



City of Tigard
Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL Agenda Revised March 3, 2016 to add an Executive Session called under ORS 192.660(2)(e) to discuss real property negotiations.

MEETING DATE AND TIME: March 8, 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

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

TIGARD CITY COUNCIL Agenda Revised March 3, 2016 to add an Executive Session called under ORS 192.660 (2)(e) to discuss real property negotiations.

MEETING DATE AND TIME: March 8, 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 negotiations 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. - **6:30 p.m. estimated time**

B. COUNCIL LIAISON REPORTS **6:45 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) 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:
 - A. RECEIVE AND FILE:
 1. Council Calendar
 2. Council Tentative Agenda for Future Meeting Topics
 - B. APPROVE CITY COUNCIL MINUTES:
 - January 26, 2016
 - February 2, 2016
 - C. PROCLAIM NATIONAL COMMUNITY DEVELOPMENT WEEK
 - *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. RECEIVE PRESENTATION ON WASHINGTON COUNTY COMMUNICATIONS SYSTEM BOND MEASURE **7:45 p.m. estimated time**
5. AWARD CONTRACT FOR 95TH AND NORTH DAKOTA SIDEWALK INFILL PROJECT **8:00 p.m. estimated time**
6. NON AGENDA ITEMS
7. 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.
8. ADJOURNMENT **8:15 p.m. estimated time**

AIS-2597

3. A.

Business Meeting

Meeting Date: 03/08/2016

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:

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

Attachments

Three-month Council Calendar

Tentative Agenda



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: March 8, 2016

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 Meeting – 6:30 p.m., Town Hall
22*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall

April

5	Tuesday	City Center Development Agency – 6:30 p.m., Town Hall
12*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall
19*	Tuesday	Council Workshop Meeting – 6:30 p.m., Town Hall
20	Wednesday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
23	Saturday	Council Outreach, TVF&R Fire Station 50 – time TBA
25	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
26*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall

May

3	Tuesday	City Center Development Agency – 6:30 p.m., Town Hall
10*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall
17*	Tuesday	Council Workshop Meeting – 6:30 p.m., Town Hall
24*	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
2/29/2016 2:03 PM - Updated

Form #	Meeting Date	Submitted By	Meeting Type	-----Title-----	Department	Inbox or Finalized
2442	03/08/2016	Carol Krager	AAA	March 8, 2016 Business Meeting Councilors Goodhouse and Woodard Absent		
2429	03/08/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
Total Time: 15 of 45 Minutes Scheduled						
2573	03/08/2016	Joanne Bengtson	ACONSENT	Consent Item - Proclaim National Community Development Week	City Management	02/18/2016
2549	03/08/2016	Carol Krager	CCBSNS	1 15 Minutes - Receive Presentation on Washington County Communications System Bond Measure	City Management	02/25/2016
2559	03/08/2016	Joseph Barrett	CCBSNS	2 15 Minutes - Contract Award - 95th and North Dakota Sidewalk Infill	Finance and Information Services	02/25/2016
2516	03/08/2016	Carol Krager	CCBSNS	3 20 Minutes - LCRB Contract Placeholder	Finance and Information Services	Barrett J, Sr Mgmt Analyst
Total Time: 50 of 100 Minutes Scheduled						
2443	03/15/2016	Carol Krager	AAA	March 15, 2016 Workshop Meeting Councilor Woodard Absent		
2374	03/15/2016	Liz Lutz	CCWKSHOP	1 30 Minutes - City of Tigard Financial Audit Report	Finance and Information Services	Fitzpatrick C, Asst Fin Dir
2525	03/15/2016	Lloyd Purdy	CCWKSHOP	2 20 Minutes - Briefing on Hunziker Infrastructure Project:	Community	Purdy, L, Econ

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

**City Council Tentative Agenda
2/29/2016 2:03 PM - Updated**

				Development Agreement	Development	Development Mgr
2537	03/15/2016	Lloyd Purdy	CCWKSHOP	3 10 Minutes - Introduction to 2016 MURP Team and State of Place Project	Community Development	02/22/2016
2460	03/15/2016	Lloyd Purdy	CCWKSHOP	4 20 Minutes - Economic Development Update Q1	Community Development	Purdy, L, Econ Development Mgr
2593	03/15/2016	Norma Alley	CCWKSHOP	5 20 Minutes - Presentation by Clean Water Services	City Management	MartyW, City Manager
2557	03/15/2016	Liz Lutz	CCWKSHOP	6 30 Minutes - Community Event Grants	Finance and Information Services	Lutz L, Conf Exec Asst
2500	03/15/2016	Susan Shanks	CCWKSHOP	7 15 Minutes - Discussion on Contract for Tigard Triangle Strategic Plan Implementation	Community Development	Shanks S, Senior
2547	03/15/2016	Carol Krager	CCWKSHOP	8 20 Minutes - Executive Session (f) exempt public records	City Management	01/27/2016
2554	03/15/2016	Dana Bennett	CCWKSHOP	9 30 Minutes - Executive Session - (d) labor negotiations	City Management	01/27/2016
				Total Time: 195 of 180 Minutes Scheduled – MEETING OVERSCHEDULED		
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
2567	03/22/2016	Judy Lawhead	ACCSTUDY	10 Minutes - Briefing on an Intergovernmental Agreement Between the City of Tigard and Clean Water Services for Construction of East Tigard Sewer Replacement	Public Works	Peck J, Project Coordinator
2586	03/22/2016	Buff Brown	ACCSTUDY	20 Minutes - Discuss City-wide and Tigard Triangle Parking Policies and Planning	Community Development	Brown, B., Assoc Transp Planner
				Total Time: 45 of 45 Minutes Scheduled STUDY SESSION FULL		
2575	03/22/2016	Joanne	ACONSENT	Consent Item - Proclaim April as Fair Housing Month	City Management	02/18/2016

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

**City Council Tentative Agenda
2/29/2016 2:03 PM - Updated**

		Bengtson				
2576	03/22/2016	Joanne Bengtson	ACONSENT	Consent Item - Proclaim April as Arbor Month	City Management	02/18/2016
2480	03/22/2016	Carol Krager	CCBSNS	1 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	03/22/2016	Carol Krager	CCBSNS	2 35 Minutes - Info. Public Hearing: Consider Resolution to Adopt Increased Street Maintenance Fee	Finance and Information Services	LaFrance T, Fin/Info Svcs Director
2517	03/22/2016	Carol Krager	CCBSNS	3 20 Minutes - LCRB Contract Placeholder - Tigard Triangle Strategic Plan Implementation	Central Services	Barrett J, Sr Mgmt Analyst
2529	03/22/2016	Liz Lutz	CCBSNS	4 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
Total Time: 95 of 100 Minutes Scheduled MEETING FULL						
2459	04/05/2016	Carol Krager	AAA	April 5, 2016 CCDA Meeting		
2577	04/05/2016	Sean Farrelly	CCDA	10 Minutes - CCAC Revised By-laws	Community Development	Farrelly S, Redev Project Manager
Total Time: 10 of 180 Minutes Scheduled						
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
2581	04/12/2016	Norma Alley	ACCSTUDY	20 Minutes - Executive Session per ORS 192.660(2)(f) Exempt Public Records	City Management	02/22/2016
Total Time: 35 of 45 Minutes Scheduled						

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

**City Council Tentative Agenda
2/29/2016 2:03 PM - Updated**

2555	04/12/2016	Lloyd Purdy	CCBSNS	1 20 Minutes - (Hold for Scheduling) Approval: Development Agreement Hunziker Infrastructure	Community Development	Purdy, L, Econ Development Mgr
2568	04/12/2016	Judy Lawhead	CCBSNS	2 5 Minutes - Authorize the City Manager to Sign an IGA with Clean Water Services for Construction of East Tigard Sewer Replacement	Public Works	Peck J, Project Coordinator
2571	04/12/2016	Judy Lawhead	CCBSNS	3 10 Minutes - Authorize the City Manager to Sign an IGA with Metro for the Construction of the Fanno Creek Trail Tiedeman Realignment	Public Works	Martin S, Division Manager
2518	04/12/2016	Carol Krager	CCBSNS	4 20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
2553	04/12/2016	Carissa Collins	CCBSNS	5 10 Minutes – Public Hearing: FY 2016 Third Quarter Budget Supplemental	Finance and Information Services	Collins C, Sr Mgmt Analyst
1758	04/12/2016	Carol Krager	CCBSNS	6 25 Minutes - PLACEHOLDER - Google Franchise Agreement	City Management	Newton L, Assistant City Manager
2574	04/12/2016	Joanne Bengtson	CCBSNS	7 10 Minutes - Discuss Policy Regarding News Media in Executive Sessions	City Management	02/18/2016
Total Time: 100 of 100 Minutes Scheduled MEETING FULL						
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
2389	04/19/2016	Judy Lawhead	CCWKSHOP	3 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
2508	04/19/2016	Liz	CCWKSHOP	4 30 Minutes - Safe Routes to School Update	Community	Hormann L, SRTS

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

**City Council Tentative Agenda
2/29/2016 2:03 PM - Updated**

		Hormann			Development	Program Coord
2565	04/19/2016	Cheryl Caines	CCWKSHOP	5 20 Minutes - Tigard Triangle Project Update	Community Development	Caines C, Assoc Planner
2589	04/19/2016	Carol Krager	CCWKSHOP	6 30 Minutes – Discussion on River Terrace and City-wide Sanitary Sewer Surcharge	Finance and Information Services	LaFrance T, Fin/Info Svcs Director
2590	04/19/2016	Norma Alley	CCWKSHOP	7 30 Minutes - Discussion on Potential Future Ballot Measures	City Management	MartyW, City Manager
				Total Time: 180 of 180 Minutes Scheduled MEETING FULL		
	04/20/2016			April 20, 2016 Budget Committee Meeting Public Works Auditorium (8777 SW Burnham) 6:30 p.m.		
	04/23/2016			April 23, 2016 Council Outreach TVF&R Fire Station Fire Station 50 (12617 SW Walnut St.) 8:00 a.m.-Noon		
	04/25/2016			April 25, 2016 Budget Committee Meeting Public Works Auditorium (8777 SW Burnham) 6:30 p.m.		
2447	04/26/2016	Carol Krager	AAA	April 26, 2016 Business Meeting		
<hr/>						
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
2585	04/26/2016	Ron Blecker	ACCSTUDY	15 Minutes - Discussion on proposed changes to TMC Chapter 12	Finance and Information Services	Blecker, Ron, Util. Div. Supervisor
				Total Time: 45 of 45 Minutes Scheduled STUDY SESSION FULL		

Meeting Banner	<input type="checkbox"/>	Business Meeting	<input type="checkbox"/>
Study Session	<input type="checkbox"/>	Special Meeting	<input type="checkbox"/>
Consent Agenda	<input type="checkbox"/>	Meeting is Full	<input type="checkbox"/>
Workshop Meeting	<input type="checkbox"/>	CCDA Meeting	<input type="checkbox"/>

**City Council Tentative Agenda
2/29/2016 2:03 PM - Updated**

2390	04/26/2016	Judy Lawhead	CCBSNS	10 Minutes - 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
2519	04/26/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
Total Time: 30 of 100 Minutes Scheduled						
2450	05/03/2016	Carol Krager	AAA	May 3, 2016 CCDA Meeting		
2449	05/10/2016	Carol Krager	AAA	May 10, 2016 Business Meeting		
2433	05/10/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
Total Time: 15 of 45 Minutes Scheduled						
2520	05/10/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
2563	05/10/2016	Joanne Bengtson	CCBSNS	10 Minutes - Announce 2016 "If I Were Mayor" Contest Winners	City Management	Bengtson J, Exec Asst to City Mgr
Total Time: 30 of 100 Minutes Scheduled						
2451	05/17/2016	Carol Krager	AAA	May 17, 2016 Workshop Meeting		
2591	05/17/2016	Norma Alley	CCWKSHOP	30 Minutes - Discussion on Potential Future Ballot Measures	City Management	MartyW, City Manager
Total Time: 30 of 180 Minutes Scheduled						
2452	05/24/2016	Carol Krager	AAA	May 24, 2016 Business Meeting		

