Agenda Item No. 5.1
Meeting of 1.13.04

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
November 25, 2003

1. WORKSHOP MEETING
   - 1.1 Called to order by Council President Dirksen at 6:32 p.m.
   - 1.2 Roll Call - City Council Present: Council President Dirksen, Councilors Moore, Sherwood, and Wilson
   - 1.3 Pledge of Allegiance
   - 1.4 Council Communications & Liaison Reports - None
   - 1.5 Call to Council and Staff for Non Agenda Items - None

2. JOINDER AGREEMENT WITH THE JOINT WATER COMMISSION
   - Intergovernmental Water Board (IWB) Members Present: Penner, Scheiderich, and Winn; Councilor Moore represents the Council at IWB.
   - Public Works Director Wegner presented information on the status of the City's progress to secure a long-term water supply. He reviewed the proposed "Amendment to Water Service Agreement and Joinder Agreement" with the Joint Water Commission, which will grant the City membership to the Joint Water Commission. Mr. Wegner reviewed a PowerPoint slide presentation outlining the highlights of Joint Water Commission membership.

   Next Steps:

   - 11-25-03 – Present JWC agreement to the City of Durham
   - 12-03-03 – Present JWC agreement to the City of King City
   - 12-16-03 – Request approval of the JWC agreement by the Tigard City Council
   - JWC Board Meeting

3. CITY/TRI-MET MEMORANDUM OF UNDERSTANDING (MOU) AND LOCAL TRANSIT SERVICES DISCUSSION WITH TRI-MET GENERAL MANAGER FRED HANSEN
   - TriMet General Manager Hansen reviewed with the City Council the proposed Tigard/TriMet Memorandum of Understanding and companion Local Area Plan for improving the transit services within the City. Mr. Hansen reviewed a PowerPoint slide presentation outlining the highlights the Local Area Plan, 2003-2006.

Partnership goals are to improve access to transit, maximize transit ridership, and improve local coverage. During the development of the local area plan, regular updates will be forwarded to the City Council.

Councilor Wilson commented on the need for a different type of service for suburban areas due to a change in densities in these areas. In the past, the focus has been for transporting riders to Portland; however, local service is now needed.

Councilor Sherwood noted that it is critical that bus routes be located for the convenience of low-income residents.

Council President Dirksen advised he is looking forward to the partnership with TriMet. He said the MOU is a more definitive document than has been offered in the past.

4. CITYWIDE SEWER EXTENSION PROGRAM BROCHURE PRESENTATION

- City Engineer Duenas presented the staff report about the sewer extension program brochure, which is intended to inform property owners of the purpose, procedures and purpose of the program. Council members suggested that the verbiage be cut down so that the brochure focuses on key points and advises where more information can be found; i.e., direct readers to the City's website.

5. DISCUSSION OF THE PROPOSED PLAN TO COMPLETE THE CITYWIDE SEWER EXTENSION PROGRAM

- City Engineer Gus Duenas presented the staff report about the proposed plan to complete the Citywide Sewer Extension program by extending sewer service to the remaining developed but unserved areas in the City. Actual project approval and implementation will be through the Capital Improvement Program formulation each fiscal year. After brief discussion, there were no objections by the Council to the proposed overall plan.

In response to a question from Mr. John Frewing, Mr. Duenas advised that the sanitary sewer extension program does not address storm sewer improvements. Storm sewer improvements are funded by a different source.

> City Engineer Duenas responded to a concern presented by Mr. Andrew Spiak at the November 18 Council meeting regarding inadequate compaction once street cuts were made on McDonald Street. Mr. Duenas advised he investigated this situation and the fill made was only temporary. A proper fill and compaction will be done

once the contractor is ready to finish this portion of their job. Carlson Testing will perform the compaction testing to assure the fill is done properly.

6. DISCUSSION OF PLANNED DEVELOPMENT REQUIREMENTS AND CREATION OF A COMMUNITY DEVELOPMENT CODE REVIEW COMMITTEE

- Planning Manager Dick Bewersdorff introduced this agenda item and reviewed the history of the Community Development Code as it also relates to the Comprehensive Plan. Associate Planner Morgan Tracy and Planning Commission Chair Padgett were also present.

