



City of Tigard
City Center Development Agency Board
and Tigard City Council - Agenda

TIGARD CITY COUNCIL, CITY CENTER DEVELOPMENT AGENCY BOARD & LOCAL CONTRACT REVIEW BOARD MEETING

MEETING DATE AND TIME:

June 7, 2016 - 6:30 p.m.

MEETING LOCATION:

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

PUBLIC NOTICE:

Times noted are estimated.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for City Center Development Agency Board meetings by noon on the Monday prior to the City Center Development Agency Board 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: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA



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MEETING DATE AND TIME: June 7, 2016 - 6:30 p.m.

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6:30 PM

1. CITY CENTER DEVELOPMENT AGENCY BOARD & CITY COUNCIL MEETING

- A. Call to Order- City Center Development Agency & City Council
- B. Roll Call
- C. Call to Board and Staff for Non-Agenda Items

- **EXECUTIVE SESSION:** The Tigard City Council will go into Executive Session to discuss exempt public records litigation, under ORS 192.660(2) (f). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public. **6:35 p.m. estimated time**

CITY CENTER DEVELOPMENT AGENCY

- 2. INFORMATIONAL PUBLIC HEARING: DISCUSS SW CORRIDOR BALLOT MEASURE **7:05 p.m. estimated time**
- 3. APPOINT CITY CENTER ADVISORY COMMISSION MEMBERS **8:05 p.m. estimated time**
- 4. RECEIVE BROWNFIELD INITIATIVE UPDATE **8:10 p.m. estimated time**
- 5. INFORMATIONAL PUBLIC HEARING: FISCAL YEAR 2016 CCDA FOURTH QUARTER BUDGET HEARING **8:25 p.m. estimated time**
- 6. **CITY COUNCIL**
 - LEGISLATIVE PUBLIC HEARING: CONSIDER RECREATION PROGRAM FEE ORDINANCE **8:35 p.m. estimated time**

7. **LOCAL CONTRACT REVIEW BOARD**

BRIEFING ON PROCESS FOR CIVIC CENTER CONTRACT **8:55 p.m. estimated time**

8. NON AGENDA ITEMS

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss pending litigation or litigation likely to be filed, and property negotiations, under ORS 192.660(2) (h) and (e). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public. **9:10 p.m. estimated time**

9. ADJOURNMENT **9:40 p.m. estimated time**

AIS-2709

2.

CCDA Agenda

Meeting Date: 06/07/2016

Length (in minutes): 60 Minutes

Agenda Title: INFORMATIONAL PUBLIC HEARING: DISCUSS SW CORRIDOR BALLOT MEASURE

Submitted By: Sean Farrelly, Community Development

Item Type: Public Hearing - Informational Update, Discussion, Direct Staff
Meeting Type: City Center Development Agency

Public Hearing: No

Publication Date:

Information

ISSUE

Discuss compliance with Section 53 of the City of Tigard Charter related to the Southwest Corridor High Capacity Transit project and a proposed November 2016 ballot measure.

STAFF RECOMMENDATION / ACTION REQUEST

The Board of the CCDA is requested to share their opinions and ideas on complying with section 53 of the Tigard Charter and SW Corridor planning, including the value of having light rail directly serve Downtown Tigard.

KEY FACTS AND INFORMATION SUMMARY

The City of Tigard Charter Section 53 states that the City of Tigard, as a matter of public policy, opposes construction of a new high capacity transit corridor within the city boundary unless voter approval is first obtained.

The Southwest Corridor High Capacity Transit project is proceeding under regional direction to plan for a light rail line that would directly interconnect Tualatin, downtown Tigard, and Portland. The project will improve mobility in the corridor for thousands of regional employees and residents, and will lay the groundwork for communities in the corridor to achieve their land use visions. In Tigard, planning aspirations for the Downtown and Triangle districts are especially related to the future of high capacity transit.

A light rail transit project in the Southwest Corridor is needed to address the following issues:

- Transit service to places where people need or want to go is limited, and demand for transit is increasing due to growth.
- Limited street connectivity and gaps in pedestrian and bicycle networks create barriers

and unsafe conditions for transit access and active transportation.

- Travel is slow and is not reliable on congested roadways.
- There is a limited supply and range of housing options with good access to multimodal transportation networks.
- The road and transit network needs to maximize the ability of future development to meet local and regional goals. The corridor is rich in natural resources that need to be protected or enhanced.
- Areas of the corridor lack access to parks, trails, and natural areas.

All of the light rail alignments under consideration include a Downtown Tigard station. Two of the alignments feature direct service to Tualatin and Portland and one would have “branch” service (every other train serving downtown Tigard). A light rail station presents a significant revitalization opportunity that will build on the public and private investments in downtown. The presence of high quality, frequent transit service will attract new mixed-use and residential development, the type of development that was envisioned in the City Center Urban Renewal Plan. New residents will invigorate the potential customer base for downtown businesses.

To comply with Section 53 of the City Charter, the City Attorney has prepared two ordinances and a draft ballot title. The ordinances are written to follow the legislative direction provided by Section 53. The draft ballot title is offered for CCDA discussion.

OTHER ALTERNATIVES

This is an informational presentation only. No action is being requested, but CCDA discussion is desired. CCAC members are expected to be on hand to share views on the Southwest Corridor project as it relates to downtown growth and development. Staff intends to brief the City Council on the same matter on June 28. Staff recommends council act on the ordinances and ballot title on June 28, assuming the CCDA discussion does not raise any significant issues with the draft documents.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard Strategic Plan:

Vision "To be the most walkable community in the Pacific Northwest where people of all ages and abilities enjoy health and interconnected lives."

Goal 1. "Facilitate walking connections to develop an identity."

Objective 2. "The trail system is used for all kinds of trips."

- "The walking/transit connection is creatively engaged."

- "The transit waiting experience is improved."

- "Sidewalks are part of the plan, especially in relation to connections to transit stops."

Goal 2. "Ensure development advances the vision."

Tigard City Council Goals and Milestones 2015-17

Goal 2. "Make Downtown Tigard a Place Where People Want to Be"

Tigard City Center Urban Renewal Plan:

Goal 3. "Downtown's transportation system should be multi-modal, connecting people, places and activities safely and conveniently."

Goal 5. "Promote high quality development of retail, office and residential uses that support and are supported by public streetscape, transportation, recreation, and open space investments."

Tigard Comprehensive Plan:

Special Planning Areas: Downtown

Goal 15.1. "The City will promote the creation of a vibrant and active urban village at the heart of the community that is pedestrian oriented, accessible by many modes of transportation, recognizes natural resources as an asset, and features a combination of uses that enable people to live, work, play, and shop in an environment that is uniquely Tigard."

Goal 15.4. "Develop comprehensive street and circulation improvements for pedestrians, automobiles, bicycles, and transit."

Policy 1. "The downtown shall be served by a complete array of multi-modal transportation services including auto, transit, bike, and pedestrian facilities."

Policy 2. "The downtown shall be Tigard's primary transit center for rail and bus transit service and supporting land uses."

Economic Development

Goal 9.1. "Develop and maintain a strong, diversified, and sustainable local economy."

Policy 10. "The City shall strongly support, as essential to the region's economic future, the development of efficient regional multi-modal transportation systems throughout the Portland Metropolitan area."

Housing

Goal 10.1. "Provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents."

Policy 5. "The City shall provide for high and medium density housing in the areas such as town centers (Downtown), regional centers (Washington Square), and along transit corridors where employment opportunities, commercial services, transit, and other public services necessary to support higher population densities are either present or planned for in the future."

Transportation

Goal 12.1. "Develop mutually supportive land use and transportation plans to enhance the livability of the community."

Policy 3. "The City shall maintain and enhance transportation functionality by emphasizing multi-modal travel options for all types of land uses."

Policy 4. "The City shall promote land uses and transportation investments that promote balanced transportation options."

Policy 5. "The City shall develop plans for major transportation corridors and provide appropriate land uses in and adjacent to those corridors."

Tigard Transportation System Plan:

Goal 3. Multi -modal Transportation System "Provide an accessible, multi-modal transportation system that meets the mobility needs of the community."

Policy 2. "The city shall engage with regional partners to support development of high capacity transit serving the Tigard area."

Tigard High Capacity Transit Land Use Plan:

Serves as a tool for implementing Tigard's vision for HCT stations

DATES OF PREVIOUS COUNCIL CONSIDERATION

September 1, 2015: Southwest Corridor/Downtown Zoom-in

July 21, 2015 : Presentation of Southwest Corridor Planning Progress

Resolution No. 15-05 on February 10, 2015, authorizing an IGA to fund ongoing planning and public involvement activities related to the Southwest Corridor Plan.

Resolution No. 14-11 on February 11, 2014, opposing ballot measure 34-210, a measure to adopt Tigard policy opposing new HCT projects.

Resolution No. 13-43 on October 8, 2013, endorsing the Southwest Corridor Plan and shared investment strategy.

Resolution No. 13-42 on September 24, 2013, submitting to the voters a proposed charter amendment to be considered at the March 11, 2014 special election.

Resolution No. 12-33 on August 21, 2012, submitting to the voters a proposed charter amendment which would require a public vote prior to imposing new local taxes or fees to fund light rail construction.

Attachments

Procedural Ordinance

Authorization Ordinance

Ballot Title Enacting Ordinance

Procedural Ordinance

Ordinance establishing clarifying definitions and procedures for determining if the proposed authorizing ordinance complies with the Charter.

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

AN ORDINANCE TO PROVIDE A PROCEDURE FOR IMPLEMENTATION OF TIGARD CITY CHARTER SECTION 53C. RELATING TO CONSTRUCTION OF A NEW HIGH-CAPACITY TRANSIT CORRIDOR WITHIN THE CITY BOUNDARY.

WHEREAS, the City of Tigard City Council has authority to adopt definitions for terms left undefined or otherwise ambiguous in the Tigard City Charter; and

WHEREAS, Tigard City Council has authority and responsibility to implement provisions of the Tigard City Charter; and

WHEREAS, Tigard City Charter Section 53 contains ambiguous or undefined terms and lacks procedures for implementation of some of its requirements; and

WHEREAS, the Tigard City Council intends to adopt definitions and procedures for the purpose of implementing Tigard City Charter Section 53; and

WHEREAS, the City Council desires to establish a public process to determine if an authorization ordinance proposed under Charter Section 53 complies with the requirements of the Charter.