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

**City Council Tentative Agenda
 2/29/2016 2:03 PM - Updated**

2434	05/24/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
2560	05/24/2016	Carol Krager	ACCSTUDY	30 Minutes - Fiscal Year 2017 Master Fees and Charges Schedule Update	Finance and Information Services	Collins C, Sr Mgmt Analyst
Total Time: 45 of 45 Minutes Scheduled STUDY SESSION FULL						
2522	05/24/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
2556	05/24/2016	Lloyd Purdy	CCBSNS	20 Minutes - MURP/State of Place - final presentation	Community Development	Purdy, L, Econ Development Mgr
Total Time: 40 of 100 Minutes Scheduled						
2453	06/07/2016	Carol Krager	AAA	June 7, 2016 CCDA Meeting		
2454	06/14/2016	Carol Krager	AAA	June 14, 2016 Business Meeting		
2435	06/14/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
Total Time: 15 of 45 Minutes Scheduled						
2578	06/14/2016	Liz Lutz	CCBSNS	5 Minutes - Resolution Certifying that the City of Tigard Provides Services Qualifying for State-Shared Revenues	Finance and Information Services	Lutz L, Conf Exec Asst
2580	06/14/2016	Liz Lutz	CCBSNS	5 Minutes - Resolution Declaring the City's Election to Receive State Revenue Sharing	Finance and Information Services	Lutz L, Conf Exec Asst
2582	06/14/2016	Liz Lutz	CCBSNS	10 Minutes - Adopt Citywide Master Fees and Charges Schedule Replacing Resolution 15-31 and Subsequent Amendments	Finance and Information Services	Lutz L, Conf Exec Asst
2583	06/14/2016	Liz Lutz	CCBSNS	15 Minutes - Public Hearing Adopting the Budget, Making	Finance and	Lutz L, Conf Exec

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

**City Council Tentative Agenda
 2/29/2016 2:03 PM - Updated**

				Appropriations, Declaring the Ad Valorem Tax Levy and Classifying the Levy as Provided	Information Services	Asst
2584	06/14/2016	Liz Lutz	CCBSNS	10 Minutes – Public Hearing Adopting the CCDA FY 2017 Budget with Adjustments, Make Appropriations, and Impose and Categorize Taxes	Finance and Information Services	Lutz L, Conf Exec Asst
2588	06/14/2016	Liz Lutz	CCBSNS	5 Minutes - Resolution to Appoint One Audit Committee Member and One Alternate Member	Finance and Information Services	Lutz L, Conf Exec Asst
2523	06/14/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
				Total Time: 70 of 100 Minutes Scheduled		
2455	06/21/2016	Carol Krager	AAA	June 21, 2016 Workshop Meeting		
2461	06/21/2016	Lloyd Purdy	CCWKSHOP	20 Minutes - Economic Development Update	Community Development	Purdy, L, Econ Development Mgr
				Total Time: 20 of 180 Minutes Scheduled		
2458	06/28/2016	Carol Krager	AAA	June 28, 2016 Business Meeting		
2436	06/28/2016	Norma Alley	ACCSTUDY	15 Minutes - Council Liaison Reports	Central Services	10/29/2015
				Total Time: 15 of 45 Minutes Scheduled		
2524	06/28/2016	Carol Krager	CCBSNS	20 Minutes - LCRB Contract Placeholder	Central Services	Barrett J, Sr Mgmt Analyst
				Total Time: 20 of 100 Minutes Scheduled		

AIS-2598

3. B.

Business Meeting

Meeting Date: 03/08/2016

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:

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:

- January 26, 2016
- February 2, 2016

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

January 26, 2016 Minutes

February 2, 2016 Minutes



City of Tigard

Tigard City Council Meeting Minutes

January 26, 2016



STUDY SESSION

EXECUTIVE SESSION: At 6:30 p.m. the Tigard City Council entered into an Executive Session called under ORS 192.660 (2) (d) labor negotiations. The Executive Session ended at 6:51 p.m.

COUNCIL LIAISON REPORTS: Mayor Cook reported on the National Conference of Mayors held in Washington, DC during the recent snow storm. He heard President Obama speak. Gun violence was discussed by the Presidential Liaison to Intergovernmental Affairs, the Deputy Attorney General and a statistician who tracks gun violence in the U.S. He said there was much concern about the water situation in Flint, Michigan. Mayor Cook attended the water conference and said after hearing about the quality of water in other parts of the United States, residents in this area are very fortunate to have such good water. He said he would distribute to council a report he received about water costs from other areas of the country.

Councilor Henderson noted that some water in the Tigard area (25 percent) is provided by the Tualatin Valley Water District. He distributed a map and said council needs to be aware that the water bills are different between the city water customers and TVWD customers. He noted that the TVWD water comes from Hagg Lake currently but in the future will come from the Willamette and this creates an issue since Tigard residents voted against tapping that water source without voter approval. He said TVWD customers do not receive their water bill from the city but are sent a utility bill with the street maintenance fee and sewer charges. If they do not pay that bill they do not get their water shut because the water does not come from the city. Council President Snider said there may need to be a discussion on that policy from an equity standpoint. Councilor Henderson suggested billing for water one month and the utility fees the next.

Councilor Goodhouse reported on a traffic control change at the corner of Main and Scoffins, where there is currently a signal light. A three-way stop will be tested and if it works well, the light will be removed. He reported on the SW Corridor meeting and said the issue now is whether or not to build a tunnel to reach Portland Community College. An expensive tunnel may use all the money so the transit line would end there and not even reach Tigard or Bridgeport. Mayor Cook and Councilor Goodhouse emphasized that the line needs to go to the Tigard Triangle and to the downtown. There is also a proposal to skip Tigard entirely and go straight to Bridgeport. The vote will be pushed out while an agreement is formed with PCC. An above-ground people mover is still on the table. Mayor Cook clarified that the citizens in the region will pay a share but none of it comes out of the city's budget. If it is a \$2.4 billion project and the federal government kicks in \$1.2 billion, then \$600,000 of state lottery and other federal transportation money would be used and the region would pay the rest, however, the region may want other things fixed. He said in that case light rail would cost the average homeowner \$50 annually.

TIGARD CITY COUNCIL MEETING MINUTES – JANUARY 26, 2016

Councilor Woodard said there also needs to be consideration for transients and the homeless population in the corridor.

City Manager Wine reminded council members bringing handouts to bring an additional copy for the city recorder to enter into the record.

BRIEFING ON BULL MOUNTAIN PARK AGREEMENTS

Parks Division Manager Martin said the Friends of Bull Mountain Park (FBMP) will receive a Metro Nature in Neighborhoods grant and as the city sponsor; Tigard must sign an IGA with Metro. The \$125,000 grant will pay for natural play area items and Metro wants the city to capitalize the playground equipment. There is also a memorandum of understanding with the FBMP. They are committing to checking in with the city regarding project development status at 30, 60 and 90 days. There is also a city staff member attending all of the FBMP meetings.

Mayor Cook referred to an earlier disagreement among the neighbors regarding whether the park should remain more a natural space or have a flat ballgame area. Mr. Martin said there may still be some disagreement regarding the field. It could be leveled in the future but at present the group does not have permits for such major work and a leveled field is not currently in the plan. Mayor Cook asked about providing more parking spaces for users coming from outside the immediate neighborhood. Mr. Martin replied that the city tries not to draw too many people to a park designated as a neighborhood park. Mayor Cook said he wants to keep the possibility alive of adding a few parking spaces inside the park. Councilor Woodard agreed and said small parking spaces are economical and would be beneficial. Council agreed that this IGA could be on the February 23 consent agenda.

Councilor Henderson asked if the future city costs for maintenance of this park were identified. He commented that the Eugene Rhododendron Society is a very active local volunteer organization that does a lot of work but there is still a cost to the Eugene.

Councilor Woodard asked about using Fowler Middle School for a Relay for Life event this year and had a question about the Walnut Street project construction schedule. City Manager Wine said Senior Transportation Project Engineer McCarthy sends out a project schedule weekly as part of the council's Thursday packet. Councilor Woodard will pass that information along to the event organizer.

Administrative Items:

- Council President Snider noted he would be absent from the July 5 and July 12 council meetings.
- City Manager Wine reminded council of their Summerfield council outreach event on Thursday, January 28 from 7-8:30 p.m. at the Summerfield Clubhouse. Councilor Henderson said he was unable to attend.

1. BUSINESS MEETING

A. At 7:38 p.m. Mayor Cook called the City Council business 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.

D. Mayor Cook called to council and staff for Non-Agenda Items. There were none.

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication - City Manager Wine reported on two items brought to council's attention by Summerfield liaison Robert Van Vlack. She said city crews cleared the brush from the brick wall along Durham Road in preparation for repairs. Public Works Director Rager continues to work with Summerfield residents on ways to improve safety at the intersection of 98th Avenue and Summerfield Drive. Ideas include lettering on the street to call attention to the stop sign.

B. Citizen Communication – Sign-up Sheet.

Paul Grove, representing the Home Builders Association, 15555 SW Bangy Road, Lake Oswego, OR 97035, thanked council for their consideration of the HBA request in December related to System Development Charges (SDCs). He asked council if they had any questions and they did not.

3. CONSENT AGENDA: (Tigard City Council) –

A. APPROVE 2016 CITY COUNCIL LIAISON ASSIGNMENTS

B. CONSIDER AN INTERGOVERNMENTAL AGREEMENT WITH PORTLAND FOR PARTICIPATION IN THE INTELLECTUAL PROPERTY CRIMES TASK FORCE

C. CONSIDER AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH METRO TO INSTALL REGIONAL TRAIL SIGNAGE

D. CONSIDER RESOLUTION WAIVING TEMPORARY SIGN PERMIT FEES FOR SOUTHWEST METRO BABE RUTH BASEBALL

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E. AUTHORIZE THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY TO REVIEW AND UPDATE THE NATURAL HAZARD MITIGATION PLANS (NHMP)

No Consent Agenda items were removed for separate consideration. Council President Snider moved for approval of the Consent Agenda. Councilor Goodhouse seconded the motion and it passed unanimously.

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

4. QUASI-JUDICIAL PUBLIC HEARING: FRANZKE/RIRIE ANNEXATION – ZCA2015-00002

- a. Mayor Cook opened the public hearing.
- b. City Attorney Rihala read the hearing procedures.
- c. Mayor Cook asked council if any member had a conflict of interest or any ex parte contact. No one expressed any at that time. (Later on in the hearing Council President Snider realized that his family owns property in the general vicinity of the subject property but his ability to make a non-biased decision would not be affected in any way.)

Mayor Cook asked if anyone in the audience challenged the participation of a council member. There were no challenges.

- d. Mayor Cook read a statement about conduct for the hearing and testimony procedures.
- e. Staff Report: Associate Planner Caines gave the staff report. A slide was shown of the annexation area map. This is a request to annex three parcels, approximately 2.77 acres and one-half of adjoining right of way along 133rd Avenue into the city. The reason for the request is to obtain city services for a future development of 16 houses. There are existing homes that will be removed prior to development. The city asked neighboring properties if they wanted to join the annexation but there was no interest. The future development zoning will be R-7 which is closest to what neighboring properties are zoned. Comments were received from TVF&R which endorsed the annexation. The property to be annexed is within the Enhanced Washington County Sheriff Patrol District, Urban Road Maintenance District and the Tigard Water District and will need to be withdrawn from those districts. The annexation meets the requirements of the Tigard Community Development Code, Tigard Comprehensive Plan, state statutes and Metro Code. Staff recommends approval of the annexation.

- f. Applicant Testimony: Annemarie Skinner, Emerio Design, 8285 SW Nimbus, #180, Beaverton, OR 97008, said she represents the owner in this matter. They concur with the staff report. The applicant submitted all required materials and it meets all required code standards and the Comprehensive Plan. She said the applicants are eager to enter the city. Currently the properties are connected to water but are on septic systems. Future development will utilize city sewer services. A neighborhood meeting was not required but one was held anyway. No objections were raised. Most of the neighbor concerns pertained to trees; half wanted them removed and half wanted them retained.
- g. Questions from council: None
- h. Public Testimony: No further testimony.
- i. Staff response to testimony: Associate Planner Caines had nothing to add at this time.
- j. Applicant rebuttal to testimony: None.
- k. Mayor Cook closed the public hearing.
- l. Council Deliberation: Councilor Woodard asked when the tax incentives begin. Associate Planner Caines said annexations occurring prior to March are in the current tax year. Council President Snider said when looking at the map he realized that his family owns some property in the general vicinity of the subject property but his ability to make a non-biased decision would not be affected in any way. Councilor Woodard moved to approve Ordinance No. 16-01. Councilor Goodhouse seconded the motion.

City Recorder Krager read the number and title of the ordinance and conducted a roll call vote.

Ordinance No. 16-01 – AN ORDINANCE ANNEXING THREE PARCELS OF LAND TOTALING APPROXIMATELY 2.77 ACRES AND ONE-HALF OF THE ADJOINING 133RD AVENUE RIGHT OF WAY TOTALING .15 ACRES, APPROVING THE FRANZKE/RIRIE ANNEXATION (ZCA2015-00002) AND WITHDRAWING PROPERTY FROM THE WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT AND TIGARD WATER DISTRICT

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

Mayor Cook announced that Ordinance No. 16-01 was adopted unanimously.

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5. INFORMATIONAL PUBLIC HEARING: CONSIDER ADDING THE CITY OF BEAVERTON TO THE CENTURYLINK FRANCHISE AGREEMENT

- a. Mayor Cook opened the public hearing and announced that this is an informational public hearing in which any person shall be given the opportunity to comment.
- b. Staff Report: Network Administrator Sears gave the staff report. Tigard recently entered into a franchise agreement with CenturyLink. Some areas within Beaverton are surrounded by other jurisdictions included in the CenturyLink service area. This change to the agreement adds the City of Beaverton to the franchise area.

