Attachments**

Amendment #6 CM Employment Contract

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Amendment # 6

To City Manager Employment Agreement

Effective Date: January 15, 2016  
Between: City of Tigard (the "City")  
And: Martha (Marty) Wine ("Employee")

Section 3: Compensation of the Employment Agreement between the City of Tigard and Marty Wine is hereby amended with the addition of a section H to read as follows:

All other terms and conditions of the Employment Agreement and its amendments shall remain in effect.

Section 3: Compensation

H. The Employee, beginning January 2016, shall receive a \$4,000 per year vehicle allowance to be paid in twelve equal, monthly payments during each the calendar year of this agreement.

\_\_\_\_\_  
Marty Wine, City Manager

\_\_\_\_\_  
Mayor John L. Cook

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

AIS-2486

9.

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 10 Minutes

**Agenda Title:** Local Contract Review Board Consideration of a Contract Award to Murray, Smith and Associates for Hunziker Project Engineering

**Prepared For:** Joseph Barrett

**Submitted By:** Joseph Barrett, Finance and Information Services

**Item Type:** Motion Requested      **Meeting Type:** Local Contract Review Board

**Public Hearing** No

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

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**Information**

**ISSUE**

Award Engineering Contract to Murray, Smith and Associates, Inc. for the SW Wall Street Improvement Project

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff recommends award of contract to Murray, Smith and Associates Inc.

**KEY FACTS AND INFORMATION SUMMARY**

**Project Background: Public Infrastructure Finance**

The Wall Street project is one part of the larger Hunziker Infrastructure Project which includes \$8.7 million in new public access, transportation, sewer and water service to catalyze commercial and industrial development and increase employment in the Hunziker Industrial Core's 138 acres.

Over the last two years, the city has been working to bring this project from concept to construction. Work began with a 2014 Department of Land Conservation and Development (DLCD) funded Public Infrastructure Finance Strategy, which culminated in the recruitment of the industrial development firm Trammell Crow. Securing \$1.5 million in matching funds from the State of Oregon's Capital Construction funds was the next critical step in this process.

With these two components complete, the next step forward in financing this public infrastructure was completed in November 2015 through the submission of a preliminary grant proposal seeking \$3 million in U.S. Department of Commerce, Economic Development Agency funding for public works and economic development assistance. Notification of this funding (notification of a grant award) is at least 90 days away. This grant submission was made possible through the city Engineering Department's development of a preliminary project scope, engineering cost estimates, and an RFP for project design up to 30% for the Wall Street component. Award of this contract will keep the overall project moving forward to a "shovel ready" state, making Tigard's grant application more competitive

This project uses public infrastructure to transform an underperforming industrial district to increase private sector investment, development, and employment. New public infrastructure starts with 3,400 linear feet of public road (Wall Street from Hunziker Road to Tech Center Drive) designed as a complete street for industrial use with curb and gutter, sidewalks, bike lanes and storm water planter areas for water quality treatment. Within the road alignment, an 8" sewer, 12" waterline, and an 18" storm water line will serve adjacent industrial sites. Schematic details and budget estimates were provided in the preliminary engineering report that was shared with council on November 17, 2015.

### **Project Need: Public Infrastructure to Catalyze Private Investment**

This project unlocks 138 acres of regionally relevant industrial property  $\frac{3}{4}$  mile from Hwy 217 and I-5 for private sector investment. This investment leads to higher employment density supporting planned high capacity transit for the regional workforce commuting from neighboring cities. It supports infill development reducing development pressure on the regional urban growth boundary; ensuring large lot industrial sites in other cities can be put to their highest and best use. It transforms an underutilized industrial area with ready access to freight networks.

New public infrastructure will act as a catalyst for private sector investment. Tigard's Hunziker Industrial Core should support 150 to 300 jobs for residents from around the region with average wages of \$75K (2012 IMPLAN). Direct and indirect economic output from initial private sector investment on the first 40 acres of property unlocked through this project is estimated at \$123M with another \$37.2M in earnings accruing to employees from around the region (2012 IMPLAN).

The area exemplifies the challenge land-constrained inner-ring suburban cities face when trying to support business growth. Surrounded on each side by development, Tigard can no longer meet regional expectations for employment by expanding boundaries. The regional workforce is expected to grow by 300,000 in the next 10 years. In order to fulfill its responsibility as a regional employer, supporting at least another 10,000 employees over the next 15 years, Tigard must more efficiently use existing industrial lands, smaller parcels and sites previously considered too expensive to develop.