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

SECTION 1. An Ordinance of the City of Tigard is hereby created as follows:

Charter Section 53 Implementation Ordinance

SECTION A. Purpose.

Definitions are created and a procedure is imposed for the purpose of interpretation and implementation of Tigard City Charter Section 53 relating to the construction of a new high-capacity transit corridor project within the City boundary. The purpose of the implementation procedure is to assure that any authorization ordinance referred to the voters under Charter Section 53 is in conformance with the requirements of that Section.

The purpose of the definitions is to clarify any ambiguities that may exist regarding the words and phrases within Tigard City Charter Section 53.

SECTION B. Definitions.

As used in Tigard City Charter Section 53, the following definitions shall apply:

1. “Accurately summarizes the information required” means that the ballot title approved by the City Council shall:

- a. Contain a link to a website where Charter required information is available.
- b. Provide the maximum total amount of road capacity that would be reduced by the new high-capacity transit corridor, as that phrase is defined in Section 9 of this Ordinance.

c. Describe in general terms the subjects of the changes to land use regulations that will be proposed to site or otherwise accommodate the new high-capacity transit corridor.

d. Provide projected public cost of the entire high-capacity transit corridor project based upon information from the government responsible for constructing the project.

2. “Authorization Ordinance” means the authorization ordinance described in Section 53 of the City of Tigard Charter.

3. “Changes to land use regulations within the City that will be proposed to site or otherwise accommodate the new high-capacity transit corridor” means to describe the specific uses of land that will require amendments to the City comprehensive plan, zoning map, or development code in order to be lawfully allowed under applicable City standards.

4. “Increases in housing density” means changes to zoning maps, comprehensive plan maps, zoning district text or comprehensive plan text, which have the effect of authorizing a greater number of housing units than were permitted previously.

5. “New high-capacity transit corridor project” means the proposal to extend light rail transit service from Portland to Bridgeport, including to downtown Tigard.

6. “Projected public cost of the entire high-capacity transit corridor project” means the cost estimate for the Southwest Corridor Light Rail project, as estimated by TriMet, at the time of City Council adoption of the Authorization Ordinance.

7. “Public rights of way that could otherwise provide additional road capacity at a future date” means any public right of way within five miles of the Tigard city boundary line which does not permit motor vehicle traffic at the time the Authorization Ordinance is approved by the Tigard City Council, but could lawfully provide additional road capacity for motor vehicle traffic at a future date and which is influenced by an alignment option. This does not include required sidewalks, bike paths, or other non-automobile facilities.

8. “Roadway within five miles of the City that currently permits public motor vehicle traffic” means any public right of way within five miles of the City boundary line which permits motor vehicle traffic at the time the Authorization Ordinance is approved by the Tigard City Council and which is influenced by an alignment option.

9. “Total amount of road capacity that would be reduced by the new high-capacity transit corridor” means:

- a. For roadways that currently permits public motor vehicle traffic: the net percentage change in vehicles per hour from vehicles per hour at the time the authorization ordinance is adopted, on roadways identified in each alignment option, to vehicles per hour should the given alignment option be constructed. The net change shall take into account any reductions and gains in the number of vehicles per hour; or
- b. For public rights of way that could otherwise provide additional road capacity at a future date: The net percentage change in acreage of public right of way that, at the time of adoption of the authorization ordinance, could provide additional road capacity at a future date, after construction of the high-capacity transit corridor, for each alignment option.

SECTION C. General Provisions.

1. The information required by Section 53 of the City's Charter to meet the requirements for the Authorization Ordinance and the ballot title shall be based on information available and presented to the City Council on the date of its decisions on the Authorization Ordinance and the ballot title. All roadway capacity information required for the Authorization Ordinance shall be provided for all alignment options.

2. All roadway capacity information required for the Authorization Ordinance and ballot measure shall be based on the methodology of Section D. of this ordinance as determined by a qualified traffic engineer and contained in a written report of the results of application of Section D.

SECTION D. Methodology to determine roadway capacity impacts.

The roadway capacity determinations required by this Ordinance and Tigard City Charter Section 53 shall be based on the methodology described in Appendix A (Roadway Capacity Methodology, May __, 2016) which is attached and incorporated herein by reference.

SECTION E. Authorization Ordinance Approval Procedure.

Before referring an authorization ordinance to the voters, the City Council shall determine whether the proposed ordinance satisfies the requirements of Tigard City Charter Section 53 and the definitions of this ordinance. The decision to refer may be made at a regular or special meeting of the City of Tigard City Council and the public will be permitted the opportunity to present written or oral testimony on the proposed ordinance.

SECTION 2. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. The City Council finds that the immediate availability of the procedure provided in this Ordinance is necessary to assure that the Authorization Ordinance required by Charter Section 53C. can be considered by voters in November, 2016.

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

PASSED: By _____ vote of all Council members present after being read by number and title only, this ____ day of _____, 2016.

APPROVED: By Tigard City Council this ____ day of _____, 2016.

Carol A. Krager, City Recorder

John L. Cook, Mayor

Approved as to form:

City Attorney

Date

APPENDIX A

CODE SECTION PERTAINING TO SECTION 53 OF TIGARD CHARTER

5-31-16

APPENDIX A – ROADWAY CAPACITY METHODOLOGY, MAY 31, 2016

1. Purpose

The provisions in this Code Section shall be used to comply with the requirement for an Authorization Ordinance set forth in Subsection C of Section 53 of the City of Tigard Charter to include an estimate of the impact of a Light Rail Transit on the vehicular capacity of roadways and unused public rights-of-way within five miles of the City.

2. Definitions:

- A. Added Motor Vehicle Capacity means the additional amount of Motor Vehicle Capacity for a Segment of a Planned Roadway that results from a Planned Roadway incorporated in an Alignment Option.
- B. Alignment Option means a light rail alignment option, including any ancillary facilities included in the conceptual design for such alignment option, approved for further analysis by the Southwest Corridor Project Steering Committee at the time the Authorization Ordinance is submitted to the voters.
- C. Motor Vehicle Capacity means:
 - a. Motor Vehicle Capacity on a signalized roadway is defined as the maximum number of motor vehicles that can pass through a Critical Intersection.
 - b. For Unused Public ROW: the reasonably estimated potential area of future roadway area, excluding surface area dedicated to bicycle and pedestrian and other facilities such as water quality treatment, and buildable on Unused Public ROW.
 - c. The Motor Vehicle Capacity of Existing or Added Roadways and of Unused Public ROW is separate and distinct amounts and, as such, are not addable.
- D. Critical Direction means the direction of the roadway that most limits the Auto Capacity at a specific Critical Intersection in the Peak Hour.
- E. Critical Intersection means an intersection or other specific capacity-limiting feature (e.g.; lane reduction) on an Existing Roadway that has a Volume-to-Capacity Ratio of greater than 0.90 that limits the through automobile capacity of the Existing Roadway at such intersection, as identified by a Traffic Engineering using Standard Practices
- F. Existing Roadway means any roadway within five miles of the City that permits public automobile traffic at the time of the Authorization Ordinance is submitted to the voters that are influenced by an Alignment Option. These are roadways defined in Metro's Mobility Corridor #2 (Portland-Tigard-Tualatin), which includes the following four auto routes: 99W/Barbur, I-5, Boone's Ferry/Macadam Avenue, and Terwilliger/Capitol Highway/Bridgeport Village and are shown in appendix A-1.

- G. Lane Mile means the number of lanes times the length of the lanes expressed in miles.
- H. Metro Transportation Model means the suite of transportation computer models operated by Metro to forecast regional travel and to prepare the Regional Transportation Plan, including without limitations the digitized road network showing the general capacity of highway links, and the traffic volume forecast for the year 2035.
- I. Net Motor Vehicle Capacity Reduction means for a subject Alignment Option the net change in motor Vehicle capacity of roadways resulting from the Alignment Option, taking into account any capacity reductions and capacity gains associated with the Alignment Option.
- J. Peak-Hour means the 60 minute period that has the highest volume of traffic at an intersection. The term AM peak hour is the 60 minute period in the morning with the highest traffic volume and the PM peak hour is the 60 minute period in the afternoon with the highest traffic volume.
- K. Percentage Reduction in Corridor Motor Vehicle Capacity means the fraction estimated as the Net Motor Vehicle Capacity Reduction for the Alignment Option divided by the Total Corridor Motor Vehicle Capacity.
- L. Light Rail Transit Corridor means Metro's Mobility Corridor #2 (Portland-Tigard-Tualatin), which includes the following four auto routes: 99W/Barbur, I-5, Boone's Ferry/Macadam Avenue, and Terwilliger/Capitol Highway/Bridgeport Village. The capacity of the Corridor was estimated using a combination of the Regional Land Information System (RLIS), and the Metro Transportation Model.
- M. Reduced Motor Vehicle Capacity means for a Critical Intersection the amount that the Motor Vehicle Capacity of the Critical Intersection is reduced when an Alignment Option is introduced, and for an Existing Roadway means the maximum Reduced Motor Vehicle Capacity among all the Critical Intersections for such Existing Roadway that were analyzed by the Traffic Engineer.
- N. Reduced Future Motor Vehicle Capacity of Unused Public ROW shall be the area of Unused Public ROW that could reasonably be used for a future roadway, excluding any required sidewalks or a bicycle facility that is otherwise used for an Alignment Option.
- O. Roadway Conversion Map means one or more maps reasonably portraying each Alignment Option the general location and vehicular lanes on Existing Roadways that would no longer be available or added for general public traffic if such Alignment Option was constructed.
- P. Standard Practices means the use of assumptions, data, and methodologies to estimate the factors described in this Section, taking into account the definitions and provisions described in this Section and the conceptual designs and available information at the time the Authorization Ordinance is submitted to the voters, as reasonably determined by a Traffic Engineer. Revisions to the Alignment Options or other data or assumptions subsequent to voter approval of an Authorization Ordinance shall not nullify the

reasonableness of the Standard Practices or the conclusions in the Traffic Engineer's Report prepared for the Authorization Ordinance.