Fred Christ, representing the Metropolitan Area Communications Commission (MACC) said their rules require that when a jurisdiction is proposed to be added, all the other jurisdictions must approve it. Councilor Henderson asked if other cities had voted on this and Mr. Christ replied that Tigard’s vote tonight would be the sixth of six.

- c. Council questions: Council President Snider asked if there was a better way to manage franchise agreements so that a relatively minor change does not require so many cities to go through an approval process. Mr. Christ said this situation was unusual.
- d. Public Testimony: No one signed up to speak.
- e. Council questions: None.
- f. Mayor Cook closed the public hearing.
- g. Council Deliberation: Councilor Woodard commented that competition for cable service is good and it was nice to have Beaverton on board. Councilor Goodhouse moved to approve Ordinance No. 16-02 and Council President Snider seconded the motion. City Recorder Krager read the number and title of the ordinance.

Ordinance No. 16-02 – AN ORDINANCE OF THE CITY COUNCIL OF TIGARD AMENDING A NON-EXCLUSIVE CABLE FRANCHISE TO QWEST BROADBAND SERVICES, INC. D/B/A CENTURYLINK TO ADD THE CITY OF BEAVERTON

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

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

Mayor Cook announced that Ordinance No. 16-02 passed unanimously.

6. LEGISLATIVE PUBLIC HEARING – CONSIDER SMOKING BAN IN CITY PARKS AND TRAILS

- a. Mayor Cook opened the public hearing and announced that this is a legislative public hearing in which any person shall be given the opportunity to comment.
- b. City Attorney Rihala announced that the hearing procedures are the same as for a general public hearing. There is a sign-up sheet and oral testimony may be offered only by persons asked to speak by the Mayor.
- c. Staff Report: Assistant City Manager Newton gave the staff report and said the purpose of the hearing is to talk about a proposed ordinance to prohibit smoking in parks and open spaces within the City of Tigard. The council discussed this on December 8, 2015, and the consensus was to direct staff to draft an ordinance but with a phase-in of penalties to allow time for community education. She said if council adopts this ordinance the Tigard Youth Advisory Council (TYAC) has enthusiastically agreed to embark on a public education program. The ordinance is similar to what was discussed on December 8 but has a delay in enforcement until July 1, 2016.
- d. Council Questions: Councilor Woodard clarified that smoking is banned on open spaces and trails and not public sidewalks. Assistant City Manager Newton said it does not include rights of way or public streets.

Councilor Henderson asked about the wording change in the penalty section 7.52.225.b. Assistant City Manager Newton said the original language had imprisonment as a penalty and staff removed that and put in a fine for the violation. Councilor Henderson asked if the definition of parks included private and public property. Assistant City Manager Newton said parks are defined as open space or recreational property owned or maintained by the city and open to the public.

Councilor Woodard asked if this would be posted in the rental shelters in the parks. Assistant City Manager Newton said there would be extensive communication to the public including signage, the website, and the Cityscape in advance of enforcement taking effect in July. In response to a question on trail signage, Ms. Newton said entrances onto trails from neighborhoods or other main points of entry would have signage.

Council President Snider asked if the park definition included city-owned green spaces in neighborhoods and Ms. Newton said if they are open to the public, there can be no smoking. Green spaces owned by homeowner associations are private property and it would not apply to them. City Attorney Rihala said the intention of the language in the definition was to address the city's water sites which are viewed as open spaces but not open to the public. Council President Snider raised the issue of an employee or contractor smoking while working in a park maintenance or construction area behind a fence and not open to the public. Mayor Cook said any smoking while within a city-owned park or open space should be banned, even in an area not accessible to the public.

In response to a question from Councilor Henderson, Mayor Cook said the definition has to include park or trail property the city does not own but maintains, such as the Tigard Street Trail.

Council President Snider asked about removing imprisonment as a penalty for other violations such as fireworks, alcohol, and vandalism, etc. City Attorney Rihala said after conferring with police they found that a violation could not be punished by imprisonment. Violations are not crimes and this language should not have been included in the code originally.

e. Public Testimony

Elise Shearer, 9980 SW Johnson Street, Tigard, OR 97223, said it was highly unusual for her to protest against this issue. She is an adamant non-smoker who has seen firsthand the damage done to individuals from smoking. She said the city should ban smoking within 50 feet of city-owned building entrances. But parks are a publically-owned utility funded by tax dollars and trails are part of the city's transportation system. She added that smokers using parks and trails have paid taxes for those areas and deserve consideration. She said she understood not wanting smoke near playgrounds and recommended a 50-foot barrier from picnic tables and playground equipment, with signage and appropriate disposal facilities for smokers to use. She suggested that the police do not have the time and resources to enforce a smoking ban. Ms. Shearer said smokers deserve consideration of their addiction which is one of the toughest addictions to break. They are already practicing self-taxation with their habits. She said it would be better if the city posted signs, disposal containers, and educational material and enforced burning bans in the dry season. She said this was a waste of police resources and is not enforceable. The TYAC could still make a video against smoking. She added that many smokers have gone on to use alcohol or other substances and lost their drivers licenses. They must now use the trails to walk or get to transit for work. She said the city should not ban them and the ordinance was neither just nor appropriate.

Gwyn Ashcom, representing Washington County Tobacco Prevention and Education Program, 155 North First Avenue, Hillsboro, OR, extended support from Washington County for Tigard council's efforts to ban tobacco or inhalant delivery systems in publically-owned public spaces. Other cities to have already passed this legislation include Banks, Beaverton, Hillsboro, Forest Grove, and North Plains. The cities of Sherwood, Cornelius and Tualatin are also having conversations about this. She said this is primarily a prevention tactic for youth as 15.6 percent of high school students and 8.4 percent of middle school students use these products. She said a smoking ban creates a culture of respect for the environment and for the community, where everyone has the right to avoid second-hand smoke. New research is showing elements of formaldehyde, metals and silicate particles are produced from vaping exhalation.

f. Council Questions: Mayor Cook asked Ms. Ashcom if Tualatin Hills Park and Recreation District (THPRD) is also on the list of smoke-free facilities and Ms. Ashcom said they were.

- g. Council Deliberation: Council President Snider said he wanted to be sensitive to the rights of smokers but had to balance it against significant public health considerations. He said he was not willing to let 85 to 88 percent of the public be negatively impacted by the 12 percent who pollute other people’s air.

Councilor Woodard agreed and said green space areas are a recreational environment. This sets a lifestyle standard and is appropriate in this case. He is pleased Tigard is joining the neighboring institutions that have already put this in place.

Mayor Cook concurred. It is easier to say smoking is banned in, “every park in Washington County,” rather than expect people to know when they cross a city border while on the Fanno Creek Trail.

Councilor Goodhouse said there would be peer enforcement. This ordinance gives people some weight when asking others to not smoke around their children in a park. It makes the parks or open spaces more enjoyable.

- h. Close Public Hearing – Mayor Cook closed the public hearing.

Councilor Goodhouse moved to approve Ordinance No. 16-03. Councilor Henderson seconded the motion.

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

Ordinance No. 16-03 – AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE TO PROHIBIT SMOKING IN CITY PARKS

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

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

Mayor Cook announced that Ordinance No. 16-03 passed unanimously.

7. LEGISLATIVE PUBLIC HEARING – CONSIDER SMOKING BAN ON CITY PROPERTY

- a. Mayor Cook opened the public hearing
- b. Mayor Cook said the hearing procedures were the same as the previous hearing.

- c. Staff Report: Assistant City Manager Newton gave the staff report. She said unlike the previous ordinance for banning smoking in parks, this had council consensus for staff to bring something forward but no agreement on what that would be. The current state law says no smoking within ten feet of the doors on city-owned property but that is not always enough to keep smoke away from areas people have to walk through, such as the courtyard between the Permit Center and Town Hall. Coincidentally, staff has been in discussion with both of the city's employee unions. A 50-foot radius around the buildings is easier to measure and enforce than figuring out ten feet from each door and operable window. She noted an important factor: if the 50-foot perimeter reaches a sidewalk or a street, it does not include that public right of way. If adopted, a new chapter would be added to the Tigard Municipal Code.
- d. Council questions of staff: Mayor Cook said all employers were required, effective January 1, 2016, to put up new stickers prohibiting vaping and all electronic smoking devices from being used inside public buildings. He said he assumed the city will soon be placing those stickers on buildings. Assistant City Manager Newton said she has discussed this with the Central Services Director Robinson and she is aware of the new requirements.

Councilor Henderson asked about the penalty phase and said it is inconsistent with the park penalties and they should be consistent. Councilors Woodard and Goodhouse said they agreed with that change.

Councilor Woodard referred to Ms. Shearer's earlier testimony and said he has an issue with the city trying to penalize a habit. Employees have an expectation that they will be able to smoke in a convenient area while on break or lunch. He asked if 50 feet was a standard. Mayor Cook said ten feet is the minimum state requirement but the maximum is banning it on the entire campus, such as Providence, Kaiser, and universities and schools do. Ms. Newton said employees honor the ten foot requirement but the smoke travels and it is too close. Councilor Woodard said he could support this if there was a shelter.

- e. Public Testimony:

Gwyn Ashcom, representing Washington County Tobacco Prevention and Education Program, 155 First Avenue, Hillsboro, OR, supported a 100 percent smoking ban on city properties. She said all of the other cities banning smoking in parks also ban it on their campuses. She asked council to consider the message this gives to employees. When tobacco cessation programs are offered to employees yet there is a place to smoke during a break it becomes a mixed message. She said the trend is toward 100 percent tobacco free campuses which eliminates any confusion.

Council President Snider said the 50-foot buffer was suggested because it did not appear there was council consensus for a ban on all city-owned property. He asked Ms. Ashcom if she thought 50 feet was better than nothing. She said the trend is for cities and counties banning smoking in parks to ban it on all city-owned property. She noted that a 100 percent ban would trump the existing 10 feet away from entrances law and the city would not have to put the specific decals on the buildings, Tigard could just say they are smoke-free campus. She said areas that try designated smoking places just attract a congregation of smokers and

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the second hand smoke increases for the smoker themselves because they are in a tighter spot.

- f. Mayor Cook closed the public hearing.
- g. Council Deliberation: Council President Snider said he supported a complete ban but asked if agreement cannot be reached would his fellow councilors consider a complete ban at the library campus. Councilor Goodhouse said he supported making all city properties smoke free and match the penalty language used for the parks smoking ban.

Councilor Woodard asked how it would work for library SEIU members. Assistant City Manager Newton said preliminary discussions had already been held with the SEIU union and they have tentatively agreed to the 50-foot line but making the library property smoke free was not part of that discussion. Council President Snider asked if Washington County, THPRD and other cities with large public employee unions have all held impact bargaining around this. He said council raised this issue months ago and there were specific issues about the bargaining and staff has not provided answers, which was concerning to him.

Councilor Woodard said he was comfortable with a 50 foot ban as long as there are smoking shelters. He felt that a 100 percent ban was too heavy-handed and commented that if an exception is made for the library it needs to be made for all. City Manager Wine said the city will be obliged to do impact bargaining with its two unions. She said staff can check how other institutions accomplished this but she suspects that the order was first to approve an ordinance and then bargain with the unions.

Councilor Goodhouse moved to approve Ordinance 16-04 with language to make all city property smoke free with the fines matching the smoking ordinance banning it in parks and open spaces. Councilor Woodard said he could not support that. Motion failed for lack of a second.

Councilor Henderson said he agrees with making the library smoke free because of the influence on children. He said it was interesting that council will not be treating everyone the same. Mayor Cook said he was thinking along the same lines. Ten feet from an entrance is not enough. But if 50 feet is used it will be hard because by the time a visitor to city hall sees the sign they will be within ten feet of the entrance. He said it would be easier to make it a smoke-free campus. He said encouraging smoking cessation for employees would also help reduce overall health insurance costs and he was in favor of an overall ban.

Councilor Woodard expressed concerns that this sets up some employees for failure. He commented on freedoms being lost every day.

A phase-in period was discussed and Mayor Cook asked the Washington County Tobacco Prevention Coordinator Ashcom for a response to the question about what was an appropriate delay for implementation. Gwen Ashcom said giving people time to adjust is best. She said Portland State University took almost a year before their ban went into effect in order to give students enough time for orientations. She felt a three- to six-month window was adequate to give current employees a chance to adjust and for employee

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handbook, recruitment and orientation materials to be updated. She suggested no less than a three month period.

Councilor Goodhouse made a motion to amend the ordinance effective date to July 1, 2016. Council President Snider seconded the motion. City Attorney Rihala proposed a further amendment. She suggested that if the ban is being extended to all city-owned or operated property it not include public rights of way.

Councilor Goodhouse made a motion to amend the ordinance effective date to July 1, 2016 and exclude public rights of way. Council President Snider seconded the motion to amend the ordinance. Mayor Cook conducted a vote on the amendment.

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

Mayor Cook asked City Recorder Krager to read the number and title of the ordinance and conduct a roll call vote.

