**Greeter: Dennis Koellermeier

TIGARD CITY COUNCIL
MEETING

FEBRUARY 8, 2005 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223

CITY OF TIGARD
OREGON

PUBLIC NOTICE:

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

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

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

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

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

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

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
FEBRUARY 8, 2005 – 6:30 PM

6:30 PM

- STUDY SESSION

  > UPDATE ON COMMUTER RAIL URBAN RENEWAL FEASIBILITY STUDY
  - Community Development Director Hendryx

  > CITY COUNCIL ORIENTATION·
  - City Attorney

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss employment of a public officer, real property transaction, pending litigation, and to review & evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(a)(e)(h) & (i). 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.

7:30 PM

1. BUSINESS MEETING
   - 1.1 Call to Order - City Council & Local Contract Review Board
   - 1.2 Roll Call
   - 1.3 Pledge of Allegiance: Flag Ceremony – Cub Scout Pack 232
   - 1.4 Council Communications & Liaison Reports
   - 1.5 Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
   - Tigard High School Student Envoy Nikki Pham
   - Tigard Area Chamber of Commerce Dan Murphy
   - Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

3.1 Approve Council Minutes for January 11, 2005

3.2 Receive and File:

a. Council Calendar

b. Tentative Agenda

c. 5th Tuesday – Council Meeting Notes for November 30, 2004

3.3 Authorize Submittal of the City of Tigard's Third-Year Title 7 Functional Plan Compliance Report – Resolution No. 05-____

3.4 Local Contract Review Board:

a. Award Contract for the Construction of FY 2004-05 Storm Drainage Major Maintenance Program

b. Authorize the Purchase of New Police Portable Radios Using a State of Oregon Price Agreement

3.5 Reappoint Bob Rohlf to the Washington County Consolidated Communications Agency Budget Committee – Resolution No. 05-___

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

4. ADOPT 2005 COUNCIL GOALS

- Summary: Mayor Craig Dirksen

5. RECOGNITION OF CENTREX

- Staff Summary: Risk Manager Loreen Mills

6. PUBLIC HEARING (QUASI-JUDICIAL) – PUBLIC SEWER EASEMENT VACATIONS (VAC 2004-00002) SW FREWING STREET AT SW PACIFIC HIGHWAY AND SW PFAFFLE STREET AT SW 79TH AVENUE

The applicants have proposed to either relocate or reconstruct the sewer lines in conformance with current city engineering standards. These vacations are necessary to implement prior development approvals.

The request was filed with the City on October 25, 2004 and initiated by the City Council at the request of the applicant on January 11, 2005. Any interested person may appear and be heard for or against the proposed vacation of said Frewing @ Pacific Highway Sewer Easement Vacation & Pfaffle @ 79th Avenue Sewer Easement Vacation. Any written objections or remonstrances shall be filed with the City Recorder by 7:30 PM on February 8, 2005.

a. Open Public Hearing
b. Declarations or Challenges
c. Staff Report: Community Development Department
d. Public Testimony
   - Proponents
   - Opponents
   - Rebuttal
e. Staff Recommendation
f. Council Questions
g. Close Public Hearing
h. Council Consideration: Ordinance No. 05-__ and Ordinance No. 05-__

7. PUBLIC WORKS DEPARTMENT: MISSION/VALUES EXERCISE RESULTS
   - Staff Summary: Dennis Koellermeier, Public Works Director

8. PUBLIC HEARING (QUASI-JUDICIAL) ASH CREEK ESTATES – LAND USE BOARD OF APPEALS (LUBA) REMAND - SUBDIVISION (SUB) 2003-00010/PLANNED DEVELOPMENT REVIEW (PDR) 2003-00004/ ZONE CHANGE (ZON) 2003-00003/SENSITIVE LANDS REVIEW (SLR) 2003-00005/ADJUSTMENT (VAR) 2003-00036/ADJUSTMENT (VAR) 2003-00037

ITEM ON REMAND: The State Land Use Board of Appeals (LUBA) has remanded City Council's approval of a 29-lot Planned Development Subdivision on 9.3 acres and associated Zone Change, Sensitive Lands, and Adjustment reviews for additional findings to support their decision. This hearing is limited to the four specific assignments of error which are generally: 1) The City's acceptance of lower "K" values in relation to the proposed vertical sag on SW 74th and demonstration that the City Engineer is authorized to approve such deviations to adopted street standards; 2) The requirement that the applicant prepare and submit a tree plan that identifies the size, species, and location of trees on the site, provide a removal plan, protection plan, and mitigation program in accordance with Tigard Community Development Code (TCDC) Chapter 18.790; 3) Revised findings are required for the proposed curb tight sidewalks on SW 74th Avenue and also for the cul-de-sac standards to address the relevant criteria of

TCDC Chapter 18.370.C.11; and 4) Additional findings related to the landscape protection criteria of TCDC Chapter 18.745.030.E. A full copy of LUBA's Final Opinion and Order can be obtained from City Hall at cost, or is also available online at *http://luba.state.or.us/pdf/2004/aug04/03194.htm*. LOCATION: 9750 SW 74th Avenue; WCTM 1S125DC, Tax Lots 300 and 400. ZONE: R-4.5: Low-Density Residential District. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally. APPLICABLE REVIEW CRITERIA: Tigard Community Development Code Chapters 18.370, 18.745, 18.790 and 18.810.

a. Open Public Hearing
b. Declarations or Challenges
c. Staff Report: Community Development Department
d. Public Testimony
   - Proponents
   - Opponents
   - Rebuttal
e. Staff Recommendation
f. Council Questions
g. Close Public Hearing
h. Council Consideration: Option would be to direct staff to prepare a final order to be considered by Council at the Council meeting of _____ (date).

9. COUNCIL LIAISON REPORTS

10. NON AGENDA ITEMS

11. EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss employment of a public officer, real property transaction, pending litigation, and to review & evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(a)(e)(h) & (i). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

12. ADJOURNMENT

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