



City of Tigard Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD (LCRB)

MEETING DATE: July 14, 2009
MEETING LOCATION: City of Tigard – Town Hall, 13125 SW Hall Blvd., Tigard, OR 97223



PUBLIC NOTICE:

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

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

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, 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).

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

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

SEE ATTACHED AGENDA

TIGARD CITY COUNCIL/LCRB/CCDA AGENDA – July 14, 2009



City of Tigard Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD (LCRB)

MEETING DATE/TIME: July 14, 2009/6:30 p.m. Study Session and 7:30 p.m. Business Meeting
MEETING LOCATION: City of Tigard – Town Hall, 13125 SW Hall Blvd., Tigard, OR 97223

6:30 PM

STUDY SESSION

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session under ORS 192.660(2) (e) and (h) to discuss real property transaction negotiations and for consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. 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.
 - Discuss City Manager Evaluation Criteria – Human Resources Department
 - I-5 South Study – Mayor Dirksen Letter

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
- 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)

- Citizen Communication – Sign Up Sheet
- Follow-up to Previous Citizen Communication

3. PROCLAMATIONS

- a. PROCLAIM TIGARD AS A 2010 CENSUS PARTNER
- b. SUPPORT GIVE 10 TELL 10 CAMPAIGN
 - Mayor Dirksen

TIGARD CITY COUNCIL/LCRB/CCDA AGENDA – July 14, 2009

4. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) 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:
- 4.1 Approve City Council Minutes for May 12 and 19, 2009
 - 4.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
 - c. Notes from June 30, 2009 Fifth Tuesday Meeting
 - 4.3 Adoption of Tigard Police Officers Association (TPOA) New Collective Bargaining Agreement for FY 2009-2011, and Authorization of City Manager to Sign - Resolution No. 09-___
 - 4.4 Approve an Updated Employment Agreement for the City Manager, Extending the Term and Incorporating Amendments
 - 4.5 Approve Budget Amendment #___ to Recognize the Edward Byrne Grant Revenue in the Amount of \$86,099 for the Police Department– Resolution No. 09-___
 - 4.6 Reappointment of Board Members David Burke and Cecilia Nguyen, Appointment of Scott Hancock as Board Member and Appointment of John Storhm and Grace Amos as Alternates to the Tigard Library Board– Resolution No. 09-___
 - 4.7 Approve Application to the Department of Justice for a Strategic Enhancement Mentoring Program Grant
 - 4.8 Approve Application to the Department of Justice for a Gang Prevention Youth Monitoring Program Grant
 - 4.9 Authorize Submission of an Energy Efficiency and Conservation Block Grant to Install a New Energy Star Roof on the Permit Center
 - 4.10 Approve Intergovernmental Agreement with Washington County Accepting \$142,000 in Community Development Block Grant Funds for Garrett Street Sidewalk In-fill
 - 4.11 Approve Workers’ Compensation Insurance for Volunteers – Resolution No. 09-___
 - 4.12 Approve Standard Utility Franchise Agreement with Electric Lightwave LLC - Resolution No. 09-___
 - 4.13 Approve Wetland Mitigation Site Deed Restriction on City Property
 - 4.14 Local Contract Review Board:
 - a. Authorize City Manager to Negotiate and Sign a Three-Year Municipal Lease with Panasonic Finance Solutions
 - b. Award Contract for Audiometric Services
 - c. Award Contract for Application of Slurry Seal on Various City Streets under the FY 2009-10 Pavement Major Maintenance Program
5. ADOPT PARK SYSTEM MASTER PLAN – Resolution No. 09-_____

6. CONTINUATION OF LEGISLATIVE PUBLIC HEARING FROM MAY 12, 2009 – PROPOSED DEVELOPMENT CODE AMENDMENT REGARDING SENSITIVE LANDS PERMIT REQUIREMENTS (DCA2008-00005) TO REMOVE CRITERION THAT PROHIBITS PATHWAYS LOCATED WITHIN OR ADJACENT TO THE FLOODPLAIN TO BE BELOW THE ELEVATION OF THE ANNUAL AVERAGE FLOOD (18.775.070.B.5)

REQUEST: To remove Section 18.775.070.B.5 of the Sensitive Lands Permit requirements which reads:

"5. The plans for the pedestrian/bicycle pathway indicate that no pathway will be below the elevation of an average annual flood;". Removal of this section would allow pathways to be installed in areas which would benefit the public's access to and educational appreciation of ecological areas. On April 6, 2009, the Planning Commission recommended the City Council replace the subject section with "Pedestrian/bicycle pathways within the floodplain shall include a wildlife assessment to ensure that the proposed alignment minimizes impacts to significant wildlife habitat." **LOCATION:** Citywide. **COMPREHENSIVE PLAN DESIGNATION:** All City Comprehensive Plan Designations. **ZONE:** All City Zoning Districts. **APPLICABLE REVIEW CRITERIA:** The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; [Goal 1, Public Involvement; Goal 2, Land Use Planning; Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 7, Areas Subject to Natural Hazards; and Goal 8 Recreational Needs]; any federal [FEMA] or state statutes or regulations found applicable; any applicable METRO regulations; [Metro Code Sections 3.07.300, Urban Growth Management Functional Plan; and Title 3, Water Quality and Flood Management]; any applicable Comprehensive Plan Policies; [Goal 1, Public Involvement; Goal 2, Land Use Planning; Goal 7, Hazards; Goal 8, Parks, Recreation, Trails, and Open Space]; and any applicable provisions of the City's implementing ordinances [TDC 18.130, 18.380, 18.390 and 18.775].

- a. Open Public Hearing
- b. Declarations or Challenges
- c. Staff Report: Community Development Department
- d. Public Testimony: Proponent - Opponents
- e. Staff Recommendation
- f. Council Questions
- g. Close Public Hearing
- h. Council Consideration: Ordinance No. 09-_____

7. CONTINUATION OF PUBLIC HEARING – PROPOSED DEVELOPMENT CODE AMENDMENT REGARDING TREE REMOVAL DCA2009-00001
LEGISLATIVE PUBLIC HEARING – PROPOSED DEVELOPMENT CODE AMENDMENT REGARDING TREE REMOVAL (DCA2009-00001) – COUNCIL GOAL #1B – UPDATE THE TREE CODE TO MEET COMPREHENSIVE PLAN

REQUEST: To amend the current Tigard Development Code to clarify how an applicant for development is to demonstrate compliance with the City's stated preference for tree protection over removal wherever possible. The complete text of the proposed Code Amendment can be viewed on the City's website at http://www.tigard-or.gov/code_amendments. **LOCATION:** Citywide **ZONE:** All City Zoning Districts **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.380, 18.390, and 18.790; Comprehensive Plan Policies 1.1.2, 1.1.3, 1.2.1, 1.2.6, 2.1.2, 2.1.14, 2.1.24, 2.2.1, 2.2.6, 2.3.1, 2.3.6, 6.1.6, 6.2.3, 6.2.4, and 6.2.5; Metro Functional Plan Titles 1, 2, and 3; and Statewide Planning Goals 1, 2, and 6.

- a. Open Public Hearing
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8. AUTHORIZE THE CITY MANAGER TO SIGN THE PURCHASE AND SALE AGREEMENT FOR THE JOHN H. ZUBER PROPERTY
 - Staff Report: Community Development Department
 9. COUNCIL LIAISON REPORTS
 10. NON-AGENDA ITEMS
 11. ADJOURNMENT

I/ADM/Cathy/CCA/2009/090714P.doc