Ordinance No. 16-04, AN ORDINANCE TO THE TIGARD MUNICIPAL CODE TO PROHIBIT SMOKING ON ALL CITY OWNED AND OPERATED PROPERTY EFFECTIVE JULY 1, 2016, PENALTIES TO MIRROR THOSE FOR SMOKING ON PUBLIC PARKS AND TRAILS, and EXCLUDING PUBLIC RIGHTS OF WAY

Councilor Woodard said he hoped the transition goes well for the public and he hoped there are no unintended consequences. He applauded council for coming up with a solution they feel is right for the city but he felt it is too heavy-handed.

City Recorder Krager conducted a roll call vote on Ordinance No. 16-04.

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

Mayor Cook announced that Ordinance No. 16-04 passed by a majority vote, 4-1.

8. CONSIDER ADOPTION OF CITY COUNCIL 2015-17 GOALS

City Manager Wine gave the staff report for this item. She said the city council structured goal setting to focus on the two years that the five sitting councilors would be serving together in office and set goals around the things needing focus and attention. Based on the January 5 review she produced a review of goals with council changes as requested. She said the format included estimated timelines. A sixth goal, to define and establish the city’s role in addressing homelessness, was added. Councilor Woodard asked when council would be going over objectives for the homelessness issue and City Manager Wine said it would be discussed at a council workshop in the next few months. Councilor Woodard asked for a presentation by the chair of the Vision Action Network and statistical information for Washington County.

Mayor Cook asked council if everything was captured from the goal discussion. Councilor Henderson asked about the dates listed and City Manager Wine said she put in some suggested workshop dates where these topics could be discussed. She noted for example, if there is anything that will go to the ballot in November, council needs to take action before August.

Council President Snider moved for adoption of the city council 2015-17 goals. Councilor Goodhouse seconded the motion. Mayor Cook conducted a vote.

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

Mayor Cook announced that the motion was approved unanimously.

9. NON AGENDA ITEMS None.

10. EXECUTIVE SESSION: Held during the Study Session.

11. ADJOURNMENT : At 9:29 p.m. Councilor Woodard moved for adjournment and the motion was seconded by Council President Snider. 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/CCDA Meeting Minutes

February 2, 2016



1. EXECUTIVE SESSION

At 6:32 p.m. the Tigard City Council entered into an Executive Session called under ORS 192.660(2) (f). The Executive Session ended at 7:09 p.m.

2. BUSINESS MEETING

A. At 7:10 p.m. Mayor Cook called to order the City Council and City Center Development Agency 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. Call to Council and Staff for Non-Agenda Items – None 

CITY CENTER DEVELOPMENT AGENCY

3. JOINT MEETING WITH THE CITY CENTER ADVISORY COMMISSION

The City Center Advisory Commission (CCAC) members present were: Chair Carine Arendes, Gina Schlatter, Vice-Chair Linli Pao, Richard Shavey, and David Walsh. They presented a PowerPoint on the vision for downtown Tigard. The vision was developed through a public process related to the Downtown Tigard Improvement Plan (DTIP). The vision was that downtown “*is a vibrant and active urban village at the heart of our community. Pedestrian oriented, accessible by many modes of transportation and it recognizes and uses natural resources as an asset and features a combination of uses that enable people to live, play, work and shop in an environment that is uniquely Tigard.*”

The TDIP identified some potentially unifying themes: community, nature and art. There was not a lot of graphic representation of what this might look like so in addition to adopting code changes the city has also engaged in a number of projects that help paint a picture of what the written vision might look like. These include the Streetscape Design Plan, the Fanno Creek Park Plan, and the Tigard Future Vision and there is a plan to update the original urban renewal plan to contain more visual elements. The Tigard Downtown Future Vision was a further refinement of the TDIP and included renderings of what it might look like with development on Highway 99 and Hall, housing at the redeveloped public works yard, transit oriented development located near high capacity transit in the urban core, as well as arts involved community center. The city has adopted a Strategic Plan which is a vision for the entire city. The CCAC asked the CCDA to consider how compatible these two visions are. Chair Arendes said she felt the TDIP vision fits very well under the umbrella of the citywide walkability vision. She said the vision of a thriving, active, vibrant urban core is the one that the CCAC considers when coming to the CCDA with project recommendations. This vision is what they keep in mind when setting their annual goals.

Vice-Chair Pao discussed their goal setting process this year which was a little different than usual since they had several new members. They compiled a document with all the goals and implementations since the CCAC began setting them in 2009. They held a session for 2016 goals and came up with four main categories:

- Support urban renewal area project infrastructure and development; provide input
- Identify and discuss long-term impacts of future development in the downtown area
- Communications and engagement
- Self-education on topics of interest to the downtown such as marketing opportunities to developers and affordable housing

Vice-Chair Pao said if the CCDA Directors and Chair have input they would like to hear it so they can incorporate it into their goals.

Commissioner Shavey spoke about marketing and branding and the CCAC's goal to advocate for potential funding options to keep the Tigard Downtown Alliance (TDA) momentum going. Consultant Michelle Reeves and the Leland Company recommended supporting a downtown association for coordinated marketing and promotion. The CCAC supports the land and business owners doing this task and they confirmed the importance of getting involved in the marketing and branding effort. However, they acknowledge that TDA's organizational capacity would need to be increased prior to them taking on this task. The TDA is maxed out with volunteer activities now.

Chair Arendes said the CCAC recommend the following urban renewal plan identified projects as priorities as the CCDA works on their budget: filling in the gaps on Hall Boulevard sidewalks, plaza development, the Tigard Street Trail, and public restrooms in the downtown area. She noted that the city is going to do a public facilities plan and hoped that public restrooms, a public market and an arts-oriented community center, all facilities identified in the urban renewal plan, will be considered in this study.

Director Woodard said the CCDA takes the CCAC's recommendations seriously. He reflected on many community planners and experts who gave the city ideas and concepts that should be reflected in the goals. He asked them to keep in mind the puzzle pieces: connectivity, walkability, activation of

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the downtown, business opportunities, infrastructure, circulation and recreation. He said he was pleased to hear Commissioner Shavey speak about branding. He quoted Director Henderson, “without identity we have no community.” He said a lot of good work has been done but there is a lot to do. He recommended adding developing a brand as a goal. He said hiring a marketing manager is important. He suggested picking two businesses along Main Street and talking to the owners to get their ideas on what they need to succeed. He added that circulation is very important and advised that the Ash Creek crossing be kept in mind. He clarified that he meant the railroad crossing.

Director Snider said the CCAC has done a great job and he will keep their recommendations in mind while working on the budget. Chair Cook agreed that their goals are great and he agrees with Director Snider; it is a different CCDA than it was in 2011 and the CCAC can expect a little different outcome.

Circulation was discussed and Redevelopment Project Manager Farrelly reminded everyone that the Ash Creek rail crossing is still in the mix with the SW Corridor. He noted that the city is getting the first leg of a transportation system improvement completed due to the Ash and Burnham development.

Chair Arendes invited further comment and said the CCDA is welcome to come to their meetings or send ideas to their email.

4. UPDATE ON THE MAIN STREET/FANNO CREEK SITE (SAXONY) REDEVELOPMENT STUDY

Redevelopment Manager Farrelly gave the staff report for this meeting which included a PowerPoint. He introduced John Flynn and Suenn Ho of Resolve Architecture.

Architect Flynn described the property and progress made in the concept design. He said they would like to hear feedback on the design. Slides were shown of possible uses of the building including public space. The first floor could be small restaurant and retail with creative office tenant space on the second and third floors. The sixth floor is only at the back of the building, fronting 99W. He said the pro forma studies indicate that it has to be really small or really big. Resolve Architecture’s charge is to create a design that appeals to the city and the developer. This floor space works either way. If they were divided there could be eight 1,000 square foot living areas.

Suenn Ho said this is a challenging site. There is a bridge with fast paced cars going by. Within the south side there is a pedestrian-friendly street. On the west is a creek. On the east side there is a sewer easement.

A southern elevation shows steps going down to the creek. On the highway side there is verticality. Main Street will be a great opportunity to give the development presence with tall buildings along the highway. There is a vegetative strip owned by ODOT behind it. Slides showed opportunities for materiality such as green ways, glazing balconies and store fronts. Ms. Ho showed a sketch of the painted building. Green roofs celebrate nature.

Mayor Cook commented that the design has come a long way. He agreed that it is a challenging site but appreciated what they have developed so far. He said triple-glazed windows will keep the sound down on the north side. He said the taller buildings will have great views. Mayor Cook said he likes the mixture that goes right onto a festival street.

Councilor Goodhouse said he likes the green roofs and the stair steps make it resemble an art piece.

Councilor Woodard had some design questions regarding guest parking. There can be issues if tenant and guest vehicles take up all the parking spots so customers cannot find places to park. Another concern he has is the occasional high Fanno Creek water levels. Mr. Flynn said a movement joint could be created for the deck. Clean Water Services redundancy is good to have for high water situations.

Mayor Cook commented that the concept design process was good and he looked forward to the next update.

CITY COUNCIL

5. CONTINUATION OF PUBLIC HEARING: CONSIDER COMPREHENSIVE PLAN AMENDMENTS AND ZONING CHANGES TO PRESERVE MEDIUM DENSITY (R-12) RESIDENTIAL LAND

- a. Mayor Cook reopened the public hearing. He said at the initial hearing before council there was testimony suggesting that this matter should be heard using the quasi-judicial procedures and standards rather than legislative. The city attorney was asked to review those concerns and he recommended that council do that as a precaution. He asked the council if there was any objection to that process. There was none. He asked the city attorney to explain the process for the hearing.
- b. City Attorney Olsen said the city is the applicant in this proceeding and accordingly the process for the hearing shall be as follows:

City staff will state the applicable criteria and summarize the application, staff report and the staff's recommendation. Council will then take public testimony and staff will have an opportunity for rebuttal or other comment. Council may ask the staff and witnesses questions throughout the hearing until the record closes. After the record is closed the city council will deliberate about how to proceed. During deliberations the city council may reopen the public portion of the hearing, if necessary, to receive additional evidence before making a decision. Testimony, argument and evidence must be directed toward the applicable criteria including any additional criteria that a participant in the hearing thinks might apply. Failure to raise an issue clearly enough so that the city council understands and can address the issue precludes an appeal on that issue. He covered testimony guidelines.

City Attorney Olsen said that prior to the end of the hearing he would explain how any participant may request a continuance or that the record be kept open for more time. Council

may approve all of the requested Comprehensive Plan amendments and zone changes, some but not others or may deny the applicant in its entirety. He said since this started out as a legislative matter, quasi-judicial notice (Type III) was provided prior to the hearing. At the end of the hearing council will vote to approve or reject the ordinance.

- c. Council Questions: Mayor Cook asked for clarification that any prior written or oral testimony on this matter is included in this hearing and that it is part of the record. City Attorney Olsen said that any testimony provided to the Planning Commission, written submittals and the staff report, etc. are all available and included in the record. He said however, that the hearing is being conducted as a de novo hearing which means that people are not limited to issues raised at the prior Planning Commission and City Council hearings.

Council President Snider explained to the audience that council made a decision tonight to hear this as a quasi-judicial matter which is a different forum than the previous hearing. Staff prepared some material that council needs to take time now to read. City Attorney Olsen added that the material included proposed findings from staff should council decided to approve the application. Extra copies were available so anyone in the audience can review the same material. Council read the material from 8:22 p.m. to 8:38 p.m.

- d. Challenges and Declarations: City Attorney Olsen asked council if they had any ex parte contact, site visits or related prior information to disclose. None.

City Attorney Olsen asked if any council members had any potential or actual conflicts of interest to declare. There were none.

Mayor Cook asked if there were any challenges from the audience on any councilor's ability to participate in this hearing. There were none.

- e. Staff Report

Assistant Community Development Director McGuire gave the staff report. He read the approval criteria applying to the proposal. He said per 12.380.030.b standards for making quasi-judicial decisions, recommendations or decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:

1. Demonstration of compliance with all applicable Comprehensive Plan policies and map designations
2. Demonstration of compliance with all applicable standards of any provision of this code or other applicable implementing ordinance
3. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application

Mr. McGuire referred to two memos provided by staff. The February 2, 2016, memo provides findings in favor of the proposal. A January 26, 2016, memo from Associate Planner

Pagenstecher provided responses to council's specific questions and issues raised after the first public hearing. He said there were a few errors in some of the notices such as listing the year as 2015 instead of 2016. There was also a typo in the staff contact phone numbers. The department has safeguards in place. The planner prepares the notices and an administrative staff person prints the notices and helps with processing and distribution, yet the two typos made it through those screens. He noted that the public notice sign was damaged and it is assumed it blew down in the storm in early December. Since that time staff has changed to using plastic coated paper with double sticks to hold the sign in place. In the future staff will monitor the signs and check on them after a bad storm.