- Q. Total Corridor Motor Vehicle Capacity means the aggregate total Motor Vehicle Capacity of the routes comprising the Corridor as defined by Metro's Mobility Corridor #2 (Portland-Tigard-Tualatin), which includes the following four auto routes: 99W/Barbur, I-5, Boones Ferry/Macadam Avenue, and Terwilliger/Capitol Highway/Bridgeport Village.
- R. Traffic Engineer means a Professional Engineer licensed in Oregon and specializing in traffic engineering.
- S. Traffic Engineer Report means a report signed and sealed by a Traffic Engineer in conformance with this Section. The estimates in the Report shall be based on Standard Practices. Any revisions subsequent to an approval of an Authorization Ordinance to alignments, designs, data, assumptions, or any other information used to prepare the Report following approval of an Authorization Ordinance shall not invalidate the approval of the Authorization Ordinance. The Report shall be posted on a website prepared or caused to be prepared by the City of Tigard.
- T. Unused Public ROW Map means one or more maps reasonably portraying for each Alignment Option the general location and extent of ROW that potentially could be used to add Motor Vehicle Capacity that adds system capacity that may be influenced by the Alignment Option.

3. General Provisions

- A. The factors described in this Code Section shall be based on information available at the time the Authorization Ordinance is submitted to the voters, and shall be estimated for all Alignment Options.
- B. If approved, the Authorization Ordinance shall not be invalidated by any future changes to the Alignment Options, data, assumptions or other pertinent information.

4. Traffic Engineer's Report

- A. No later than 90 days prior to an election date for an Authorization Ordinance, a Traffic Engineer's Report shall be prepared by a Traffic Engineer documenting the following for each Alignment Option:
 - a. A Roadway Conversion Map based on the conceptual design for Alignment Option at the time the Authorization Ordinance is submitted to the voters. The Conversion Map shall portray for Existing Roadways the general location and extent of vehicular through lanes and vehicular turn lanes that are converted or added for use by Light Rail Transit.
 - b. An Unused Public ROW Map, based on the conceptual design for Alignment Option at the time the Authorization Ordinance is submitted to the voters, portraying the general location and extent of Unused Public ROW used for Light Rail Transit that

otherwise potentially could provide additional Motor Vehicle Capacity at a future date.

- c. For each Existing Roadway having its Motor Vehicle Capacity reduced by the Alignment Option the following will be estimated:
 - i. Motor Vehicle Capacity at each Critical Intersection without the Alignment Option;
 - ii. Motor Vehicle Capacity at each Critical Intersection with the Alignment Option;
 - d. The following will be estimated:
 - i. Net Motor Vehicle Capacity Reduction;
 - ii. Percentage Reduction in Total Corridor Motor Vehicle Capacity;
 - iii. Reduced Future lane miles that would result in added Motor Vehicle Capacity using Unused Public ROW;
- B. In preparing the Traffic Engineer's Report, the Traffic Engineer shall employ the methodologies described herein and shall use Standard Practices for identifying other assumptions, data, and methodologies as the Traffic Engineer reasonably determines are necessary or desirable for the required analyses.
- C. The Traffic Engineer's Report shall be signed and sealed by a Traffic Engineer.
- D. The Traffic Engineer's Report shall be posted on a website hosted by the City of Tigard.

5. Methodology to Estimate Motor Vehicle Capacity Impacts

- A. For each Alignment Option, the Traffic Engineer shall estimate the Motor Vehicle Capacity and Reduced Motor Vehicle Capacity of an Existing Roadway as follows:
 - a. The Traffic Engineer shall identify Critical Intersections in the Corridor that have a potential for capacity to be reduced by Light Rail Transit.
 - b. The Motor Vehicle Capacity of a Critical Intersection shall be estimated in the Critical Direction during the Peak Hour on an average weekday under prevailing roadway, traffic, and control conditions; as reasonably estimated by a Traffic Engineer using Standard Practice.
 - c. For each Critical Intersection, the Traffic Engineer shall reasonably estimate the Motor Vehicle Capacity under No-Build condition (i.e.; without the Alignment Option) and under Build conditions (i.e.; with the Alignment Option). Motor Vehicle Capacity estimated for the future Build (with the Alignment Option) shall take into consideration the capacity made available for auto travel by the removal of on-street buses in favor of the Light Rail Transit Vehicles that would operate on separated rights-of-way with the Alignment Option.

- d. The Reduced Motor Vehicle Capacity of a Critical Intersection shall be estimated as the difference between the Motor Vehicle Capacity of the critical movement at the Critical Intersection without the Alignment Option and the Motor Vehicle Capacity of the critical movement at the Critical Intersection with the Alignment Option.
 - e. The Reduced Motor Vehicle Capacity of an Existing Roadway shall be estimated as the range of Reduced Motor Vehicle Capacity at the Critical Intersections for such Existing Roadway analyzed by the Traffic Engineer. These are not additive.
- B. The Traffic Engineer shall estimate the Percentage Reduction in Roadway Capacity for each Alignment Option as follows:
- a. The Traffic Engineer shall estimate Total Corridor Motor Vehicle Capacity as follows: The distinct parallel continuous roadway routes within Metro's Mobility Corridor #2 will be identified and their capacity will be estimated using the Metro Transportation Model. For routes where more specific traffic analysis is available, this information will be used. The Total Capacity will be the sum of the motor vehicle capacities of the Corridor roadway routes in Exhibit A-1.
 - b. The Traffic Engineer shall estimate Percentage Reduction in Corridor Motor Vehicle Capacity as the fraction resulting from dividing the Net Motor Vehicle Capacity Reduction for the Alignment Option by the Total Motor Vehicle Corridor Capacity.

6. Methodology to Estimate Unused Public ROW Impacts

- A. Unused Public ROW Conversion Map shall be provided by the Traffic Engineer. The map and data shall also show the general location and extent of Unused Public ROW that could be used for additional Motor Vehicle Capacity, based on the conceptual designs and available information at the time the Authorization Ordinance is submitted to the voters.
- B. For each Alignment Option, the Traffic Engineer, using reasonable professional judgment in the absence of any available roadway plans or designs for such Unused Public ROW, shall identify the Unused Public ROW that potentially can be used for future Motor Vehicle Capacity improvement given any upstream or downstream capacity constraints, environmental concerns, or unreasonable financial constraints that may be physically or functionally related to the Unused Public ROW.
- C. In addition, the Traffic Engineer shall create a table describing the potential lane miles of Unused Public ROW excluding any sidewalks, bicycle or other code related facilities that is otherwise used by an Alignment Option. The table shall report the percent change in lane miles of Unused Public ROW, compared to the existing Metro Mobility #2 Corridor lane miles. Unused Public ROW that is identified to not be reasonably utilizable for a future roadway by a Traffic Engineer, using Standard Practices, shall be deemed to have no future motor vehicle capacity.

Authorization Ordinance

This ordinance allows support for light rail transit service along the SW Corridor, including downtown Tigard, expressly authorizes changes to land use regulations to accommodate siting and includes the information required by the City's Charter.

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

AN AUTHORIZATION ORDINANCE TO ALLOW SUPPORT FOR SITING OF A NEW HIGH-CAPACITY TRANSIT CORRIDOR FOR LIGHT RAIL TRANSIT SERVICE WHICH INCLUDES DOWNTOWN TIGARD, RELATED AMENDMENTS TO THE COMPREHENSIVE PLAN AND LAND USE REGULATIONS, PROVIDING REQUIRED INFORMATION AND OTHER ACTIONS.

WHEREAS, the City of Tigard City Charter, Section 53A. requires the City to oppose the construction of a new high-capacity transit corridor within the City boundary unless voter approval is first obtained; and

WHEREAS, the City of Tigard City Charter Section 53C. provides that the City may not amend its comprehensive plan or land use regulations to accommodate the siting of a new high-capacity transit corridor project, if the project has not first received voter approval at an election on an authorization ordinance; and

WHEREAS, a new high-capacity light rail transit service corridor is being considered by the region; and

WHEREAS, changes to land use regulations will be proposed to site and otherwise accommodate the new high-capacity transit corridor project to extend light rail service from Portland to Bridgeport, including to downtown Tigard; and

WHEREAS, the Tigard City Council desires to refer the authorization ordinance required under Charter Section 53C. to the voters of the City of Tigard for voter approval on November 8, 2016.

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

SECTION 1: A City of Tigard ordinance is hereby created as provided as follows:

NEW HIGH-CAPACITY TRANSIT CORRIDOR AUTHORIZATION ORDINANCE

SECTION A. City of Tigard support for a new high-capacity transit corridor in the City of Tigard boundary is allowed.

SECTION B. The City of Tigard is authorized to make changes to the comprehensive plan and land use regulations to allow light rail to cross wetlands with proper mitigation, site a light rail maintenance facility in all industrial zones, and add housing density.

SECTION C. The following describes aspects of the new high-capacity transit corridor project, which would extend light rail service from Portland to Bridgeport, including downtown Tigard (“Project”) as required by City of Tigard City Charter, Section 53C.:

1. Road Capacity: The total change in road capacity as a result of the new high-capacity transit corridor as described in the attached Appendix A (“Roadway Capacity Reduction Analysis, May 31, 2016) and incorporated herein by reference.
2. Housing Density: Related to the Project, housing density will be increased within the Tigard downtown area.
3. Land Use Regulations and Comprehensive Plan: Changes are proposed to land use regulations or the comprehensive plan to site or otherwise accommodate the Project. Those changes include provisions to allow light rail to cross wetlands with proper mitigation, siting of a maintenance facility in any industrial zone, and increases in housing density in the Tigard downtown area.
4. Projected Public Cost: the current projected public cost of the entire Project is \$2.0-2.4 billion.

SECTION 2: The City Council of the City of Tigard finds that this Authorization Ordinance satisfies the requirements of Tigard City Charter Section 53 and Ordinance _____.

SECTION 3: The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4: This ordinance shall be effective upon certification by the County Elections official that it has received voter approval at a referendum election conducted on November 8, 2016.