The 138 acre Hunziker Industrial Core originally developed as warehousing and distribution

facilities to serve regional demand. New public infrastructure will act as a catalyst for this area's maturation into a mixed use employment center with a wider range of businesses supporting higher levels of employment. This investment also supports the region's long term plans (10-15 year time frame) for a high capacity transit alignment (light rail or rapid bus) which is proposed to run adjacent to this investment area. This high capacity transit alignment will connect Tigard directly to Portland, Portland International Airport and the regional commuter transit system. Several stations are proposed within walking distance of this project. New development and higher levels of employment in this investment area provides an employment destination for the regional workforce via planned high capacity transit delivering employees to this commercial/industrial district.

On Wednesday, Sept 2, 2015 the Tigard Transportation Advisory Committee (TTAC) recommended that the City of Tigard designate \$200,000 in contingency funding from the City Gas Tax to fund engineering and design work that will begin project design, start the project in a timeframe to support construction, catalyze private sector development and assist in securing the \$3 million dollar federal EDA grant. As recommended by the TTAC and approved by the City Council at the October 13, 2015 council meeting, the FY 2016 Capital Improvement Program (CIP) was amended to include \$200,000 for the first phase of project design of the Wall Street project. City Gas Tax funding can be used to hire a consultant to perform the preliminary design work up to 30% design for a new industrial road connecting Hunziker to Tech Center Drive. This expense will be reimbursed by the \$1.5 million appropriation from the State in summer 2017. This project and contract for the Wall Street project will be executed in three phases:

1. Preliminary Design (30% Design),
2. Final Design/Contract Documents/Permitting/ROW Acquisition, and
3. Construction Administration

As this work will be done by an engineering firm, it falls under the Qualification-based Solicitation (QBS) rules which does not allow the city to ask for any pricing information during the solicitation. The city issued an Qualification-based Request for Proposal (RFP) packet for design and construction administration services for this project on October 16, 2015. Public Notice was placed in the Daily Journal of Commerce and posted on the city's webpage. A non-mandatory pre-proposal meeting was held on October 22nd and a subsequent clarifying addendum was issued on October 26th. Proposals were due at 2:00 pm on November 4th and the city received them from six firms:

- Century West
- McKenzie
- Wallis Engineering
- Murray Smith & Associates
- Harper, Hoff, Peterson & Righellis, Inc., and
- CESNW, Inc.

Under the QBS process, firms are scored based on identified criteria and ranked from highest

to lowest. The city then is able to enter into direct negotiations with the top ranking firm. If a price cannot be agreed upon, the city moves to number two in the ranking and so on until a negotiated price is achieved. A project team reviewed the proposals based on the following criteria that was detailed in the RFP:

- Project Understanding and Approach (20 points)
- Design Consultant Team Qualifications (20 points)
- Design Consultant Team Experience with Similar Projects (25 points)
- Firm Availability & Ability to Meet Project Schedule (10 points)
- Project Manager Experience (15 points), and
- Reference (10 points)

Upon scoring, Murray, Smith & Associates was found to be the top ranking firm and staff began negotiations with them for the work. The City would like to retain one consultant though all possible phases and intends to enter negotiations with the top ranking consultant with Phase 1 as a base contract and treat the additional phases as add-on tasks. The City intends to proceed with Phase 1 as a base contract package as funding currently exists for this phase. The contract will be drafted to clearly identify Phases 2 and 3 as optional and dependent upon acquisition of additional funding. The City is currently in the application phase of a federal grant that will help the City proceed with the additional phasing for the overall project if a grant is awarded to the city. The contract will make no guarantees that the additional phases will occur. The city and Murray, Smith & Associates were able to reach the following pricing:

- Phase 1 - Preliminary Design - \$160,000 (negotiated)
- Phase 2 (Optional) - Final Design - \$440,000 (estimate)
- Phase 3 (Optional) - Contract Administration - \$250,000 (estimate)
- Total Project - \$854,000 (estimate)

Staff intends to bring a proposed contract award item before the Local Contract Review Board at a future meeting for an estimated \$854,000 but with only the preliminary design work of \$160,000 guaranteed. The other phase for SW Wall Street will be added, by Local Contract Review Board approval, as funding is available. Outside of this RFP and work the City was readying a contract for MSA for work on the Red Rock Creek Waterline. This contract is for engineering services on the the waterline and is part of the overall Hunziker Infrastructure project. The work is estimated at \$75,000 and would have been awarded as a direct appointment contract below LCRB award thresholds. In effort to reduce administrative costs and confusion surrounding multiple contracts with the same consultant, staff is proposing combining the contracts into one. As such, the guaranteed amount under this contracts would be \$235,000 with a possible total of \$929,000 if all phases of the SW Wall Street project are completed.