Mr. McGuire noted that Council President Snider asked about process issues related to public testimony and responded that any appeals would go directly to the Land Use Board of Appeals (LUBA), whether legislative or quasi-judicial. He said the city's parks staff was asked about Property A ever being considered for purchase as a parks property and it was not.

A question from Councilor Henderson at the last hearing related to the real estate sign advertising Property B as commercial property when it is zoned residential. Mr. McGuire said commercial real estate signs are not addressed in the code and as council is aware, per federal and state Supreme Court cases, staff cannot regulate the content of signs.

Assistant Community Development Director McGuire gave the background on this issue. When he first learned of this potential zone change application on Site B from R-12 to Commercial the city was in the middle of the Heritage Crossing hearings. Specifically, staff was addressing one of the Comprehensive Plan policies on housing. He read some of Goal 10, Policy 10.1, "to provide opportunities for a variety of housing types at a range of price levels to meet the housing needs of current and future city residents." In the Heritage case staff held multiple Planning Commission hearings and council hearings and staff had been stressing the point of that policy and the diversity and variety of housing that is available in R-12 zoning. He said it is not just a numbers issue. We need to meet Metro requirements but that is not the focus of that policy. The issue is the variety that is available in that zone which creates a diversity of price ranges important for young, first-time home buyers and also those that are downsizing. This makes more housing available for people to purchase at varying price ranges. He said Community Development Department staff need to be consistent in interpreting the city's code and policies.

Assistant Community Development Director McGuire said the market is sending a signal through the pre-application conferences that Site A is a good location for R-12. There are other R-12 sites zoned right in that neighborhood and it is between high-intensity commercial use Fred Meyer and lower density residential. He noted that Site A and Site B are very similar in size. Because of this, staff initially chose a legislative process because council would have the ability to examine the Comprehensive Plan policies and have a little more leeway than in a quasi-judicial process.

Mayor Cook asked council if they received answers to all their questions. Council President Snider said he appreciated that the answers were very thorough and specific and he would like this to be the model for future staff reports.

f. Public Testimony

Mayor Cook said due to the time each person may talk for two minutes. Council President Snider reminded the public that this is a quasi-judicial hearing, and council is acting as judges, not legislators. He said their testimony is most effective if it relates to the criteria that is what council must consider in their decision.

Richard Topping, 19765 Derby Street, West Linn, OR said he and his wife own Site A. He said it has been on the market for eight years. They have gone through five commercial real estate agents who have done a lot of aggressive marketing and all came to the conclusion that it is not a viable commercial property. He addressed the testimony neighbors gave at the last hearing noting their great sense of ownership and how they felt the property was part of their community. But they are not paying the upkeep or property taxes. The existing houses cannot be replaced and the city is in need of more R-12 housing. They strongly feel that this would be a good thing for them and for the city.

Levi Levasa, Stafford Land Company, 485 S. State Street, Lake Oswego, OR, 97034, is the potential developer for Site A. He asked that council echo the recommendations of the Planning Commission and adopt the findings of the staff report. He said staff did a great job on the findings and agreed with the quasi-judicial approach. He said the property looks like R-12 property, not R-4.5. The entire frontage needs to be improved and splitting that up between four to six lots does not make much sense. R-12 zoning allows a variety of housing types.

Kelli Hossaini, Miller Nash, 111 SW Fifth Avenue, Portland 97204 represents Tigard-Tualatin School District, the owner of Site B. She said the R-12 zoning is a holdover from the 1940s and the district's use of the site as an administrative center. This property has been on the market for ten years. The market views this property as commercial. She said Leadership Circle wants to develop the property into a natural grocer which would be a great use near the elementary school and for people in the neighborhood. She said she could understand opposition to a zone change on Site A but encouraged council to adopt the Site B zone change.

Read Stapleton, DOWL Engineers and Planners, 720 SW Washington Street, Suite 750, Portland, OR, 97205, said he agreed with Ms. Hossaini and believes Site B is optimal for commercial development. Historically residential zoning may have made sense but the most recent Economic Opportunities Analysis recognized there is a dearth of commercial land. This request will improve that lack of capacity. He said Leadership Circle has been meeting with city staff since last year. He asked for council's approval on the zone change for Site B regardless of whether it is considered with the other site.

Debbie Bowman and Penny Stewart signed up to speak but said they would give their time to Dorothy Cofield.

Jim Long, 10730 SW 72nd Avenue, Tigard, OR 97223, gave some written testimony which has been added to the record. He said he would speak first as Chair of CPO4-M and then as a private citizen. On Monday, December 4, 2015, CPO4-M discussed the planning department's request and voted unanimously to endorse retaining the commercial/professional district

zoning for Site A. Speaking personally, he said if the city moves forward and approves this application with staff's first recommendation the decision will be vulnerable to appeal and the city will lose. He said last month that the city should start over. He noted that the process has been changed to quasi-judicial but the notices are still in error. There are landowners who did not receive notice. New signs were put out on two posts but did not last. The notices did not have the right time, place or phone number. The website did not list this public hearing for four days in December. The title is misleading and the word "preservation" does not explain the nature of the application. He had pictures in the testimony that are still relevant. Mayor Cook asked if the new postings are correct. Mr. Long said he heard staff say they were going to monitor the signs but they are gone so the city did not provide the information required by the code. Council President Snider said staff was asked by council to start completely over with their noticing. He asked if Mr. Long was testifying that after the lecture from council, staff did not in fact redo the sign posting. He said the sign on 72nd Avenue is blank. Mr. Long said Councilor Henderson asked for the commercial sign to be removed but it is still in place.

Dorothy Cofield, 8705 SW Nimbus, Suite 380. Beaverton, OR 97008, said she represents Jim Long and Nancy Tracy as individuals. She said she submitted a memorandum to council along with seven exhibits. She noted that Mayor Cook gave the differences between legislative and quasi-judicial public hearings. She said this was done at the eleventh hour after there may have been discussion and talking. She said the city needs to start over to do this process right. The notice lists preservation of R-12 zoning but does not have the quasi-judicial criteria. Without that being in the notice LUBA says anyone can raise anything because the notice did not list the criteria.

Ms. Cofield said staff and the Planning Commission were hanging their hat on the Angelo Study which said that Tigard is deficient in R-12 land. She said the executive summary does not say this at all. It says 6,000 units (53 percent are projected to be detached single-family home). The idea that Tigard needs attached homes is not supported by the record. Regarding changing the zoning, the Cogan Economic Analysis Report says there is a deficiency in commercial land. Taking the Topping site and removing the commercial zoning is inconsistent with evidence in the record. She asked council to consider this rather than the planner's desire for more attached housing. She asked to keep the record open because they just received the findings and want to review whether or not the neighborhood has changed. They want to put evidence in the record. Regarding the sign on Site B, she felt the city can regulate it if it says it is zoned for commercial and this has not yet been done. The city should tell the developers that this has not gone through a zoning change yet. She ended by saying that although they believe that the process is flawed, her clients would be in favor of changing the zoning for the school district site. She asked that council adopt the alternative to change the zone for Site B but they object to any zone change on Site A.

Ann Murdock, 7415 SW Spruce Street, Tigard, OR 97223, handed in some written testimony. She highlighted that if this land is zoned R-12 it allows the owners to put in 12-18 units. With each there could be two cars, pets, and two children. She doesn't see how the parking will work. She said there is a new development on 74th Avenue and the people living there are already parking in front of her house because they do not have enough parking. People from Tigard Woods park in front of her neighbors' mailboxes. She mentioned that there is a spring

on the west end of the property. She asked who will be responsible for fixing it if the spring is paved over and the water runs onto her property.

Richard Garber, 10680 SW 71st Avenue, Tigard, OR 97223, lives two blocks from the subject property. He walks his dog on the property and reiterated what the previous speaker said; it is a swamp. He has seen the tractor mower sink down and then avoid large areas of the property. He noticed in the handout a lot of concern for the property owners but it would be better if the city was concerned about the residents. He has made bad investments before and it is not the city's fault. He said R 3.4 zoning might be a possibility.

Chris Glawe, 9830 SW Pine Street, Tigard, OR 97223, said he was here in support of Jim Long and the neighbors. He said neighbors look out for each other by placing flyers and he did not know about this until a neighbor placed a flyer out for this meeting. He did not receive the official statement that was mailed last fall.

Nancy Tracy, 7310 SW Pine Street, Portland, OR 97223, brought a handout for council. She said she was here on behalf of the children. The children are our city's future and they have a tough road ahead of them. Cities, communities, parents and schools are all responsible for children. She said she hoped that council will read her pamphlet.

Richard Allegretto signed up to speak but gave his time to Jim Long.

Jim Long said the most important thing is that Site B was left out of the city's inventory of residential land so there is no need to balance out the residential because there was no loss of residential. The city can go ahead and change it to commercial. The city does have a deficit of commercial land. He said the equality swap "does not wash." He objected to the commercial sign. He commented that the city is rezoning some property in another area and if R-7 there can change to R-12, it does not need to happen here. The citizens do not support three-story buildings on Site A.

Nathan Murdock 7415 SW Spruce Street, Tigard, OR 97223, noticed that during the last month a big problem in getting a vehicle from Hall Boulevard and 69th Avenue onto Highway 99W. ODOT says it should not be a problem but it is now, without having another 30 cars from people that are not in the neighborhood.

Read Stapleton asked to rebut Mr. Murdock's testimony but Mayor Cook said the city is the applicant and he could not testify. He has already spoken tonight.

Charlie Hanson 10670 SW 75th Avenue, Tigard, OR 97223, lives on a flag lot with 50 feet of his side yard along Site A. He said the land is swamp-like and test pits done for the preschool verified drainage issues. He said he experiences drainage problems onto his property from the subject property. He showed a picture of a notice and said there was no notice of a continuation until Nancy Tracy came to his door one day ago. He said the property is more of a wetland than a viable property and that may be why commercial builders have not shown interest either.

Julie Garvin, 7025 SW Mapleleaf Street, Tigard, OR said she just received a flyer at her door and from what she is hearing regarding the procedural information it is clear to her that council should evaluate Site A and Site B independently and they both must meet the criteria. They cannot be evaluated conjoined and there is evidence that Site B meets all the criteria. She does not think Site A meets the criteria in terms of there being a change in the neighborhood or an error or mistake in the zoning.

- g. Staff response to testimony: Assistant Community Development Director McGuire said he would respond to specific council questions.
- h. Council questions: Council President Snider asked about Ms. Cofield's testimony that the city should restart the process to have it follow the full quasi-judicial process and if the city has done what was necessary to meet those requirements.

City Attorney Olsen replied that in terms of procedural error LUBA and the courts have held that a person alleging a procedural error has to demonstrate substantial prejudice and the courts generally have held that if there was a procedural error in the process, as long as at the final hearing before the final decision maker, those alleged irregularities are addressed and the full quasi-judicial rights are substantially afforded, then it is very difficult to make a finding of substantial prejudice. He said in this case notice went out as if it was a quasi-judicial hearing despite the fact that it had been legislative so notice was provided in accordance with the code. The city council made the determination in the response to citizen concerns that it would afford those full quasi-judicial processes and protections, including the substantive criteria, rather than go forward with the legislative hearing which the council could have done. Council President Snider commented that the public indicated that they would have immediately appealed. City Attorney Olsen said in effect the council has responded to the concerns raised. He said Ms. Cofield is correct that the notice sent out did not list all of the applicable criteria, and that may provide more of an opportunity for an appeal on a substantive ground with LUBA but it is not really a procedural error. In this case, there have been no other criteria identified other than ones staff have addressed. And that is a Type III quasi-judicial process. He said there might be a standard that the notice did not indicate and that no one else has raised. But it is not one that staff or the citizens are aware of. He said council made it clear that they are addressing the applicable standards.

Council President Snider referred to a comment made about two properties being considered under the same quasi-judicial public hearing. City Attorney Olsen said council needs to apply the criteria to each property and needs to make a decision on each property to approve both, approve one and deny the other or deny both. He said it is appropriate for staff to inform council and for the council to consider the context in which the Comprehensive Plan policies and housing policies apply. City Attorney Olsen said Ms. Cofield and others requested additional time and many potential problems are cured during the process if the record is kept open for additional testimony during a continuance.

Council President Snider asked if the city has an excess inventory of R-12 land as heard in some of the testimony, and Assistant Community Development Director McGuire said it did not. He said the housing study addresses that and is part of the record and in the staff report.

TIGARD CITY COUNCIL/CCDA MEETING MINUTES – February 2, 2016

Council President Snider noted that at least some people clearly living within 500 feet of Site A did not receive a notice. He asked how confident staff is that proper notice was made. Mr. Pagenstecher said the notice went out for the first hearing. Council President Snider said council direction was to notify everyone of the continued hearing. Assistant Community Development Director McGuire said staff prepared a second notice and posted the property. Council President Snider said he did not think that was what council asked staff to do.

Councilor Snider asked about the parking standard for R-12 zoning. Assistant Community Development Director McGuire said each unit is required to have its own on-site parking but it is hard to estimate how many cars because there is such variety in R-12 housing. The R-12 developments are attached or narrow units and some off street parking is lost to the number of curb cuts for driveways. It has been an issue. In River Terrace the city required extra parking per tracts.