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

Carol A. Krager, City Recorder

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

John L. Cook, Mayor

Approved as to form:

City Attorney

Date

APPENDIX A

Roadway Capacity Reduction Analysis
May 31, 2016



720 SW Washington St.
Suite 500
Portland, OR 97205
503.243.3500
www.dksassociates.com

MEMORANDUM

DATE: May 31, 2016

TO: City of Tigard

FROM: Peter L. Coffey, PE

SUBJECT: Southwest Corridor Motor Vehicle Capacity Reduction Analysis

P#15038-003

This memorandum presents the results of a traffic analysis regarding the potential reduction in motor vehicle capacity with the Southwest Corridor Plan and its associated Light Rail transit project in southwest Portland that extends into Tigard and Tualatin. This memorandum addresses the motor vehicle capacity methodology adopted by Tigard Ordinance and its associated Appendix A including determining the *total amount of motor vehicle capacity that would be reduced by the new Light Rail transit corridor* within five miles of the City of Tigard.

Southwest Corridor Plan

The Southwest Corridor Plan aims to provide a range of Light Rail transit, bicycle, roadway and pedestrian improvements to communities in southwest Portland and southeast Washington County. Light Rail Alternatives in the Southwest Corridor include options that extend roughly from downtown Portland along Barbur Boulevard and/or Interstate 5 to the Tigard City line, through the Tigard Triangle Area with a terminus near Bridgeport Village in Tualatin. Specifics about the particular alignment options can be found at <http://www.oregonmetro.gov/public-projects/southwest-corridor-plan>.

Motor Vehicle Capacity Definition

Motor vehicle capacity on a signalized roadway is defined as the maximum number of motor vehicles that can pass through critical intersections. Many factors affect *motor vehicle capacity* including lane width, number of lanes, lateral clearance (and rights-of-way), driver characteristics, vehicle types (cars, trucks, buses, etc), roadway alignment and geometry (curves, grades, super elevation, etc), existence of intersections (traffic signals, roundabouts, stop signs), green time allocation at traffic signals, flow speed, weather conditions, the presence of pedestrians, bicycles, on-street parking and other factors.

A major consideration in *motor vehicle capacity* is the design of intersections along arterial roadways (such as traffic signals) and interchanges along freeway segments (where weaving and merging conditions exist). Intersections and interchanges are typically the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently (capacity) is generally diminished in their vicinities. The main consequence of a bottleneck is an immediate reduction in capacity of the roadway.

System Bottlenecks

There are several roadway system bottlenecks that constrains vehicle traffic along the Barbur Boulevard and Interstate 5 corridor between Tigard and downtown Portland including:

- Interstate 5 northbound between Interstate 205 and OR 217
- Interstate 5 northbound at the Terwilliger Boulevard Interchange and the Terwilliger Curves
- Interstate 5 northbound at the Marquam Bridge/I-84 interchange/I-405 interchange with US 26
- Interstate 5 southbound at the Hood Avenue on-ramp
- Interstate 5 southbound between Interstate 205 and OR 217
- Barbur Boulevard at Terwilliger Boulevard
- Barbur Boulevard at Capitol Highway
- Barbur Boulevard at Hamilton Street

The identification of multiple bottlenecks is important along the freeway section as there are periods of time when vehicle queuing and congestion from a downstream bottleneck, such as the Marquam Bridge (and areas to the north), extends to and through another bottleneck, such as the Terwilliger Curves section. In these cases multiple bottlenecks may link together on top of each other. Therefore it is difficult to quantify a motor vehicle capacity or maximum traffic flow obtainable for sections of the freeway without considering downstream, system influences. The *system motor vehicle capacity* and downstream bottlenecks must be considered in these situations. The identification and evaluation of these bottlenecks are key as additional capacity at these location influences system capacity. On the other hand, travel lanes could be added at “non-bottleneck” locations along the corridor, yet additional travel lanes in these locations would increase storage for back-ups, but they would not increase the *system motor vehicle capacity* along the corridor. This is true for both the arterial section of Barbur Boulevard and the Interstate 5 freeway section. Therefore, adding travel lanes or “theoretical capacity” at non-bottleneck locations does not increase the capacity of the corridor roadways.

Adding Motor Vehicle Capacity to Interstate 5 or Barbur Boulevard

There are many constraints to adding *motor vehicle capacity* to either Interstate 5 or Barbur Boulevard and the most significant constraint is a lack of right-of-way. Adding a travel lane along Interstate 5 would require widening the roadway for an additional travel lane, widening the shoulders on both sides of the roadway to bring them up to ODOT/US DOT standards, reconstruction of all interchanges, and possibly an adjustment to the roadway alignment to straighten out some of the curved sections to provide adequate sight distance meeting current standards. This would require ODOT to obtain additional right-of-way that they do not currently own. Simply adding another travel lane for short segments would not increase the *corridor motor vehicle capacity*.

Along Barbur Boulevard, improving capacity from today’s conditions requires not only additional travel lanes at bottleneck locations, but the addition of standard-width sidewalks, bicycle facilities, ADA treatments, water quality facilities and other improvements to bring the roadway “up to standards”. This level of improvement would again require additional right-of-way that is not available.

There are locations along both Interstate 5 and Barbur Boulevard where additional travel lanes could be provided within the public rights-of-way. However, simply adding travel lanes does not mean that *motor vehicle capacity* or *system motor vehicle capacity* is increased, because in order to do so, the additional travel lanes need to be provided at bottleneck locations. Even if additional travel lanes are provided at traffic signals, to

improve *motor vehicle capacity* at a traffic signal, the additional lanes need to be designed in a way that ensure they are effectively used by motor vehicles on order to increase the capacity.

Background Traffic Analysis of Barbur Boulevard Corridor

TriMet and Metro have undertaken several traffic analysis of the Southwest Corridor based on current assumptions of Light Rail transit¹. These analyses evaluate the corridor from downtown Portland to Tigard and Tualatin.

The traffic analysis prepared for TriMet and Metro demonstrate that based on current project assumptions, the intersection operations analysis showed that with the addition of LRT along Barbur Boulevard, the intersections would either continue to operate within mobility targets² or would not significantly worsen from the No-build conditions. The analysis also demonstrates that the removal of a portion of a travel lane does not necessarily reduce *motor vehicle capacity* when intersections and traffic signals are involved. If intersections and traffic signals can be designed and operated in a more efficient manner, improved operations and even increased capacity can result. This is demonstrated by the analysis of the Barbur Boulevard/Hamilton Street intersection³. There is also documented evidence that reducing access points on arterials and consolidating access points (including eliminating center left turn lanes) can not only result in improved safety but increased *motor vehicle capacity*.

Current concepts for Light Rail transit for the Southwest Corridor do not significantly reduce or increase the number of motor vehicle lanes along Barbur Boulevard or Interstate 5⁴. However, to accommodate multi-modal access of a transit corridor, some additional traffic signal green time needs to be reallocated from north-south Barbur Boulevard through movements to other minor movements or cross-streets to address pedestrian access needs resulting in a decrease in motor vehicle capacity along Barbur Boulevard. Even without a Light Rail Transit project along the corridor, planned improvements (i.e. Barbur Concept Plan) to accommodate multi-modal access will have an impact to *motor vehicle capacity* along the corridor.

¹ *SW Corridor Supplemental Refinement Traffic Impact Analysis Executive Summary Traffic Report*, DKS Associates, March 16, 2016 and *Final SW Corridor Traffic Analysis and Operations Memorandum*, DKS Associates, July 29, 2014.

² Mobility targets measured through a volume to capacity ratio (v/c ratio).

³ *SW Corridor Supplemental Refinement Traffic Impact Analysis Executive Summary Traffic Report*, DKS Associates, March 16, 2016, Table 2.1 and 2.2 documents that a four-lane Barbur Boulevard between Naito Parkway and Hamilton Street can operate with a lower volume to capacity ratio than the existing configuration with six lanes.

⁴ Along Interstate 5, three through lanes remain in each direction and along Barbur Boulevard two through lanes remain in each direction.

Motor vehicle capacity Analysis of Barbur Boulevard Corridor

To determine key bottleneck locations along the Barbur Boulevard corridor, recent traffic analysis for the SW Corridor Plan were reviewed⁵ with the intention of identifying bottleneck or critical intersections along the currently proposed Light Rail alignment with a future year (2035) volume to capacity ratio of greater than 0.90. The intersections that meet these criteria are:

- Barbur Boulevard and 60th Avenue (AM peak)
- Barbur Boulevard and Capitol Highway (AM and PM peak)
- Barbur Boulevard and 24th Avenue/I-5 SB Off-Ramp (AM peak)
- Barbur Boulevard and 19th Avenue/Capitol Hill Road (AM and PM peak)
- Barbur Boulevard and Terwilliger (AM and PM peak)
- Barbur Boulevard and Hamilton Street (AM peak)
- 4th Avenue and Caruthers/Broadway (AM peak)

Using the Highway Capacity Manual⁶ analysis at the above identified signalized intersections, the 2035 No-Build and 2035 with Light Rail transit scenarios results in changes in motor vehicle capacity along Barbur Boulevard and are shown in Attachment 1. During the AM peak hour (future year conditions) traffic volumes are very directional on Barbur Boulevard with northbound volumes approximately two to four times greater than southbound traffic volumes. Volume to capacity ratios for the northbound through movements are also significantly higher than the southbound movements as well (see Attachment 1). Therefore, during the AM peak hour, capacity reductions were only considered in the northbound direction. During the PM peak hour (future year conditions) traffic volumes are very balanced in both directions and therefore capacity reductions were considered in both directions on Barbur Boulevard.

The 4th Avenue/Caruthers/Broadway intersection in downtown Portland is controlled by downstream congestion at the 6th Avenue/Broadway intersection, the on-ramp to I-405 and other downstream congestion locations. The reconfiguration of this intersection does not impact the motor vehicle capacity of the roadway system in this area of closely spaced traffic signals.

Metro has defined a series of *Mobility Corridors*⁷ for the region and for the Portland Central City to Tigard/Tualatin corridor (Mobility Corridor 2) which includes four parallel routes (including Barbur Boulevard) that would be considered part of the Mobility Corridor. The four routes are all contained within Metro's defined corridor and are listed below (see Attachment 2):

- Interstate 5 (blue in Attachment 2)

⁵ *SW Corridor Supplemental Refinement Traffic Impact Analysis Executive Summary Traffic Report*, DKS Associates, March 16, 2016 and *Final SW Corridor Traffic Analysis and Operations Memorandum*, DKS Associates, July 29, 2014.

⁶ 2000 Highway Capacity Manual, Transportation Research Board, Washington DC, 2000.