## **OTHER ALTERNATIVES**

The Local Contract Review Board may reject this QBS process and direct staff to reissue the solicitation. To do so would cost the project sorely needed time.

The Local Contract Review Board may direct staff to bring back an award item that only incorporates Phase 1 and not Phases 2 and 3 as funding has yet to be solidified for these phases. To do so would possible cost the city continuity and may increase overall cost as Phases 2 and 3 would then require a new QBS solicitation with no guarantees the Murray, Smith & Associates, Inc. would be awarded the additional phases.

## **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

N/A

## **DATES OF PREVIOUS COUNCIL CONSIDERATION**

The Local Contract Review Board discussed this contract at their December 15, 2015 workshop.

The City Council approved \$200,000 in funding for Phase 1 of this contract at their October 13, 2015 meeting.

Council received schematic details and budget estimates in a preliminary engineering report on the project on November 17, 2015.

This contract is a piece of the Hunziker Industrial/Commercial Core project that began in early 2014 with a DLCDC funded study of public infrastructure financing scenarios that could improve the economic performance of the Core. The Council has been briefed on parts of this project at the following meetings:

February 18, 2014;  
September 9, 2014;  
December 9, 2014; and  
June 16, 2015.

Council was briefed on this contract award on December 15, 2015.

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### **Fiscal Impact**

**Cost:** See Below

**Budgeted (yes or no):** Partial

**Where budgeted?:** Multiple

**Additional Fiscal Notes:**

This contract will be for an estimated \$929,000 if the city is able to enact all phases of the work. There is currently \$200,000 of funding available in the City Gas Tax fund through Council action on October 13, 2015. This funding will be used to complete Phase 1 of the work and the City Gas Tax fund will be reimbursed from the \$1.5 million Oregon Capital Construction grant funds that the will be receiving in the near future. The city has also applied for a \$3 million Federal Economic Development Agency (EDA) grant. The city won't hear on the success of that application for at least 90 days. Only Phase 1 of the contract is guaranteed as that is all the city has current funding available to complete. The Water CIP fund has appropriations for the Red Rock Waterline project.

If EDA declines to fund the grant at the full \$3 million, Tigard will be able to scale back the project. The phased contract approach provides Tigard with the flexibility to address that possibility.

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### **Attachments**

*No file(s) attached.*

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**AIS-2509**

**10.**

**Business Meeting**

**Meeting Date:** 01/12/2016

**Length (in minutes):** 10 Minutes

**Agenda Title:** Discuss Proposed FY 2017 City Council Budget

**Prepared For:** Joanne Bengtson      **Submitted By:** Carol Krager,  
Central Services

**Item Type:** Motion Requested      **Meeting Type:** Council Business Meeting - Main

**Public Hearing** No

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

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**Information**

**ISSUE**

Which items and how much funding should Council include in their annual budget proposal to the City Manager?

**STAFF RECOMMENDATION / ACTION REQUEST**

Review and amend or approve the proposed documents.

**KEY FACTS AND INFORMATION SUMMARY**

The attached proposal contains suggestions based on previous year's payments and allocations.

**OTHER ALTERNATIVES**

N/A

**COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

N/A

**DATES OF PREVIOUS CONSIDERATION**

N/A

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**Fiscal Impact**

**Cost:** 298,720  
**Budgeted (yes or no):** yes, draft  
**Where Budgeted (department/program):** City Council

**Additional Fiscal Notes:**

This is the proposed budget for Council and open to amendments by the group.