Council President Snider expressed many concerns about the process. Councilor Woodard said he thought the two separate properties should have their own consideration but did not think council had to start all over. He said by design, development can take care of wetland and parking issues. Mayor Cook advised that this is not a development review; it is a zone change.

Councilor Goodhouse asked if the properties can be separated in a decision tonight. City Attorney Olsen said they can be considered separately and in fact, when looking at options staff drafted an ordinance approving only the zone change for Site B. Council could adopt it and remand Site A back to the Planning Commission.

Councilor Woodard commented that no one said they did not receive a notice about Site B. He said staff did the best they could to rectify the notice issue. He said staff put up signs and he did not know if someone was pulling out the signs. He gave staff credibility. He asked Assistant Community Development Director McGuire if notice was provided. Mr. McGuire responded that staff used the quasi-judicial noticing requirement prior to the Planning Commission hearing. Every property owner within 500 feet received a notice; it was advertised in the newspaper and on the website and the property was posted prior to the Planning Commission hearing. Staff did the same procedure prior to the last council hearing (mailed notices, site posting, website and newspaper). He said he did not hear at the last hearing that council was instructing staff to resend the notice. However, the notice was revised and the site re-posted.

Council President Snider asked for confirmation that staff used a quasi-judicial notice process for a legislative hearing held months ago. Assistant Community Development Director McGuire said staff “over-notified” the meeting as it is standard to err on the side of more public participation. Council President Snider asked City Attorney Olsen if the notice requirement was not an issue. City Attorney Olsen expressed confidence that in terms of Site B there was not a notice issue. He said in terms of Site A, generally the case law is that a minor defect in the noticing is not a fatal flaw. He said while the notice is not perfect, the city has taken appropriate steps to address the issue from a legal standpoint.

Councilor Goodhouse moved to approve Ordinance No. 16-05, approving Site B and remand Site A to the Planning Commission as quasi-judicial matter. There was no second and City Attorney Olsen said he needed to read a statement first.

City Attorney Olsen read a statement saying any participant may request an opportunity for more time to present additional evidence, arguments or testimony regarding the application for either of the properties. If such a request is received the city council has a choice. Council may continue the public hearing for at least seven days and at the continued public hearing if new evidence is submitted, any person may then request that the record be left open for at least seven additional days to submit written evidence, arguments or testimony for purposes of responding to the evidence at the continued hearing. Or council could leave the written record open for seven days rather than continue the public hearing. During the seven days, any person may submit new evidence or argument. The record is then kept open for an additional seven days for anyone to respond to written materials submitted during the first seven days. Then the applicant has the discretion of requesting a continuance. After the written record is received then council would conduct its final deliberation and make a decision.

City Attorney Olsen said the attorney for some of the neighbors asked for a continuance. He said he has heard that there may be some councilors considering denial of one of the applications and that may mean the counsel withdraws her request for additional time. He asked if anyone else in the audience wished to keep the record open. Ms. Cofield said if Site A will be denied and Site B recommended for approval she was in favor of that and would not need a continuance but of course, she would not know that until deliberation. She asked if she could make her request contingent. City Attorney Olsen said that was appropriate. Mr. Levasa asked if he could ask for a contingent continuance as well. If Site A is remanded he would not need it but if it is denied he does want a continuance. Mayor Cook accepted his request for a contingent continuance

Councilor Goodhouse moved to approve Ordinance No. 16-05, approving Site B and remanding Site A to the Planning Commission. Councilor Woodard seconded the motion.

Council President Snider asked if the remand required a full quasi-judicial noticing process. City Attorney Olsen said it did; it was like starting over. Mayor Cook said he would like staff to demonstrate with date-stamped photos that signage is intact and notification was complete. Councilor Woodard suggested using a simple checklist and dating it.

Council President Snider said the residents near Site A need to recognize that the property is two blocks off of Highway 99W and behind a huge commercial center. It is probably not going to be developed as a commercial property. He suggested that they as a neighborhood figure out how they can live with whatever will be done residentially on that property at some point. He said he thought it would be hard for the neighborhood to prevent things from happening on the property because of Oregon land use law and Tigard's Community Development Code.

Councilor Woodard addressed Jim Long and suggested there is time to talk to the Parks and Recreation Advisory Board (PRAB) about using it for a park. Mayor Cook added that anyone could buy the property and donate it to the city.

TIGARD CITY COUNCIL/CCDA MEETING MINUTES – February 2, 2016

- i. Mayor Cook closed the public hearing.
- j. Council Deliberation

Mayor Cook asked City Recorder Krager to read the number and title of the ordinance.

Ordinance No. 16-05 – 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

City Attorney Olsen said while the title is the same, the body of this ordinance only relates to Site B. Council President Snider asked if the ordinance needs to mention the remand and City Attorney Olsen said the remand for Site A would not be part of the ordinance for Site B and staff was directed to remand the other matter back to the Planning Commission. Councilor Woodard asked if the property owners near Site A will be notified when the Planning Commission meets and City Attorney Olsen said they would; the applicant is basically starting over.

City Recorder Krager conducted a roll call vote.

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

Mayor Cook announced that Ordinance No. 16-05 passed unanimously by a vote of those present.

- 6. CONTINUED DELIBERATION: APPROVING AN ORDINANCE ESTABLISHING TIGARD MUNICIPAL CODE 3.75 PARKS MAINTENANCE FEE AND APPROVING A RESOLUTION AMENDING THE MASTER FEES AND CHARGES SCHEDULE

Due to the late hour council elected to carry this item over to the next council business meeting on February 9, 2016.

- 7. DISCUSSION ON THE PROPOSED FY 2017 CITY COUNCIL BUDGET

Assistant City Manager Newton gave the staff report for this item. She asked that council look at the highlighted items. An inauguration photographer, a slight increase in Tigard Downtown Alliance dues, and a reception were added. She noted that the Tigard Youth Advisory Commission Washington DC trip has been added to council’s budget. She said these are the only changes to the original version council received earlier.

Assistant City Manager Newton confirmed there are only enough funds to send two youths to Washington DC. Council President Snider said council should budget for five kids to go next year. Mayor Cook said he did not think the cities always pay. Some cities have their youth fundraise for the trip. Council President Snider mentioned being on the school board as a youth and felt he was more effective at the California legislature than some adults. Councilor Goodhouse recommended four. Council President Snider suggested partial payment and encouraging the youths to raise some of the funds themselves.

8. NON-AGENDA ITEMS None.

9. ADJOURNMENT

At 10:20 p.m. Council President Snider moved for adjournment. Councilor Woodard seconded the motion. Mayor Cook conducted a vote and the motion passed unanimously.

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

Carol A. Krager, City Recorder

Attest:

John L. Cook, Mayor

Date

AIS-2573

3. C.

Business Meeting

Meeting Date: 03/08/2016

Length (in minutes): Consent Item

Agenda Title: Proclaim National Community Development Week

Prepared For: Joanne Bengtson, City Management

Submitted By: Joanne Bengtson, City Management

Item Type: Receive and File

Meeting Type: Proclamation

Public Hearing: No

Publication Date:

Information

ISSUE

Should Mayor Cook proclaim March 28-April 2, 2016 as National Community Development Week?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends issuing the proclamation.

KEY FACTS AND INFORMATION SUMMARY

National Community Development Week honors community development activities on the national and local level and gives the city a chance to focus attention on the Community Development Block Grant (CDBG) and HOME Investment Partnership programs and the benefits they provide to Tigard over the past years.

OTHER ALTERNATIVES

n/a

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

n/a

DATES OF PREVIOUS COUNCIL CONSIDERATION

Since 1979, the City of Tigard has received nearly \$4 million in funding to wholly fund or augment existing funding for improvements throughout the city. Investments in the Tigard Senior Center, downtown revitalization, park improvements, sidewalk improvements, low income housing infrastructure upgrades and sidewalk barrier removals, the city has a long and successful partnership with CDBG and HOME program agencies.

Attachments

Community Development Week

Proclamation

City of Tigard

National Community Development Week March 28 - April 2, 2016

WHEREAS, the Community Development Block Grant Program was enacted into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, March 28 - April 2, 2016 has been designated as National Community Development Week to celebrate the Community Development Block Grant (CDBG) Program and the Home Investment Partnerships (HOME) Program; and

WHEREAS, the CDBG program has successfully demonstrated its ability to help our community provide much-needed public services for economically, mentally or physically disadvantaged residents, construction/renovation of community gathering places and reconstruction of city-owned infrastructure and completion of neighborhood improvements including major sewer, drainage and street projects; and

WHEREAS, the HOME Program provides funding to local communities to create decent, safe and affordable housing opportunities for low-income persons.

WHEREAS, the CDBG program has considerable flexibility and allows communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and

WHEREAS, since the programs' inception, the Tigard community has received nearly \$4 million in CDBG funds; and

WHEREAS, the City of Tigard urges Congress and the Administration to recognize the outstanding work accomplished with this funding and support both programs with increased funding in FY2017;

NOW THEREFORE BE IT RESOLVED THAT I, John L. Cook, Mayor of the City of Tigard, Oregon, do hereby proclaim the week of March 28 - April 2, 2016 as

NATIONAL COMMUNITY DEVELOPMENT WEEK

in Tigard, Oregon and urge all residents to join in recognizing the important role the CDBG and HOME Programs play in serving our community.

Dated this ____ day of _____, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

John L. Cook, Mayor
City of Tigard

Attest:

City Recorder

AIS-2549

4.

Business Meeting

Meeting Date: 03/08/2016

Length (in minutes): 15 Minutes

Agenda Title: Receive Presentation on Washington County Communications System Bond Measure

Prepared For: Marty Wine, City Management

Submitted By: Carol Krager, Central Services

Item Type: Update, Discussion, Direct Staff

Meeting Type: Council Business Meeting - Main

Public Hearing: No

Publication Date:

Information

ISSUE

This is an informational presentation from TVF&R.

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

TVF&R Division Chief Sherrard will give an informational presentation on the upcoming Washington County Communications System Bond Measure. He will be joined by Tigard Police Chief Orr.

Washington County voters will be asked to consider a funding measure to replace and upgrade the emergency communications system. With voter approval this May 17, Washington County would issue general obligation bonds to pay for \$77 million in capital costs for emergency and 911 equipment and facilities.

OTHER ALTERNATIVES

The City Council could chose not to hear the presentation.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

No file(s) attached.

AIS-2559

5.

Business Meeting

Meeting Date: 03/08/2016
Length (in minutes): 15 Minutes
Agenda Title: Contract Award - 95th and North Dakota Sidewalk Infill
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:

Information

ISSUE

Shall the Local Contract Review Board award a construction contract for the 95th and North Dakota Sidewalk Infill project to Lyda Excavating in the amount of \$131,615.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Local Contract Review Board award a construction contract for the 95th and North Dakota Sidewalk Infill project to Lyda Excavating in the amount of \$131,615 and authorize the City Manager to take the necessary actions to execute the contract.

KEY FACTS AND INFORMATION SUMMARY

The 95th and North Dakota Sidewalk Infill project will address important missing links in the sidewalk network by constructing roughly 450 feet of sidewalk along one side of North Dakota Street and approximately 350 feet of sidewalk along one side of 95th Avenue. This would connect the existing sidewalks in the neighborhood to the existing sidewalks along Greenburg Rd and the rest of the sidewalk network. People would then have safer access to employment, transit routes, and basic services via Greenburg Rd, TriMet bus lines 76 and 78, downtown Tigard, Washington Square Regional Center, and the rest of the transportation network.

An Invitation to Bid (ITB) for the construction of this project was issued on January 20th of this year with an engineer's estimate of \$149,583. The ITB closed on February 2nd and the city received following eight bids:

Lyda Excavating, Inc. - \$123,315
GT General Contracting - \$146,776
C&M Excavation & Utilities, LLC - \$197,004
Subcom Excavation & Utilities, LLC - 197,525
Brown Contracting - \$199,898
R&R General Contractors - \$202,000
Pacific Excavation - \$205,000
Lee Contractors, LLC - \$245,168

Staff reviewed the bids and found them to be responsible and responsive submittals. Staff did contact Lyda Excavating due to the bid being much lower (17.5% lower) than the estimate and they are comfortable with their proposed numbers. Lyda runs their own concrete crew and does not have to subcontract the work and that helps them keep their pricing low.

As Lyda Excavating has submitted the lowest responsible and responsive bid and they do not have any disciplinary findings against them either with BOLI or the Construction Contractors Board, staff will present a contract award action item to the Local Contract Review Board at a future business meeting, likely March 8th. Staff is seeking any questions or requests for additional information that the Local Contract Review Board may like to have in preparation for that award action item.