⁷ <http://www.oregonmetro.gov/mobility-corridors-atlas>

- SW Barbur Boulevard (99W), then along Pacific Highway and 72nd Avenue (red in Attachment 2)
- SW Macadam Avenue/OR 43/Boones Ferry Road (yellow in Attachment 2)
- SW Terwilliger Boulevard/Capitol Highway/Kerr Parkway/Forsberg Road/Carman Drive (green in Attachment 2)

Using Metro’s Regional Transportation Model, corridor motor vehicle capacity was identified for different segments for each of the four routes (see Table 1). Each corridor’s capacity is defined as the most constrained segment along its route.

Table 1 – Approximate Peak-Hour Directional Motor Vehicle Capacity for Portland Central City to Tigard/Tualatin Mobility Corridor (Based on Metro’s Transportation Model and Highway Capacity Manual analysis)

<i>Corridor Capacity (vehicles per hour) of routes as described (peak-hour directional vph)</i>		North segment: Portland-Terwilliger	Mid-Barbur segment: Terwilliger - Crossroads	Tigard segment: Crossroads-OR217/Kruse	South segment: OR217/Kruse-Bridgeport Village
Red route	Barbur Blvd - Pacific Hwy - 72nd	1,600*	1,700*	900	900
Blue route	Interstate 5	6,300	6,300	6,300	7,200
Yellow route	Macadam/OR 43-Boones Ferry	1,200	700	1,400	1,400
Green route	Terwilliger-Capitol-Kerr-Forsberg-Carman	700	700	700	700
Total Corridor Capacity		9,800	9,400	9,300	10,200

Note: * Capacity based on Highway Capacity Manual analysis of corridor signalized intersections

There are portions of the corridor that experience no motor vehicle capacity reductions while other portions of the corridor experience slight reductions in motor vehicle capacity. Based on the corridor motor vehicle capacities shown in Table 1 and the motor vehicle capacity reductions shown in Attachment 1, the Project results in a zero to two percent reduction in motor vehicle capacity for the corridor.

Estimate of Unused Public ROW Impacts

The project expects to make use of unused public ROW in a number of locations along the various potential alignments. An analysis has been undertaken to determine if the public ROW currently not in use might be useful in the future to increase motor vehicle capacity in the potential Light Rail corridors under consideration.

As described earlier in this document, intersections and interchanges are typically the controlling bottlenecks of traffic flow and the ability of a motor vehicle system to carry traffic efficiently (capacity) is generally diminished in their vicinities. In order for the unused ROW to be useful for adding future motor vehicle capacity the unused ROW in question must be in the vicinity (leading up to and through) of existing bottlenecks and be physically accessible to motor vehicles in addition to accommodating other code required facilities.

Unused Public ROW available for additional auto capacity is defined as a segment of unused public ROW potentially constrained by a future Light Rail alignment which could otherwise provide adequate width for a travel lane in at least one direction leading up to and through a Critical intersection or bottleneck while also meeting State and City requirements for bicycle and pedestrian facilities.

This analysis shows that the bottlenecks (critical intersections) are already constrained by a lack of available ROW. The available ROW that is between the critical bottlenecks would not significantly contribute to increasing motor vehicle capacity without first fixing the bottlenecks.

The Table in Attachment 3 describes the percent change in lane miles of unused public right of way, excluding any sidewalks, bicycle or other code related facilities, compared to the existing Metro Mobility #2 Corridor lane miles. For all options the percentage reduction is 5% or less.

Summary

Motor vehicle capacity is defined as the maximum traffic flow obtainable on a given roadway. Many factors affect *motor vehicle capacity* and detailed analysis is required to consider all these factors. The identification of bottlenecks along both arterial roadways and freeways is important to determine the constraints of *roadway system capacity*. Simply adding or removing travel lanes on a roadway does not increase/decrease capacity unless it addresses a bottleneck location. For the Southwest Corridor, there are several bottlenecks that are constrained by existing right-of-way and could not deliver added *system motor vehicle capacity* without acquisition of additional right-of-way.

Outside the City of Tigard, to accommodate for multi-modal access for the Southwest Corridor project, some additional traffic signal green time needs to be transferred from north-south Barbur Boulevard through movements to the cross-streets to address pedestrian access needs resulting in a potential reduction in intersection capacity. Even without a Light Rail Transit project along the corridor, improvements to accommodate multi-modal access will have an impact to *motor vehicle capacity* along Barbur Boulevard.

Southwest Corridor Motor vehicle capacity Reduction Analysis

May 31, 2016

Page 7

This detailed traffic analysis indicates that Southwest Corridor Alignment options would result in a zero to two percent reduction of motor vehicle capacity for the corridor.

Along Pacific Highway in Tigard, the Southwest Corridor project does not impact facilities or motor vehicle capacity. In the Tigard Triangle area, the Southwest Corridor project adds Light Rail Transit without impacting current roadways while increasing motor vehicle capacity by building out several new connecting roads.

The analysis of unused ROW shows that the bottlenecks (critical intersections) are already constrained by a lack of available ROW. The available ROW that is between the critical bottlenecks would not significantly contribute to increasing motor vehicle capacity without first fixing the bottlenecks.

The analysis and findings presented herein does not supplant future additional traffic analysis that will be done for the Environmental Impact Statement and reviewed by local jurisdictions.

Please contact me if you have any questions.

Sincerely,

DKS Associates

A Corporation

Peter L. Coffey, PE

Principal

Attachment 1

Attachment 1 - Through Movement Capacity Reduction Along Barbur Boulevard at Critical Intersections

Critical Intersections	NB Thru Movement Capacity				SB Thru Movement Capacity			
	No-Build w/Low Peds	No-Build v/c ratio for NB Thru	LRT w/ Moderate Peds	LRT v/c ratio for NB Thru	No-Build w/Low Peds	No-Build v/c ratio for NB Thru	LRT w/ Moderate Peds	LRT v/c ratio for NB Thru
PM Peak Hour 2035								
SW Barbur Blvd (Hwy 99W) & SW Capitol Hwy	1638	0.61	1866	0.49	2692	0.64	2605	0.81
SW Barbur Blvd (Hwy 99W) & SW Capitol Hill Rd/SW 19th Ave	1886	0.86	1694	0.97	1825	0.83	1642	0.93
SW Barbur Blvd (Hwy 99W) & SW Terwilliger Blvd	1334	1.07	1140	1.13	1604	0.76	1424	0.82
AM Peak Hour 2035								
SW Barbur Blvd (Hwy 99W) & 60th	1534	0.91	1504	0.92		0.38		0.36
SW Barbur Blvd (Hwy 99W) & SW Capitol Hwy	1521	0.89	1504	0.90		0.70		0.70
SW Barbur Blvd (Hwy 99W) & 24th/I-5 Off-Ramp	2397	0.90	2410	0.90		0.43		0.41
SW Barbur Blvd (Hwy 99W) & SW Capitol Hill Rd/SW 19th Ave	1866	0.95	1656	1.05		0.45		0.48
SW Barbur Blvd (Hwy 99W) & SW Terwilliger Blvd	1657	1.00	1592	0.86		0.30		0.32
SW Barbur Blvd (Hwy 99W) & SW Hamilton Sreet	2616	1.22	2492	1.02		0.25		0.34

Through Movement Capacity Reduction	
NB Thru No-Build Minus LRT	SB Thru No-Build Minus LRT
(228)	87
192	183
194	180

Through Movement Capacity Reduction Including Reduction for fewer buses	
NB Thru No-Build Minus LRT	SB Thru No-Build Minus LRT
(252)	63
168	159
170	156

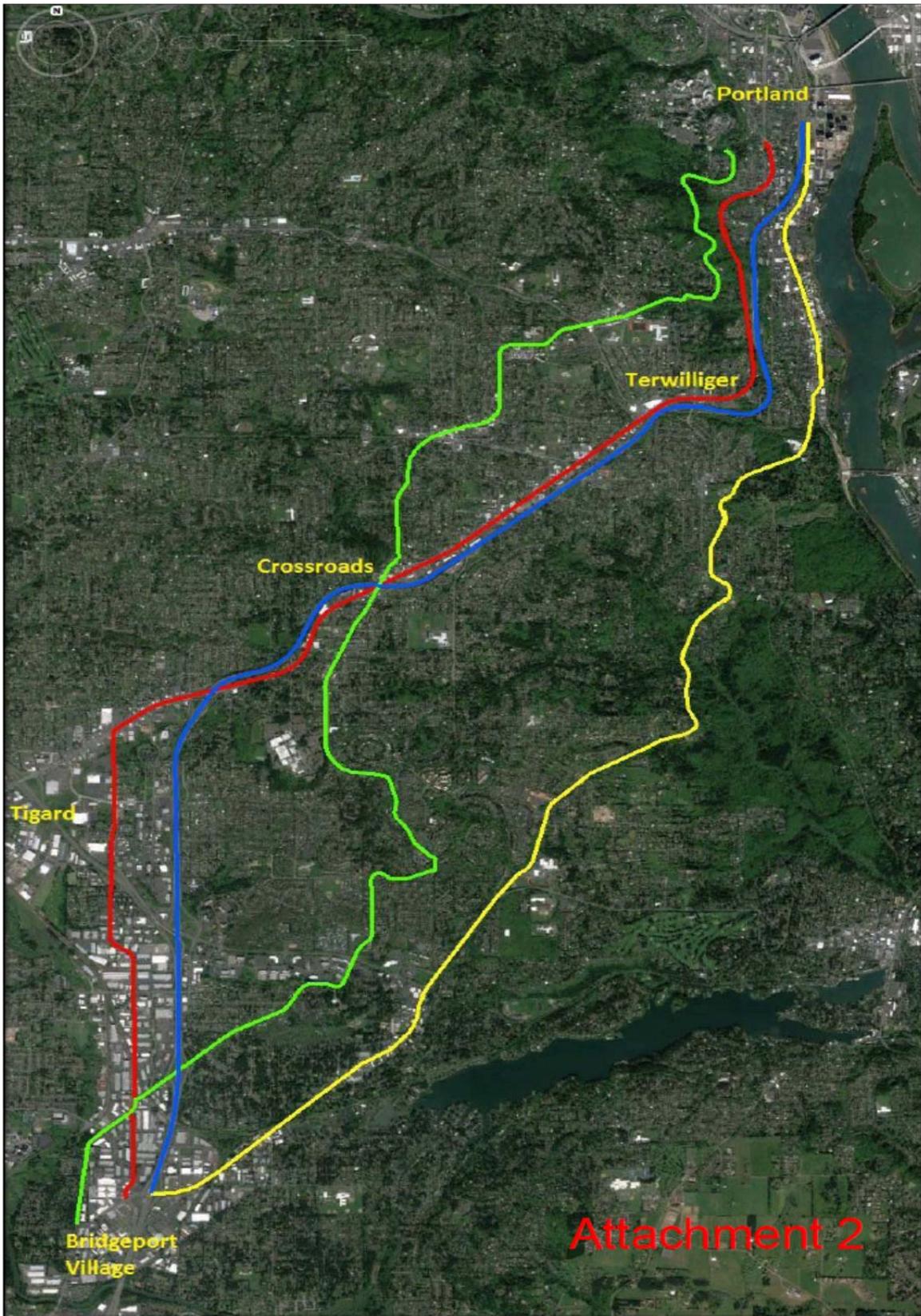
30
17
(13)
210
65
124

6
(7)
(37)
186
41
100

Note: Capacity reductions from multiple intersections are not additive.