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**Attachments**

Draft Council Budget Items FY17  
Council Workload Measures & Narrative

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FUND 100  
General Fund

# City of Tigard, Oregon

DIVISION: 0500  
Mayor and Council

FY 2014	FY 2015	YTD 2016	Revised 2016	Budget Resource Summary	Requested 2017	Assumptions	Chg Pkg	
					0			Approved
					1,980	iPad data package for Mayor Cook, Councilor Woodard and Henderson. Surface Pro Tablet for Council Pres. Snider & Councilor Goodhouse (\$33 mo) Included in stipend for technology	.Base	Approved
					68,805	Mayor Stipend, \$45, 285 and Councilor annual Stipend \$5,880.	Existing Staff	Approved
					16,500	vehicle stipend for Mayor and each Councilor: \$275/month per Resolution #15-26	.Base	Approved
84,971	85,413	29,699	113,694	<b>51001 - Salaries - Management</b>	87,285	<b>Approved only</b>		
84,971	85,413	29,699	113,694	<b>Total Personal Services - Salaries</b>	87,285			

FUND 100  
General Fund

# City of Tigard, Oregon

DIVISION: 0500  
Mayor and Council

FY 2014	FY 2015	YTD 2016	Revised 2016	Budget Resource Summary	Requested 2017	Assumptions	Chg Pkg	
					0			Approved
					97		Existing Staff	Approved
1,185	997	149	480	52001 - Unemployment	97	Approved only		
					0			Approved
					267		Existing Staff	Approved
507	585	183	221	52002 - Worker's Compensation	267	Approved only		
					0			Approved
					7,364		Existing Staff	Approved
6,620	6,279	2,064	7,288	52003 - Social Security/Medicare	7,364	Approved only		
					696		Existing Staff	Approved
					0			Approved
611	617	215	690	52004 - Tri-Met Tax	696	Approved only		
					0			Approved
0	0	0	266	52005 - Retirement	0	Approved only		
					66,721		Existing Staff	Approved
					0			Approved
42,176	51,550	21,209	63,235	52010 - Medical/Dental/Vision	66,721	Approved only		
					0			Approved
5,178	6,522	2,721	0	52011 - Dental Benefits	0	Approved only		
56,277	66,550	26,541	72,180	<b>Total Personal Services - Benefits</b>	<b>75,145</b>			
					0			Approved
					800	meeting supplies (cups, coffee, filters, clorox wipes, plates) paper, pens, etc.	.Base	Approved
93	182	152	800	53001 - Office Supplies	800	Approved only		
93	182	152	800	<b>Total Supplies</b>	<b>800</b>			

FUND 100  
General Fund

# City of Tigard, Oregon

DIVISION: 0500  
Mayor and Council

FY 2014	FY 2015	YTD 2016	Revised 2016	Budget Resource Summary	Requested 2017	Assumptions	Chg Pkg	
					0			Approved
					6,500	Consultant fee for coaching and Council training	.Base	Approved
					400	Interpreter Services for hearing impaired at Council meetings (upon request)	.Base	Approved
					2,640	TVCTV taping of Council workshop meetings	.Base	Approved
9,974	13,766	2,220	9,540	54001 - Professional/Contractual Services	9,540	Approved only		
					0			Approved
					27,651	City Attorney legal support for Council - based on trends (Ramis notified us of a rate increase)	.Base	Approved
21,310	29,023	7,509	27,651	54003 - Legal Fees	27,651	Approved only		
					0			Approved
0	0	17	0	54114 - R & M - Office Equipment	0	Approved only		
					0			Approved
					25	Council's use of pool vehicles for close-in travel.	.Base	Approved
0	0	0	25	54115 - Vehicle Usage	25	Approved only		
					0			Approved
1,815	3,451	600	0	54205 - Utilites - Phone/Pager/Cells	0	Approved only		
					0			Approved
0	450	0	0	54300 - Advertising & Publicity	0	Approved only		
					0			Approved
					32,086	League of Oregon Cities membership (based on what we paid LOC for 2015/16 dues)	.Base	Approved
					4,467	National League of Cities membership (NLC dues are population based, cities over 50,000 pay \$4467)	.Base	Approved
					800	Oregon Ethics Commission filing dues	.Base	Approved
					188	Oregon Mayors Assn dues for Mayor Cook (population based)	.Base	Approved
					100	Other publications for Councilors	.Base	Approved
					100	Tigard Downtown Alliance dues	.Base	Approved
					3,489	U.S. Conference of Mayors membership	.Base	Approved
					2,500	Vision Action Network membership (Action Member status)	.Base	Approved
					5,044	Westside Economic Alliance membership (Based on billing from July 2015)	.Base	Approved

