



City of Tigard

Tigard Business Meeting – Agenda

Revised 8/5/09 – Agenda Item Title
(No. 4) Renamed to Reflect Same
Wording Used in the Proposed Ballot
Title Caption

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD (LCRB)

MEETING DATE: August 11, 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 AGENDA – August 11, 2009



City of Tigard

Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD (LCRB)

MEETING DATE/TIME: August 11, 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 (i) to discuss real property transaction negotiations and the performance evaluation of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. 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
- 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. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve City Council Minutes for June 9, 16, and 23, 2009
- 3.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda

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- 3.3 Approve a Contract with the Oregon Economic and Community Development Department (OECD) as Part of the American Recovery and Reinvestment Act (ARRA) Stimulus Program Worth \$4,796,000 and Authorize the City Manager to Sign the Contract.
 - 3.4 Approve a Local Agency Agreement (No. 25,365) with the State of Oregon: Surface Transportation Program – Urban; SW Main Street: 99W to Rail Corridor
4. PUBLIC HEARING ON A PROPOSED BALLOT MEASURE FOR THE NOVEMBER 3, 2009, ELECTION FOR A BOND ISSUE TO PRESERVE CLEAN WATER, NATURAL AREAS, WILDLIFE HABITAT
 - a. Open Public Hearing
 - b. Staff Report: Public Works Department
 - c. Public Testimony
 - d. Council Discussion
 - e. Close Public Hearing
 - f. City Council Consideration: Resolution No. 09-_____
 5. CONSIDER APPROVING A PETITION PROPOSING THE FORMATION OF A SPECIAL AQUATIC DISTRICT (TIGARD-TUALATIN AQUATIC DISTRICT)
 - a. Staff Report
 - b. City Council Discussion
 - c. City Council Consideration: Resolution No. 09-_____
 6. INFORMATIONAL PUBLIC HEARING – FORMATION OF SEWER REIMBURSEMENT DISTRICT NO. 45 (SW HOODVIEW DRIVE)
 - a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Community Development Department
 - d. Public Testimony
 - e. Staff Recommendation
 - f. Council Discussion
 - g. Close Public Hearing
 - h. City Council Consideration: Resolution No. 09-_____
 7. INFORMATIONAL PUBLIC HEARING – FORMATION OF SEWER REIMBURSEMENT DISTRICT NO. 46 (SW BAYLOR STREET)
 - a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Community Development Department
 - d. Public Testimony
 - e. Staff Recommendation
 - f. Council Discussion
 - g. Close Public Hearing
 - h. City Council Consideration: Resolution No. 09-_____

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8. CONSIDERATION OF PROPOSED ORDINANCE FOR A 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) (Continued from July 14, 2009.)

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. Staff Report: Community Development Department
- b. Council Discussion
- c. Council Consideration: Ordinance No. 09-_____

9. CONSIDER FORWARDING A REQUEST TO WASHINGTON COUNTY TO FORM CPO 4T
- a. Staff Report: Administration Department
 - b. Council Discussion
 - c. Council Consideration: Resolution No. 09-_____

10. COUNCIL LIAISON REPORTS

11. NON-AGENDA ITEMS

12. ADJOURNMENT

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