Note: assumes with LRT, there will be a reduction of 12 buses in each direction along Barbur Boulevard. 1 bus equals approximately 2 motor vehicles from a capacity perspective.

Attachment 2



Attachment 3

Reduced Future Moto Vehicle Capacity of Unused Public Right of Way Table

Notice of City Measure Election

SEL 802

rev 01/10: ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

City and Notice Information

Notice is hereby given on _____, 20____, that a measure election will be held in

_____, Oregon on _____, 20____.
Name of City or Cities Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

Question 20 words

Summary 175 words

The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

Signature of Authorized City Official not required to be notarized

Date Signed mm/dd/yy

Printed Name of Authorized City Official

Title

AIS-2735

3.

CCDA Agenda

Meeting Date: 06/07/2016

Length (in minutes): 5 Minutes

Agenda Title: APPOINT CITY CENTER ADVISORY COMMISSION MEMBERS

Submitted By: Sean Farrelly, Community Development

Item Type: Resolution
Public Hearing - Informational

Meeting Type: Council Business Meeting - Main

Public Hearing: No

Publication Date:

Information

ISSUE

Shall Council appoint Cameron Anderly as a voting member, Tim Myshak as a non-voting alternate and Sara Villanueva as a non-voting ex officio member to the City Center Advisory Commission?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends approval of a resolution appointing Cameron Anderly as a voting member of the City Center Advisory Commission whose term will expire December 31, 2017; Tim Myshak as a non-voting alternate whose term will expire December 31, 2016; and Sara Villanueva as a non-voting ex officio member whose term will expire December 31, 2016.

KEY FACTS AND INFORMATION SUMMARY

The City Center Advisory Commission (CCAC) is the advisory body to the City Center Development Agency on urban renewal issues. There is currently one vacant voting position on the City Center Advisory Commission with a term that expires on December 31, 2017, due to the resignation of Deanie Bush. There are also up to two non-voting alternate positions and up to two non-voting ex officio positions that are vacant.

The Mayor's Appointment Advisory Committee recommended that Cameron Anderly be appointed as a voting member whose term will expire December 31, 2017; and Tim Myshak be appointed as a non-voting alternate whose term will expire December 31, 2016. In addition they recommended that Sara Villanueva be appointed as a non-voting ex officio member, as a non-resident who has expertise in affordable housing, whose term will expire December 31, 2016. Villanueva recently became ineligible for her alternate position when she moved out of Tigard city limits, but she meets the eligibility requirements for an ex officio

member- a non-resident with expertise in affordable housing.

Attachment 1 is a Resolution implementing these recommended appointees.

Attachment 2 has biographical information on all three recommended appointees.

OTHER ALTERNATIVES

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

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

January 12, 2016, Appoint CCAC members

Attachments

Resolution

CCAC Bios

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

A RESOLUTION APPOINTING CAMERON ANDERLY AS A VOTING MEMBER OF THE CITY CENTER ADVISORY COMMISSION, TIM MYSHAK AS A NON-VOTING ALTERNATE MEMBER AND SARA VILLANUEVA AS A NON-VOTING EX OFFICIO MEMBER

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

WHEREAS, the Mayor's Appointment Advisory Committee recommends that Council appoint Cameron Anderly as a voting member; and

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

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

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

- SECTION 1: Cameron Anderly is appointed as voting member to fill a term that expires December 31, 2017.
- SECTION 2: Tim Myshak is appointed as an alternate member to fill a term that expires December 31, 2016.
- SECTION 3: Sara Villanueva is appointed as an ex officio member to fill a term that expires December 31, 2016.
- SECTION 4: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2016.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

RESOLUTION NO. 16-

Page 1

CITY CENTER ADVISORY COMMISSION
RECOMMENDED APPOINTEES
BIOGRAPHICAL INFORMATION

On June 7, 2016, Tigard City Council will consider a Resolution to appoint Cameron Anderly as a voting member, Tim Myshak as a non-voting alternate member and Sara Villanueva as a non-voting ex officio member of the City Center Advisory Commission.

Cameron Anderly has been a Tigard resident since 2015. He is an attorney with Luby Daraee Law Group, PC. He also has a background in construction engineering. He has volunteer experience with the American Heart Association and the Oregon Food Bank.

Tim Myshak has been a Tigard resident for thirty years. He is a controller for Complete Distribution Services, a freight brokerage company with an office on Main Street. He has been the treasurer or finance member of various non-profit organizations and a youth leader with the Tigard Recreation Association and St. Matthew Lutheran Church.

Sara Villanueva was an alternate member of the CCAC until May 2016. She works as a Senior Community Manager with Princeton Property Management and has eight years experience managing multi-family properties utilizing a wide variety of affordable housing programs. She has previously volunteered with the Kiwanis Club and at Twality Middle School.

AIS-2700

4.

CCDA Agenda

Meeting Date: 06/07/2016

Length (in minutes): 15 Minutes

Agenda Title: RECEIVE BROWNFIELD PROGRAM UPDATE

Submitted By: Sean Farrelly, Community Development

Item Type: Update, Discussion, Direct Staff **Meeting Type:** City Center Development Agency

Public Hearing: No

Publication Date:

Information

ISSUE

Brownfield Program Update

STAFF RECOMMENDATION / ACTION REQUEST

The Board is requested to provide feedback on the program.

KEY FACTS AND INFORMATION SUMMARY

On May 20th, the City Center Development Agency was notified that it was awarded two \$200,000 EPA Brownfield grants to clean up the Main Street/Fanno Creek (Saxony) properties. The Brownfield grant program is highly competitive- only five out of the twenty applications submitted in EPA Region 10 (Oregon, Washington, Alaska, and Idaho) were selected for funding this year.

The EPA funding will play a critical role in developing these prominent underutilized properties. The funding lays the groundwork for a planned mixed-used project and public space overlooking Fanno Creek. The redevelopment will support the urban renewal plan's goal of making downtown the interconnected green heart of the community.

EPA funds are typically available in October of the year granted. Agency staff will work with the EPA on developing a work plan, which will include community engagement, clean-up planning, completing clean-up activities (including testing, demolition and soil removal) and obtaining a No Further Action finding from Oregon DEQ. A Request for Proposals for an environmental clean-up firm would likely be issued in October.

The clean-up grant builds on the City's Brownfield program, funded by the \$400,000 EPA Brownfields assessment grant, awarded in July 2014. To date, approximately \$128,000 has been expended on public outreach, developing an inventory of potential opportunity sites,

and environmental site assessment work (including environmental investigations and testing that led to the Prospective Purchaser Agreement with which the Main Street/Fanno Creek property was purchased.)

Several grant-funded Phase I and Phase II environmental site assessments are currently underway:

- Nicoli and Tigard Transit Center: pre-development work, funded by the Metro CET grant, is underway to redevelop these sites into mixed use urban lofts. Tigard's cash match for the grant will be provided by the grant funded environmental assessment reports.
- Yoo property and Washington County owned land (corner of Hall Blvd. and Pacific Highway): A property owner on Hall Blvd. near Pacific Highway requested assistance to assess her property in anticipation of redevelopment. The neighboring property, the former site of an auto repair business purchased by Washington County for the Hall/Pacific Highway intersection widening, will also be assessed.
- City acquisition of road right-of-way on Fields property: The City of Tigard is interested in extending SW Wall Street from its southern terminus, east to SW Tech Center Drive and the proposed extension will cross a property currently owned by the Fred W. Fields Revocable Living Trust. This is part of the Hunziker Industrial/Commercial Core project to catalyze commercial and industrial development and increase employment on 138 acres. The site assessment will be performed as part of the city's due diligence in acquiring land for the construction of the road.

The EPA assessment grant runs through July 7, 2017, however the city will likely request a one year extension. Staff is currently developing outreach materials, including direct mail and an improved webpage, to communicate with property owners about the benefits of the program, particularly those who may have petroleum contamination.

OTHER ALTERNATIVES

This is an informational presentation only. No action is being requested.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard Comprehensive Plan

Economic Development

Goal 9.1 Develop and maintain a strong, diversified, and sustainable local economy

Goal 9.3 Make Tigard a prosperous and desirable place to live and do business

Tigard Strategic Plan

Goal 2: Ensure development advances the vision

City Council 2015-17 Goals and Milestones

Make Downtown a Place Where People Want to Be

DATES OF PREVIOUS COUNCIL CONSIDERATION

December 1, 2015: Brownfield Initiative Update

December 1, 2015: Resolution Authorizing EPA Brownfield Cleanup Grant Application

June 2, 2015: Brownfield Initiative Update

February 10, 2015 Local Contract Review Board - Make contract award for Brownfields grant funded services

January 27, 2015 Local Contract Review Board- Consider contract award for Brownfields grant funded services

January 14, 2014 Consider a Resolution Approving an Application for an EPA Brownfields Assessment Grant

Attachments

No file(s) attached.

AIS-2716

5.