FUND 100  
General Fund

# City of Tigard, Oregon

DIVISION: 0500  
Mayor and Council

FY 2014	FY 2015	YTD 2016	Revised 2016	Budget Resource Summary	Requested 2017	Assumptions	Chg Pkg
39,059	43,782	37,130	50,234	54302 - Dues & Subscriptions	48,774	Approved only	
					0		Approved
					1,100	Business meals that are outside regular council meetings (Mayor only) (WEA forums, meetings with Metro and other jurisdictions, regional Mayor's dinner)	.Base Approved
					1,400	Council meals before regularly scheduled Council meetings	.Base Approved
					28,000	Councilors training budget - \$7,000 per councilor	.Base Approved
					12,600	Mayor's training budget for conferences and meetings	.Base Approved
25,338	27,367	10,291	43,100	54303 - Travel and Training	43,100	Approved only	
					0		Approved
					800	Mayor and City Councilor clothing with city logo & name embroidery (spent this amount in 2015 at direction of Mayor and Councilors)	. Approved
					600	Recognition, awards, florist (funeral, illness) from Council. Promotional items for visiting dignitaries and school age visitors.	.Base Approved
					5,000	State of the City Reception	.Base Approved
1,909	1,525	410	5,600	54311 - Special Department Expenses	6,400	Approved only	
99,405	119,364	58,177	136,150	<b>Total Services</b>	<b>135,490</b>		
240,746	271,509	114,569	322,824	<b>Total Requirements</b>	<b>298,720</b>		
240,746	271,509	114,569	322,824	<b>Total Mayor and Council</b>	<b>298,720</b>		

**PROGRAM DESCRIPTION:**

The Mayor and four City Councilors provide legislative and policy leadership for city government. The Mayor and Councilors are elected by citizens for four-year terms on a non-partisan basis and serve part-time. The Council hires the City Manager to run day-to-day operations. The City Council reviews, revises and adopts city laws and policies and sets the overall direction of the city.

**PROGRAM RESULTS:**

- Basic city services provided to citizens are cost-effective and are delivered without interruption.
- Tigard's interest in regional and statewide activities is coordinated with appropriate agencies and jurisdictions.
- Tigard citizens are involved in the community and participate effectively.
- Programs and activities are available in the community to meet the needs of a diverse population.
- External and internal city assets are well managed and utilized.
- Master plans, management and fiscal policies are adopted; resources are allocated to position Tigard for the future.
- The community is engaged and connected to the city's strategic vision.

**ACCOMPLISHMENTS:**

FY 2015-2016:

**1. Provide Recreation Opportunities for the People of Tigard****Accomplishments:**

The city hired a recreation coordinator in December and a Park and Recreation Charge study is underway. Staff updated the Recreation Finder tool and Council placed a ballot title for a community center building on the November 2015 ballot. It was defeated by voters.

City continue to talk with recreation providers (THPRD & TTSD) about possible partnership opportunities.

**2. Make Downtown Tigard a Place Where People Want to Be****Accomplishments:**

The Ash/Burnham site was cleared, building permits issued and construction has begun on this mixed use redevelopment project.

The downtown Saxony property mixed-use public space design study got underway, complementing the installation of Gateway improvements which were completed.

The downtown's first Strolling Street is under construction at Maki/Wine Crafter/Elvia Hair Salon businesses, the Tigard Downtown Assn. Produced a successful Street Faire.

The Sidewalk Gap technical group finished its preliminary inventory and presented results at the October 20 Council Workshop. Tigard Street trail was paved as a temporary measure to allow pedestrian use and easier access to downtown.

### **3. Adopt Tigard Triangle Strategic Plan and Enable Future Development Capacity**

#### **Accomplishments:**

A Tigard Triangle Lean Code workshop was held September 14-17 to begin drafting code and zoning changes for the Tigard Triangle. The workshop provided an opportunity for the city leaders, Triangle landowners, business leaders, and developers to work with the PlaceMakers/DPZ/Crabtree consultant team to establish a framework for the new Lean Code to implement the Triangle Strategic Plan. Three public meetings were held. Drafts of the following documents received two rounds of public input and staff review: zoning map, street network plan, thoroughfare plan (which designates street classification and section requirements such as width, on-street parking, number of lanes, etc) and frontage types, which illustrates how different types of development will look on the sites.

The city was awarded a \$145,000 Metro Community Planning & Development Grant to investigate the feasibility of walkable mixed-use development and tools to facilitate such development.

A new section of sidewalk was completed to fill the gap between 68th Ave and the I-5 Bridge on Haines/Atlanta Streets, and a seating area at the “overlook” at 68th and Dartmouth using the Lighter, Quicker, Cheaper project funds.