Since the closing of the bid, staff has further reviewed that project site and now believes it to be in the projects best interest to include to roughly 65 linear feet of driveway/hard surface path area in the work. This inclusion will add an estimated \$8,300 in construction costs and \$6,000 in design to the project. While this area was not included in the original design, staff now believes it is essential to the project to include these locations and avoid a “gap” in the overall sidewalk continuity. Pictures of these additional areas are include for Local Contract Review Board review. Additional photos may be presented at the award meeting.

At the February 23rd Business Meeting, the Local Contract Review Board raised the issue of a sidewalk average estimate of \$1,000 per linear foot that was used in the Sidewalk Connection Program. A PowerPoint on this program was presented to City Council the on November 17, 2015. It has also been attached for your review.

The presentation contains programmatic, high-level costs estimates. Under this program, the high level cost estimates for sidewalk/trails is \$250/linear foot for a flat, city-owned, stable piece of right-of-way. There are four identified factors that increase this cost:

- The need to purchase the right-of-way
- Steep slopes
- Wetlands
- Drainage ditches

Each of the aforementioned factors adds roughly \$400/linear foot. A sidewalk on a steep slope with the need to procure right-of-way for example would cost roughly \$1,050/linear foot.

The program contemplates that costs for each sidewalk project will be different. For this project, the land is flat with no wetlands, no large drainage issues, and right-of-way acquisition was not required across the entire project. For this project, the price per linear foot is estimated at \$326, which includes the construction, engineering design, and right-of-way costs. This doesn't not include a request for an additional \$12,000 in project contingency in the event there are unforeseen project site conditions.

OTHER ALTERNATIVES

The Local Contract Review Board may reject this solicitation process and direct staff to reissue the solicitation.

The Local Contract Review Board may elect to forego work on the additional driveways and award a contract for the original sidewalk work only in the amount of \$123,315.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

This project support the city's strategic plan to become the most walkable community in the Pacific Northwest where people of all ages and abilities enjoy healthy and interconnected lives

DATES OF PREVIOUS COUNCIL CONSIDERATION

The Local Contract Review Board discussed this proposed contract at their February 23, 2016 business meeting.

Fiscal Impact

Cost: \$131,615

Budgeted (yes or no): Partial

Where budgeted?: Gas Tax Fund

Additional Fiscal Notes:

The project has CDBG grant money through an IGA with Washington County and these federal dollars are impacting the schedule of the project (speeding up the time frame). Due to the inclusion of the additional driveway area, a project contingency for the construction phase, and a rectangular rapid flashing beacon (RRFB) to improve pedestrian safety that was not included in the original CDBG ask, the city will need additional funds to complete the project. Staff is anticipating a Quarter 3 budget request of \$60,000 from Gas Tax contingency to complete to meet this need.

This project has an external budget of \$164,339 approved in FY 2015-2016 in the Quarter 1 Supplemental Budget. The project's total external budget over two years is \$200,000. To complete the entire project, including additions noted above, the project needs the

contractor's bid of \$123,315, an additional \$8,300 for the driveway area, the total paid and projected engineering consultant costs for the project estimated at \$92,051 (some was expensed in FY 2014-2015), right-of-way acquisition costs of \$21,700, and including a construction contingency (only for potential unforeseen circumstances discovered during construction) of 10% leaves the project roughly \$60,000 short for full completion.(construction planned for completion in the current fiscal year).

Staff will also request from Washington County that the CDBG grant be increased to meet the overall project total. Staff has been working over past few days with Washington County's Housing and Community Development Specialist on this issue. Working with this position, the city may propose and submit in the coming days that the city and county's CDBG program share the additional costs associated with this project. If additional CDBG funds are made available, less Gas Tax proceeds would be necessary. There is no promise or guarantee such a request will be granted from CDBG contingency but the two sides are working together on the request.

Attachments

Sidewalk Gap Presentation

95th and North Dakota Pictures



City of Tigard

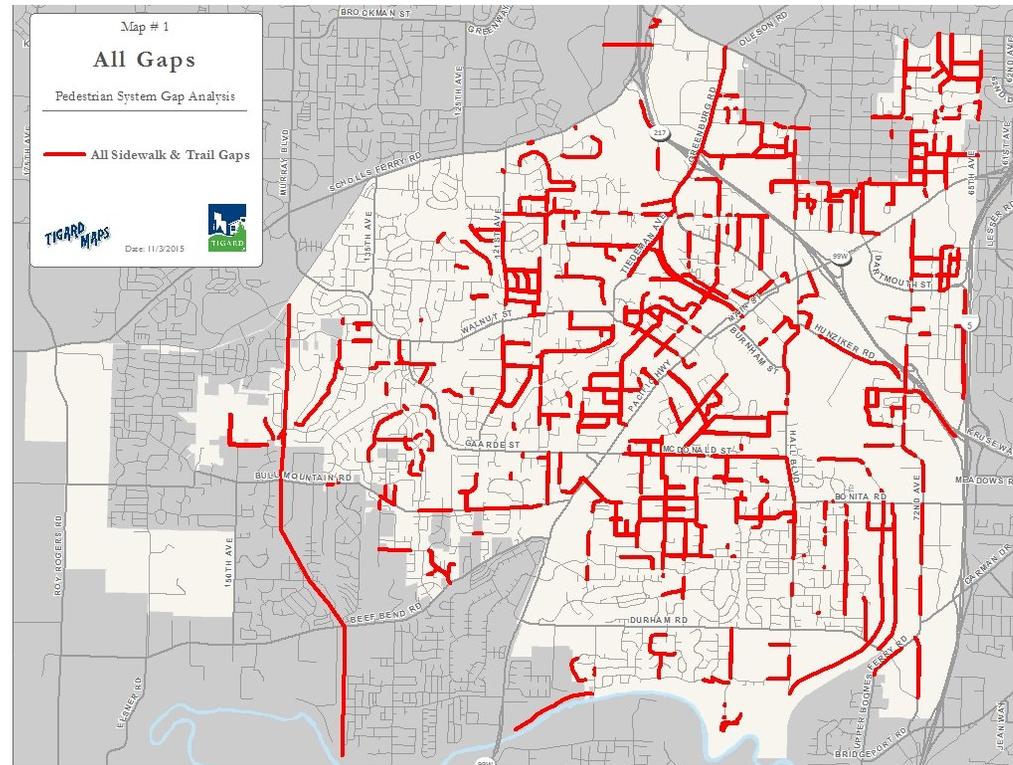
Respect and Care | Do the Right Thing | Get it Done

Sidewalk Gap Program

November 17, 2015



Gaps in pedestrian facilities in Tigard makes walking a difficult transportation option thus increasing traffic on Tigard's roads.



Location of sidewalk and trail gaps in Tigard.

Feedback from Oct 20, 2015

- Focus on primary routes in the system.
- Include difficult to build, high-cost gaps.
- Don't include gaps on low traffic volume local streets.
- Develop 20 year program.

Primary System Routes

- Arterial Roads
- Collector Streets
- Neighborhood routes with average daily traffic (ADT) volume over 1,500 or near a school.
- Trails

Program Costing

- Costing is done at a high programmatic level.
- Actual costs of individual sections will vary.
- Recognizes that some sections can be completed with lower cost paved connections.
- Only includes sidewalk gaps within city boundaries.

Program Costing

- Estimates include sidewalks on both sides of streets.
- Priority crossings included in the project costs. Specific location will be determined in the design process.
- Bike lanes included in costs for Arterials and Collectors.

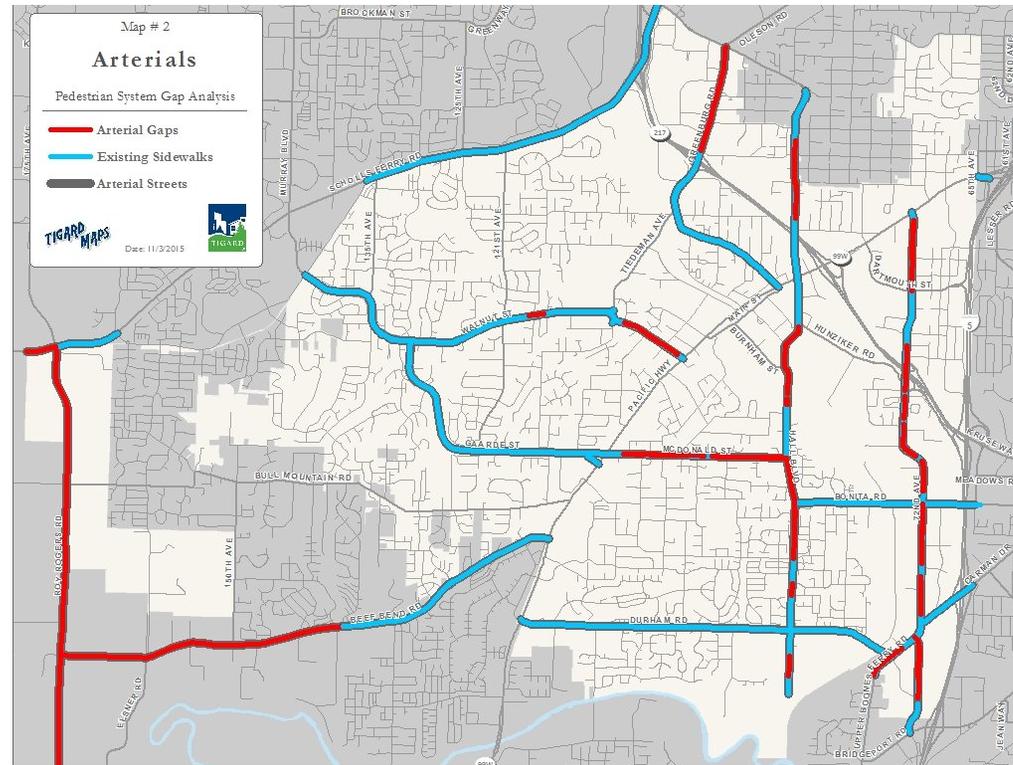
Program Costing

- Trails are those identified in Trail Master Plan, including neighborhood and multi-use trails.
- Regional trails only include portions within city boundaries.

Program Costing

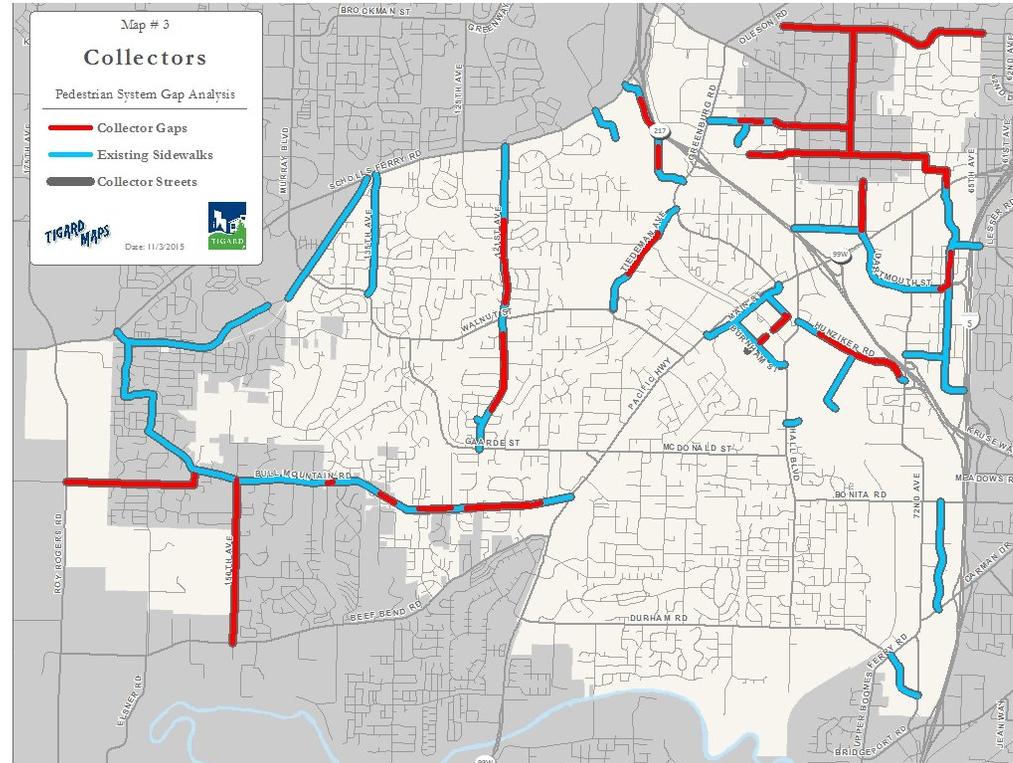
- A sidewalk/trail costs \$250/linear foot.
- Identified 4 factors that increase cost:
 - ▶ City needs to buy right-of-way
 - ▶ Steep slopes
 - ▶ Wetlands
 - ▶ Drainage ditches
- Each cost factor adds \$400/linear foot.

Tigard's Arterial Roads have 7.2 miles of sidewalk gaps. Filling those gaps will cost \$27.6 million.