CCDA Agenda

Meeting Date: 06/07/2016

Length (in minutes): 10 Minutes

Agenda Title: INFORMATIONAL PUBLIC HEARING: FISCAL YEAR 2016 CCDA FOURTH QUARTER BUDGET HEARING

Prepared For: Toby LaFrance

Submitted By: Carissa Collins, Finance and Information Services

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

Public Hearing Yes

Newspaper Legal Ad Required?:

Public Hearing Publication 06/02/2016

Date in Newspaper:

Information

ISSUE

A fourth quarter budget adjustment is required for the FY 2016 City Center Development Agency (CCDA) adopted budget.

STAFF RECOMMENDATION / ACTION REQUEST

Approve the FY 2016 Fourth Quarter Supplemental

KEY FACTS AND INFORMATION SUMMARY

An additional appropriation in the amount of \$25,360 is being requested resulting from the sale and purchase of properties by the CCDA.

1. A total of \$15,360 is needed for payment of the FY 2015 property taxes for the Ferguson properties. The tenants have been invoiced by the city for the payment.
2. A total of \$10,000 is required to pay the escrow and title fees from the sale of the Ash/Burnham site by the CCDA.

OTHER ALTERNATIVES

Do not approve the amendment.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

DATES OF PREVIOUS CONSIDERATION

N/A

Fiscal Impact

Cost: \$25,360

Budgeted (yes or no): no

Where Budgeted (department/program): CCDA

Additional Fiscal Notes:

A total of \$25,360 of additional appropriations is required for payment of the FY 2015 property taxes for Ferguson {15,360}, and fees related to the escrow and title for the sale of the Ash/Burnham property {\$10,000}. Exhibit A has the details.

Attachments

Resolution

Exhibit A

CITY OF TIGARD, OREGON
CITY CENTER DEVELOPMENT AGENCY
RESOLUTION NO. 16-____

A RESOLUTION TO AMEND THE FY 2016 ADOPTED BUDGET FOR THE CITY CENTER DEVELOPMENT AGENCY.

WHEREAS, the city acknowledges those items that were unknown at the time the FY 2016 Budget was adopted; and

WHEREAS, the CCDA recognizes a total of \$25,360 in additional requirements that are offset by additional resources of equal amount.

NOW, THEREFORE, BE IT RESOLVED, by the Tigard City Center Development Agency that:

SECTION 1: The FY 2015-16 Budget is hereby amended as detailed in Exhibit A.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____, 2016.

Chair – City of Tigard
City Center Development Agency

ATTEST:

Recorder – City of Tigard City Center Development Agency

CCDA_01. Property purchase/sale related fees

An additional appropriation totaling \$25,360 is needed for the following:

1. A request in the amount of \$15,360 is needed for the FY 2015 property taxes for the Ferguson property. The tenants have been invoiced by the city for reimbursement of the payment.
2. A total of \$10,000 is required to pay the escrow and title fees related to the sale of the Ash/Burnham property.

As a result of this action, reserve for future expenditure within the Urban Renewal Debt Service Fund will decrease by \$10,000 with an increase in transfers. In turn, Charges for Services will increase by \$15,360 in the Urban Renewal Capital Improvement Fund. Community Development program expenditures will increase by 25,360.

<u>Fund 1 of 2</u>		Q3		Q4
		Revised	Amendment	Revised
		Budget		Budget
Urban Renewal Debt Service Fund				
Resources	Beginning Fund Balance	\$ 185,697		\$ 185,697
	Property Taxes	\$ 397,792		\$ 397,792
	Interest Earnings	\$ 1,000		\$ 1,000
	Total Resources	\$ 584,489	\$ -	\$ 584,489
Requirements				
	Program Expenditures Total	\$ -	\$ -	\$ -
	Debt Service	\$ 219,198		\$ 219,198
	Loans	\$ -		\$ -
	Work-In-Progress	\$ -		\$ -
	Transfers to Other Funds	\$ 190,300	\$ 10,000	\$ 200,300
	Contingency	\$ -		\$ -
	Total Budget	\$ 409,498	\$ 10,000	\$ 419,498
	Reserve For Future Expenditure	\$ 174,991	\$ (10,000)	\$ 164,991
	Total Requirements	\$ 584,489	\$ -	\$ 584,489
<u>Fund 2 of 2</u>		Q3		Q4
		Revised	Amendment	Revised
		Budget		Budget
Urban Renewal Capital Improvement Fund				
Resources	Beginning Fund Balance	\$ 445,700		\$ 445,700
	Charges for Services	\$ 84,000	\$ 15,360	\$ 99,360
	Transfers In from Other Funds	\$ 190,300	\$ 10,000	\$ 200,300
	Total Resources	\$ 720,000	\$ 25,360	\$ 745,360
Requirements				
	Community Development	\$ -	\$ 25,360	\$ 25,360
	Program Expenditures Total	\$ -	\$ 25,360	\$ 25,360
	Debt Service	\$ -		\$ -
	Loans	\$ -		\$ -
	Work-In-Progress	\$ 720,000		\$ 720,000
	Transfers to Other Funds	\$ -		\$ -
	Contingency	\$ -		\$ -
	Total Budget	\$ 720,000	\$ 25,360	\$ 745,360
	Reserve For Future Expenditure	\$ -	\$ -	\$ -
	Total Requirements	\$ 720,000	\$ 25,360	\$ 745,360

AIS-2608

6.

CCDA Agenda

Meeting Date: 06/07/2016
Length (in minutes): 15 Minutes
Agenda Title: Legislative Public Hearing: Consider Recreation Program Fee Ordinance
Prepared For: Aaron Rivera **Submitted By:** Judy Lawhead, Public Works
Item Type: Ordinance **Meeting Type:** Council Public Hearing - Legislative Business Meeting - Main
Public Hearing No
Newspaper Legal Ad Required?:
Public Hearing Publication
Date in Newspaper:

Information

ISSUE

Shall Council adopt an ordinance granting the Public Works Director authority to establish, reduce, and otherwise administer Recreation Program fees and charges?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends Council adopt the ordinance delegating authority to the Public Works Director to administer the Recreation Program fees and charges

KEY FACTS AND INFORMATION SUMMARY

On May 17, 2016, Council directed staff to bring forward an ordinance delegating authority to the Public Works Director to administer Recreation Program fees and charges.

The city's existing code (TMC 3.32 City Fees and Charges) does not allow the Recreation Program to grant scholarships to participants (i.e. Exemptions in code, 3.32.070), nor does it allow for the most efficient and effective means to quickly respond to dynamic public demand for recreation classes. The Recreation Program expects to establish a number of new program fees, and seeks a means to more rapidly navigate administrative processes.

Overall, the proposed ordinance allows the Public Works Department to more efficiently and effectively implement Recreation programs and services.

OTHER ALTERNATIVES

Alternatives include the status quo, wherein the Recreation Program would not be allowed to grant fee reductions to participants, and ultimately require Council adoption of each fee before agreements can be finalized and schedules distributed publicly. Other alternatives will be explored if the ordinance is not passed by council.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

Tigard City Council Goals, #1 Provide Recreation Opportunities for the People of Tigard, 2015.

DATES OF PREVIOUS CONSIDERATION

The council was briefed on this ordinance at its May 17, 2016, meeting.

Fiscal Impact

Cost: 0
Budgeted (yes or no): 0
Where Budgeted (department/program): 270/6150

Additional Fiscal Notes:

If Council passes this ordinance it will result in additional fee revenue in the Park Utility Fund, although the magnitude and timing is indeterminate at this time. Revenue is likely to be proportionate to the volume, cost, and other factors associated with programmatic offerings.

Attachments

Ordinance
Exhibit A

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

AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE CHAPTER 3.32 CITY FEES AND CHARGES TO DELEGATE FEE SETTING FOR RECREATION PROGRAMS TO THE PUBLIC WORKS DIRECTOR

WHEREAS, the nature of providing recreation activities and coordinating program services with existing providers requires the ability of the Recreation Program Coordinator to quickly respond to customer demand; and

WHEREAS, the Tigard Municipal Code Chapter 3.32 requires Council to review and adopt rates for fees, typically done in May for the upcoming year; and

WHEREAS, the Code currently does not provide for an effective mechanism to adjust fees to target specific groups or lower income individuals; and

WHEREAS, the Code currently restricts fee exemptions to nonprofit organizations, limiting the ability to offer scholarships and other reductions to fees/charges; and

WHEREAS, the Code requires rates for fees and charges to be based solely upon the reasonably determined cost for service cost of service and does not allow for flexibility; and

WHEREAS, the 2015-2017 Tigard City Council Goals include to “Provide Recreation Opportunities for the People of Tigard;” and

WHEREAS, the MIG Recreation Program Study: Recommendations and Implementation Plan outlined a five year plan to start a recreation program including assumptions about demand-driven activities expanding yearly, coordination with existing service providers, and grants and scholarships for targeted groups; and

WHEREAS, the City Council wishes to delegate its authority to set fees and charges for the Recreation Program to the Public Works Director in order to allow for greater flexibility and further the goal of promoting recreation opportunities.

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

SECTION 1: Chapter 3.32, is amended as shown in Exhibit A, (added language is shown in *italics* and deleted language in ~~strike through~~).

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

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

Carol A Krager, City Recorder

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

John L. Cook, Mayor

Approved as to form:

City Attorney

Date

TIGARD MUNICIPAL CODE

Chapter 3.32 CITY FEES AND CHARGES.

Sections:

- 3.32.010 Definitions.**
- 3.32.020 Authority.**
- 3.32.030 Method Of Determining Rates For Fees And Charges.**
- 3.32.040 Administration.**
- 3.32.050 Fee Adjustments And Schedules.**
- 3.32.060 Failure To Pay Fees And Charges.**
- 3.32.070 Exemptions.**
- 3.32.080 Ratification.**

3.32.010 Definitions.

For the purposes of this chapter, the singular shall include the plural and the masculine gender shall include the feminine and neuter. As used in this chapter, unless the context otherwise requires, the following definitions shall apply:

"Fees and charges" means the following:

1. Fees and charges established for City services provided under this code;
2. Fees and charges for the dedication and vacation of streets and other public areas within the City;
3. Any other fee or charge established by the Council in which the Council specifically states that the fee or charge is to be subject to the provisions of this chapter. (Ord. 82-72 §1, 1982).