Community Development held an ice cream social in the Tigard Triangle to promote the completion of the Dartmouth Overlook project and walkability in the Triangle.

### **4. Enable Groundbreaking in River Terrace by Summer 2015**

#### **Accomplishments:**

##### **Infrastructure Financing Project**

Discussions continue with HBA regarding their legal challenge of our residential transportation SDCs. Discussions are on hold with business community regarding proposed non-residential transportation SDCs due to HBA legal challenge. Citywide park utility fee of \$1.11/month is on track for adoption. River Terrace transportation and stormwater utility fee adoption schedule TBD.

##### **River Terrace Community Plan Implementation:**

A downstream analysis of River Terrace drainageways is complete; the final report is being prepared. An interdepartmental design review committee meets regularly to review park, stormwater facility and River Terrace Blvd design proposals. A consultant was hired to evaluate and make recommendations for optimal ped/bike connections, streetscape and intersection treatments, and wayfinding signage, while the city sent a letter to Metro

requesting that the southern Urban Reserve Area be added to the UGB.

Permitting:

Six subdivision applications approved by the city for a total of over 1,000 homes; One subdivision application reviewed at a pre-application conference; Four demolition permits and three grading permits issued; Eight model home permits under review; One public facility improvement permit issued and another under review.

Public Facilities:

The Clean Water Services sewer pump station application was deemed complete and the public hearing before the Hearings Office happened on November 9.

A draft MSTIP IGA for funding Roy Rogers Rd reviewed by the city, awaiting county's comments.

River Terrace webpages revamped to reflect the project's shift from planning to development and to provide more background information ([FAQ](#)) and up-to-date development information

## 5. Expand Opportunities to Engage People in the Community

Accomplishments:

City Council hosted two events to talk about issues with residents: a Picnic in Summerlake Park (July) and a Tigard Tailgate at Tigard High (October). City staff completed a series of Community Ice Cream Visits to gain feedback on issues relevant to neighborhoods.

A Voters Forum was held at Twality Middle School on October 8 in support of three measures on the November ballot.

Open Budget Portal was deployed (<http://budget.tigard-or.gov/#!/year/default>) and went live with the new fiscal year. Staff added the CIP in August and had over 750 page views in one month. Finance staff worked with Socrata to add unaudited year-to-date actuals with the budget and explored the Open Checkbook application which would provide full detailed multi-year history on line.

Thirteen Tigard Walks events were held between January and December. In three instances walks supported community events planned to bring people outside.

The communications plan was completed in June with key messages to be used by all staff in external communications. The Communications Strategist and the Goal 3 Team for the Strategic Plan are using the plan's three strategies to strengthen communications internally and externally and build public involvement with the Strategic Plan, including dynamic community engagement outside of City Hall.

Successful National Night Out neighborhood events were held throughout the city, with visits by the City Manager, Chief Orr, Asst. Chief deSulley, Mayor Cook and the City Councilors.

City Council received an award from the Oregon Chapter of the American Planning Assn.

Mayor and Council

BUDGET UNIT 0500

for leadership in adoption of strategic plan.

A plan to reboot the Neighborhood Network Program has been submitted to the City Manager.

GOALS & OBJECTIVES:

FY 2016-2017:

Council Goal Setting is scheduled for January 5, 2016.

WORKLOAD MEASURES

	2013-2014	2014-2015	2015-2016	2016-2017
Number of regional committees requiring elected official attendance	9	9	9	9
Number of City Council meetings	38	38	38	38
Average length (hours) of council meetings	3	3	3	3
Number of Resolutions adopted	78	78	78	78
Number of Ordinances adopted	20	20	20	20
Population served	48,695	49,135	50,444	51,000
Number of opportunities for residents to interact with elected officials (12 Fireside Chats, 16 1x10 events, 2 Town Halls)	NA	16	30	30

EFFECTIVENESS MEASURES

	2013-2014	2014-2015	2015-2016	2016-2017
Survey is conducted every other year.	Yes	No	Yes	No
Average rating on citizens' highest service priorities	8.5	8.5	8.5	8.5
Citizens rating overall city services as good or better	85%	0	93%	95%
Citizens who feel that Tigard will be a better place to live and work in the future	85%	0	85%	85%
Citizens rating overall city services as good or better	87%	0	87%	87%
Citizens who say the city's long-term strategic vision represents their long-term vision (as measured in biennial survey)	49%*	0	55%	60%

\*average of phone & web responses

FULL-TIME EQUIVALENT POSITIONS