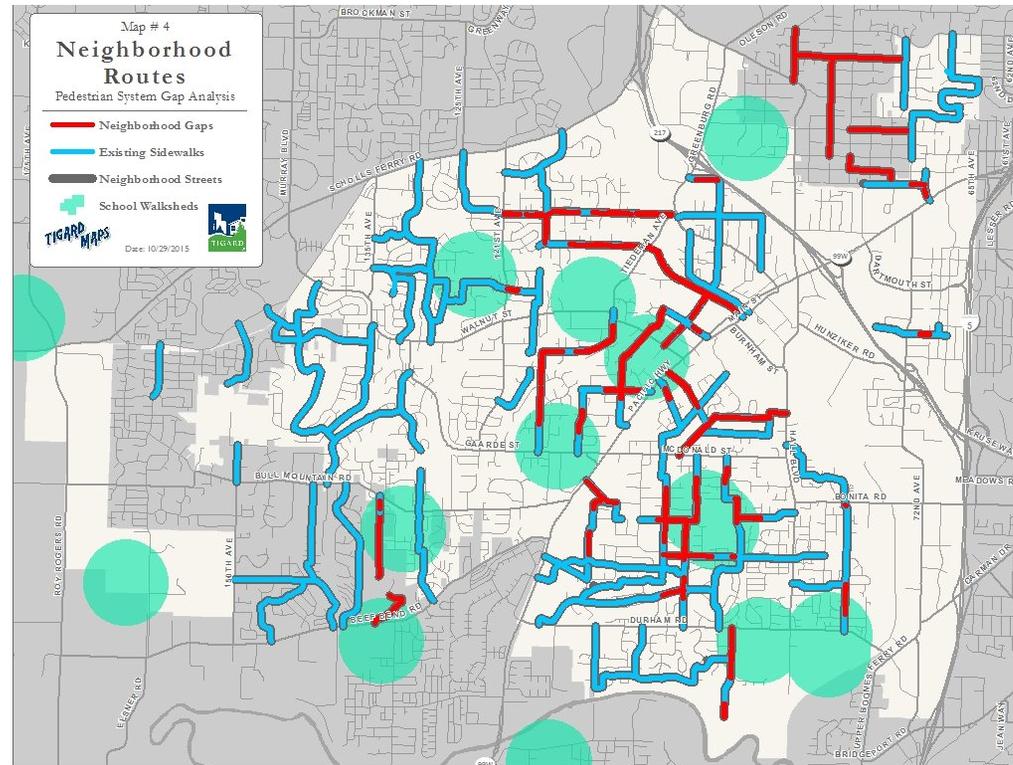
Location of arterial roads and their sidewalk gaps.

Tigard's Collector Streets have 6.3 miles of sidewalk gaps. Filling those gaps will cost \$26.3 million.



Location of collector roads and their sidewalk gaps.

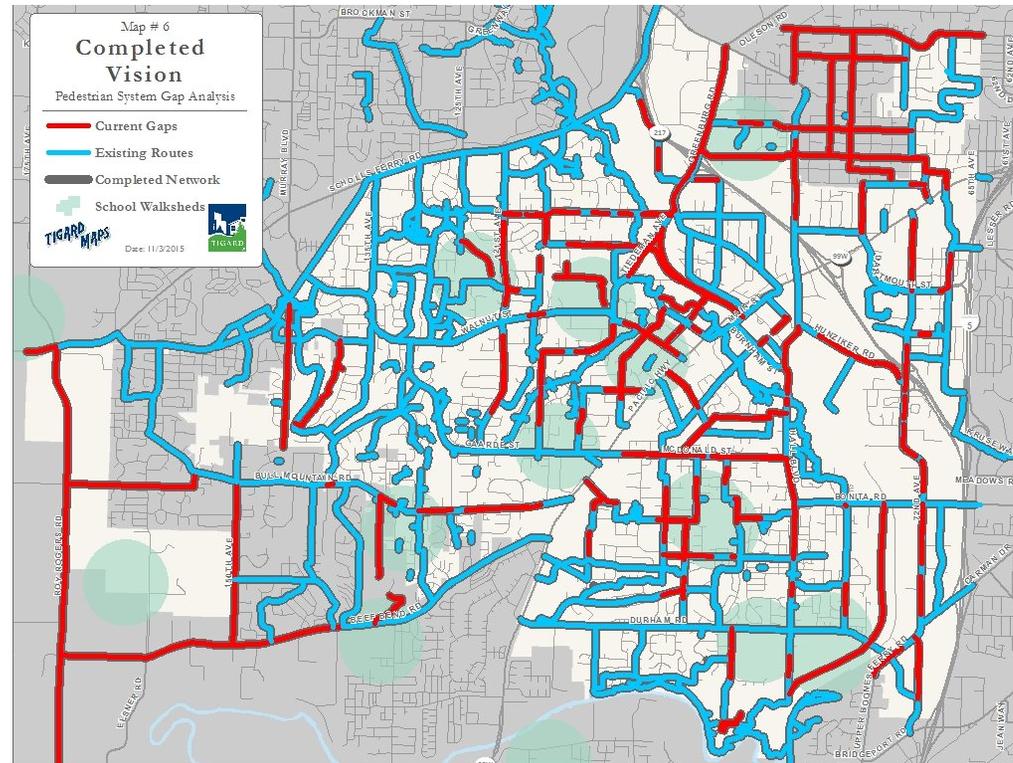
Neighborhood Routes with traffic of over 1,500 trips/day have 13.9 miles of sidewalk gaps. Filling those gaps will cost \$38.8 mil.



Location of neighborhood routes with ADT over 1,500 and their sidewalk gaps.

City of Tigard

A complete pedestrian system with all 34 miles of system gaps filled will make walking a more attractive transportation option. Creating the system will cost \$118 million.



Location of completed pedestrian system.

Potential Program Funding

- Gas Tax Fund
- Current 3% City Gas Tax Fund
- Potential Additional 2% City Gas Tax
- Outside Funding Sources
- Potential Utility Bill Charge

Gas Tax Fund

- Currently supports:
 - ▶ Street Maintenance
 - ▶ Electric bill for streetlights and signals
 - ▶ Debt service on Burnham St. thru FY 2020.
- Available Funds for all Transportation Needs:
 - ▶ Currently \$200K undedicated annually .
 - ▶ Starting FY 2021, \$790K available annually.
 - ▶ \$10,240,000 over next 20 years.

3% City Gas Tax Fund

- Currently supports:
 - ▶ Debt service on Greenburg/Main Intersection thru FY 2020.
- Available Funds for all Transportation Needs:
 - ▶ Currently \$200K undedicated annually .
 - ▶ Starting FY 2021, \$510K available annually.
 - ▶ \$5,760,000 over next 20 years.
 - ▶ Needs TTAC recommendation.

Potential 2% City Gas Tax

- Would need to be implemented.
- Would generate \$400K per year.
- Over a 20 year period, would generate \$8 Mil.

Outside Funding

- Grants
- Large CIP projects including outside jurisdiction funding, such as MSTIP
- Development
 - ▶ Thru development in an area where a gap exists
 - ▶ Thru reimbursement program in an area where Gap Program has built the sidewalk prior to development.
- Estimate that 20% of Gap Program Funding will come from Outside Funding.

Utility Bill Charge

- Modeled on Street Maintenance Fee.
- Program has 20 year duration.
- Program Costs reduced by 20% funding from outside sources.
- Other city resources not included. Would represent another 20% program reduction if all resources were applied to Sidewalk Gaps.

Utility Bill Charge

Calculation of 20-Year Program Cost by Customer Type

Road Type	Cost (\$Mil)	Res Share	Res Cost (\$Mil)	Non-Res Share	Non-Res Cost (\$Mil)
Arterial	27.6	38%	10.5	62%	17.1
Collector	26.3	50%	13.2	50%	13.2
Neighborhood	38.8	100%	38.8	0%	0.0
Trail	25.6	90%	23.0	10%	2.6
20-Yr Total	118.3		85.5		26.3

Utility Bill Charge

Calculation of Annual Program Cost Charged to Utility Bill by Customer Type

Road Type	Total Cost (\$Mil)	Res Cost (\$Mil)	Non-Res Cost (\$Mil)
20-Yr Total	118.3	85.5	26.3
Less: 20% Outside Funding	-23.7	-17.1	-6.6
20-Yr Total from Utility Charge	94.7	68.4	26.3
Annual Cost	4.7	3.4	1.3

Utility Bill Charge

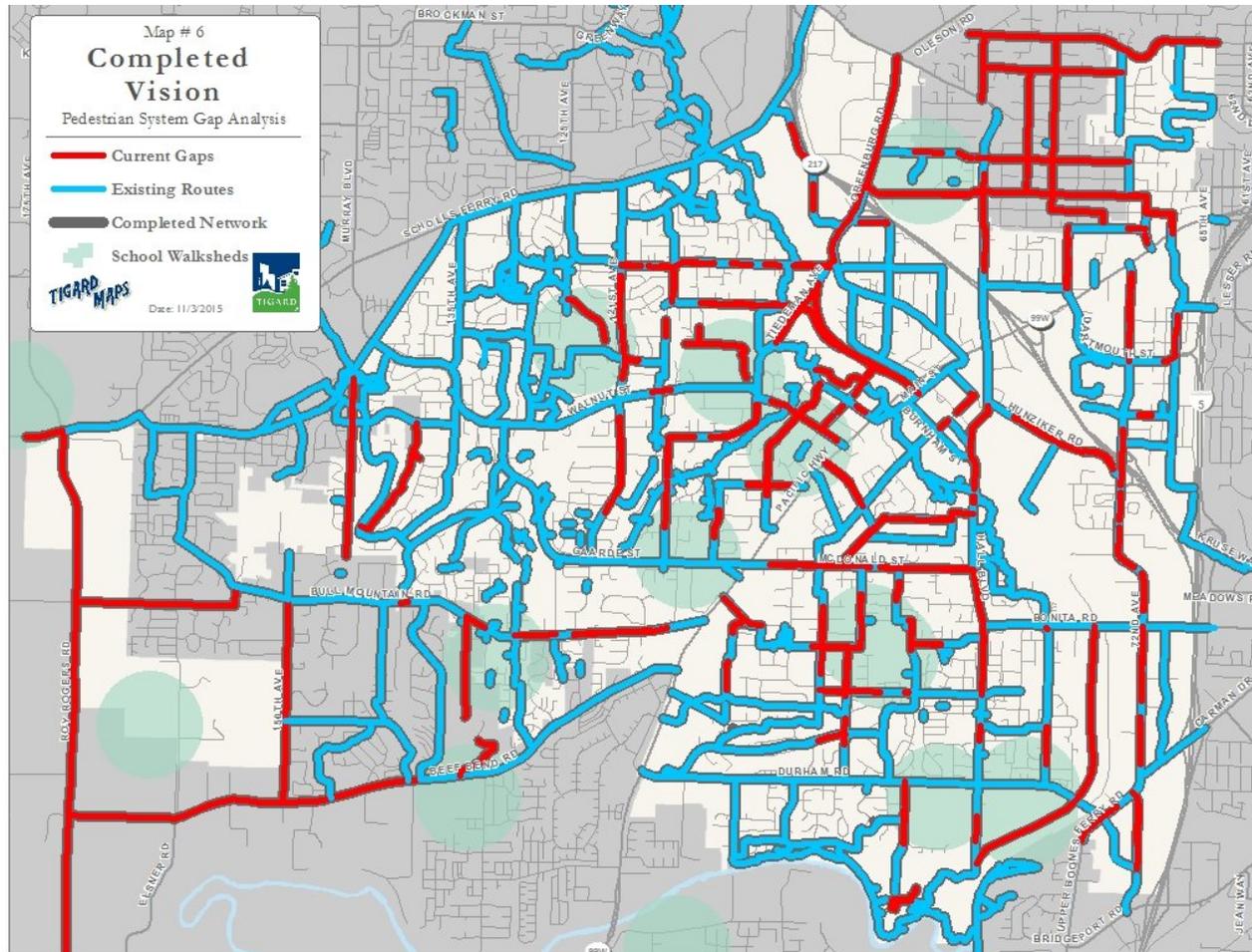
Calculation of Monthly Utility Bill Charge by Customer Type

Road Type	Total Cost	Res Cost	Non-Res Cost
Annual Cost	\$4.7 Mil	\$3.4 Mil	\$1.3 Mil
Units		20,813 Residences	39,723 Required Parking
Annual Cost Per Unit		\$164.28	\$33.12
Monthly Utility Charge per Unit		\$13.69	\$2.76

Summary

- Connected walkability will reduce traffic.
- Connecting pedestrian facilities on primary routes will cost \$118 million.
- Additional resources are needed to pay for a Sidewalk Gap program.
- If a Utility Fee was used, a home would pay about \$14/month.

City of Tigard



Location of completed pedestrian system.



Driveway/hard surface
pathway to be repaved
(Looking North from
Greenburg Road)

SW 95th Avenue

Greenburg Rd

Driveway/hard surface
pathway to be repaved
(Looking South towards
Greenburg Road)

SW 95th Avenue