3.32.020 Authority.

The Tigard City Council shall have the authority to review and adopt by resolution rates for fees and charges reasonably related to the City's cost of service. The City Manager shall have authority to set interim fees and charges pending

adoption of a City Council resolution. (Ord. 02-06, Ord. 82-72 §2, 1982).

3.32.030 Method Of Determining Rates For Fees And Charges.

1. Rates shall be based upon the reasonably determined costs for service and shall be based upon estimates from the current or proposed municipal budget for the following categories, as applicable:

- a. Materials and services;
- b. Capital outlay;
- c. Indirect costs;
- d. Depreciation costs; and
- e. Personnel costs.

2. In no case shall the rate for fees and charges exceed the reasonable costs for the service or services provided. (Ord. 82-72 §3, 1982).

3.32.040 Administration.

The City Finance Director, or designee, shall be authorized to require a specific type of payment, in the event of a prior history of nonpayment, returned checks, and incidence of delayed, reduced or unpaid fees and charges. For applications which are subsequently withdrawn, the Finance Director, upon recommendation of the department head, may refund any or all of the fee amount not necessary to recover City costs incurred through the date of withdrawal. (Ord. 82-72 §4, 1982).

3.32.050 Fee Adjustments And Schedules.

After January 1, 1983, adjustments in the rate of fees and charges shall be reviewed by the Council at least annually, on or before July 1st of

TIGARD MUNICIPAL CODE

any year. The Council shall consider the following in adjustments to fees and charges: (a) the Portland Consumer Price Index; (b) the total wage increase in relevant union contracts; (c) costs for services analyses; and (d) the provisions of Section 3.32.030. (Ord. 82-72 §5, 1982).

3.32.060 Failure To Pay Fees And Charges.

1. All persons submitting applications or otherwise utilizing services or facilities of the City shall pay the appropriate fee or charge imposed pursuant to this chapter.

2. If the fee or charge for an application is governed by the provisions of this chapter, failure to pay the same in full shall prevent the submission of such application. If such application is accepted through mistake or inadvertance, the City Finance Director shall give a notice of the balance due of such fee or charge, which balance shall be paid within ten days of the giving of such notice. The Finance Director may waive the penalty if the failure to pay the full fee or charge was not the fault of the applicant. An aggrieved applicant may appeal the penalty decision of the Director to the Council. If the fee or charge is unpaid after the ten-day period has expired, the application shall be considered withdrawn. Where action or work for which any permit is required under City code is started or proceeded with prior to obtaining said permit, the fees specified shall be doubled.

3. For all other fees and charges subject to this ordinance and not involving an application, the City Finance Director shall give notice of delinquency in writing, if a fee or charge is unpaid. Such fee or charge shall be paid within ten days of the sending of such notice and, in addition, a delinquency fee in an amount to be established by the Council by resolution and sufficient to cover the cost of administration of such fee shall also be imposed. If the fee or charge is unpaid at the end of the ten-day notification period, the initial

amount of the fee shall be doubled and the difference shall be deemed a penalty. (Ord. 82-72 §6, 1982).

3.32.070 Exemptions.

The City Council is authorized to waive or exempt the fee or charge imposed upon an application or for the use of City facilities and services, if a nonprofit organization requests such a waiver in writing and the Council determines that community benefit from the proposed activity outweighs the financial burden on the City. The waiver or exemption shall not excuse the nonprofit organization from compliance with other requirements of this code. (Ord. 82-72 §7, 1982).

3.32.080 Ratification.

The Council determines that fees previously set by resolutions of the Council were set to recover cost and are hereby ratified pursuant to the ordinance codified in this chapter and shall remain in effect until superseded pursuant to the ordinance codified in this chapter. (Ord. 82-72 §8, 1982).

3.32.090 Recreation Program

1. For purposes of the Public Works Department Recreation Program, City Council delegates its authority to adopt rates and charges, pursuant to Section 3.32.020, to the Director of Public Works.

2. Notwithstanding Section 3.32.070, the Public Works Director shall have the authority to waive, exempt, or otherwise reduce recreation program fees and charges.

3. The Public Works Director shall annually report back to Council on the Recreation Program activities and revenues.

AIS-2733

7.

CCDA Agenda

Meeting Date: 06/07/2016

Length (in minutes): 15 Minutes

Agenda Title: LOCAL CONTRACT REVIEW BOARD BRIEFING ON PROCESS FOR CIVIC CENTER CONTRACT

Prepared For: Joseph Barrett

Submitted By: Joseph Barrett, Finance and Information Services

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

Public Hearing No

Newspaper Legal Ad Required?:

Public Hearing Publication

Date in Newspaper:

Information

ISSUE

A briefing on an upcoming contract for services related to the Civic Center Visioning project and the process that will be used.

STAFF RECOMMENDATION / ACTION REQUEST

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

KEY FACTS AND INFORMATION SUMMARY

The city needs a consultant team to study alternatives for growth, projected use of and placement of a City-owned Civic Center. The city owns and is a tenant on many properties, some adequate for their use, others inadequate in size or location for their function and operations to provide city services. This work will be used to determine what services and staff will be located on the proposed Civic Center site. The scope also includes studying the potential inclusion of a future recreation center and performing arts center. The planning process is intended to be comprehensive and lead to adoption of a Civic Center Visioning Plan that will provide the framework for a 2017 bond measure. The plan will also inform facilities planning for 20 years. The final report will incorporate cost estimates, including associated infrastructure, for recommended future Civic Center facilities. Work tasks under the proposed contract include:

- Review and confirm existing data/reports

- Recommendations to maximize city functions on the Civic Center site, given projected patterns of growth, best practices and anticipated changes in the way cities deliver services. Supportive information for a preferred alternative will include research, best practices precedents from other/like cities, survey feedback from existing residents and financial data to support findings and recommendations
- Engage City staff for input on needs, standards, and priorities
- Service Analysis: The city is looking to the selected consultant to research trends and anticipated changes in delivery of services related to future growth, citizen expectations, and technological advances
- Incorporate issues identified with the Building Conditions Assessment (done under separate contract with Facilities) into the proposal. These will include long-term operational risks of maintaining City-owned facilities at their current locations (e.g. building deficiencies, hazards, seismic analysis, O&M, life cycle costs, accessibility, need and potential for expansion or renovation)
- Identify any natural or man-made hazards of siting the proposed Civic Center facilities at the current location. (e.g. floodplain, seismic/liquefiable soils, hazardous material storage, steep slope/landslide, wild land fire, security risks)
- Identify strategies that will maximize the continuity of operations for City-owned facilities. (e.g. relocate outside of hazard areas, seismic retrofit, backup power, risk mitigation measures)
- Include opportunities for purchase of adjacent properties
- Provide phasing opportunities based on the findings of the visioning plan
- Include opportunities for urban renewal efforts
- Develop and implement a stakeholder engagement plan during the planning process (may include interaction with internal city stakeholder committee and citizens)
- Once a preferred path forward is identified, assist with a public relations strategy for the city to achieve public support of a voter-approved bond measure
- Presentation of proposed plan to City Council

Under Tigard's Public Contracting Rule (PCR) 10.110, the Local Contract Review Board is able to exempt particular contracts from formal competitive process requirements. Due to the nature of this project and the lack of a successful proposer generated under a previous Request for Proposal, staff is recommending an exemption be declared for this work. Staff intends to bring a resolution for the exemption before the Local Contract Review Board in a public hearing during their meeting on June 14, 2016.

The following are key facts regarding the proposed project and the exemption declaration as required under PCR 10.110:

Project Name: Civic Center Visioning Project (CIP #91020 - Citywide Facilities Plan)

Budget: FY 16 Adopted = \$300,000 (\$295,000 for design and engineering, \$5,000 for internal project management). The city's Proposed FY 17 budget, as approved by Budget Committee, increases this amount to \$350,000 with a split of \$300,000 for design and engineering and \$50,000 for internal project management, with the majority of work to occur in FY17.

Previous Formal Competitive Process Efforts for the Project: A formal Qualification-based Request for Proposals (QBS) was issued in January of this year. A well attended pre-proposal meeting was held and staff fielded a multitude of questions from interested firms as well as provided additional information on the project. Upon closing, the city only received one proposal and that was deemed non-responsive as the approach was significantly different than the preferred city approach. The city heard from a number of consultants that were expected to submit proposals that the nature of this project did not lend itself to a formal QBS approach but rather a consulting team assembled directly. Time and the accelerated schedule was also provided as a reason that a few of the consultants chose not to respond to the original RFP.

Proposed Alternative Contracting Practice to be Employed: Under an exemption from a formal competitive process, the City would contract directly with an architectural firm who would then build a team of consultants with the appropriate combination of skill and experience to best deliver this project to the city. Through the prior process, staff learned from a number of the prospective consultants that this is a more traditional approach to such a project.

Cost Savings Anticipated from Exemption: Staff anticipates cost savings under this approach by not running a full QBS process a second time, and also by eliminating the possibility that such a process may once again lead to no contract. Time is of the extreme essence to complete this work. If the city is to have any chance of a November 2017 ballot for a facilities bond, the plan must be completed and information finalized before spring 2017. Entering into a contract under the exemption declaration will secure a contract with just enough time to complete the work. If a QBS was carried out and no consultant selected, the city would have little to no chance of meeting the required timeframe.

Estimated Contract Execution Date: If the exemption is granted on June 14, 2016, staff anticipates a contract for the work will be executed no later than June 20, 2016.

At this time, staff is seeking the Local Contract Review Board's input for to any additional information it needs to determine the validity of the exemption request. Due to the tight timeframe for this project, such information will likely be included in the Council Thursday packet or discussed during the meeting on June 14, 2016.

OTHER ALTERNATIVES

The Local Contract Review Board may reject the declaration of an exemption for this project and direct staff to issue a formal QBS solicitation for the work. Staff advises the Local Contract Review Board that such a process would likely result in failure to meeting a possible November 2017 ballot.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

This is the first time this contract has come before the Local Contract Review Board.

Fiscal Impact

Cost: \$300,000

Budgeted (yes or no): yes

Where budgeted?: Facilities Capital Fund

Additional Fiscal Notes:

The project is currently budgeted for FY16 (current budget year). The unsuccessful effort to contract with a consultant team has delayed project start. The Proposed FY17 budget, as approved by the Budget Committee, has \$300,000 appropriated for external design and engineering work on this project in FY17.

Attachments

No file(s) attached.