  Highlights of the presentation included the following:

  - Consensus of the Planning Commission was in opposition to code provisions for "architectural review."
  - Comprehensive Plan is 20 years old; the Plan needs to be reviewed as there are many issues to discuss.
  - Comprehensive Plan update will be discussed with the Planning Commission in the next couple of weeks.
  - Caution about short-term amendments to the Code without reviewing and understanding the policy issues.
  - Buy-in and ownership of policies occurs during the planning process to establish the goals.
  - Notation of underlying philosophy of code depends on whether it is supply-and-demand based or to offer variable price levels for housing and development through code provisions.
  - Caution that the Development Code might conflict with what property owners would consider a "taking" especially if a change to the Code would limit development rights.

  Lengthy discussion was conducted on how to go about a review of the Planned Development process, which would include members of the Planning Commission, City Council and citizens. There was a proposal made for a review committee to consist of a Council liaison, two Planning Commission members and three citizens who would represent different interests. Final consensus was for the staff to discuss formation and options for a planned development review process and to forward a recommendation to the City Council.

➢ City Manager Monahan and Council continued the discussion of the Citizen Involvement process from the November 18th Council Study Session. Highlights of the discussion included:

- Staff members will not attend neighborhood meetings hosted by developers.

- Opportunities for citizens to talk to city might include having staff available before Planning Commission meetings to answer questions about development proposals and the criteria to be considered.
- Make meeting time available for citizens to talk to staff about potential development or for general questions.

Meeting recessed at 9:10 p.m.
Meeting reconvened at 9:22 p.m.

7. DISCUSSION OF POTENTIAL TIGARD-TUALATIN SCHOOL DISTRICT PARK AND RECREATION DISTRICT PROPOSAL

- City Manager Monahan reviewed this item with the City Council about the shortage of funds in the School District and the efforts to find funding to keep the swimming pools open. There was a recent meeting attended by representatives from the School District, Tigard, Tualatin, King City, Durham and a citizens group led by Steve Clark. There was an evaluation of whether to embark on an initiative process to place the question on the March ballot asking voters to form and fund a special district for recreation. However, the meeting attendees decided there was not enough time to organize for the March election.

  Council discussed the concept of formation of a special district for recreation. The Council recently formed the Park and Recreation Advisory Board, which is developing a work plan to review the issue of forming a park and recreation district, join Tualatin Hills Park and Recreation District, or form a park and recreation district with Tualatin. A comment was made that the City would not want to foreclose its options at this point. Also, there was concern that the focus from the School District's proposal for a park and recreation district was too narrow and that the City would want to address the needs of the entire citizenry. Council consensus was that it was not interested in creating a separate district at this time.

> STUDY SESSION ITEMS

- Council held a discussion on the December 2, 2003, process for the public hearing on the Bull Mountain Annexation Plan. Council also discussed potential options of how it could proceed. The Plan now calls for a March election; however, given the citizen input received at the Coffee Talks and the November 19 Community meeting, Council might want to consider delaying the ballot measure to the November 2004 election. The additional time could be used to form subcommittees that focus in the areas where concerns have been raised. The subcommittees could then assemble more detailed information. Participation on the subcommittees would include representation from citizens, and City and County officials.

- There was discussion about asking the County to collect the SDC charges based on the annexation plan even though the vote might be delayed.
- Citizens present from the Bull Mountain area and from the City of Tigard expressed appreciation should the Council decide to delay its action to place this matter on the March ballot to November. They requested meaningful, far-reaching citizen involvement.
- Councilor Moore reflected on the efforts by the City so far on this matter, which has been in various stages of discussion and planning for the last 20 years. While he might support a delay in the vote to November, he expressed some concern over some City projects that might continue "to be shelved." City Manager Monahan that some thought has been given to this and that other departments, in addition to Community Development, would be asked to work on different aspects under the study of the subcommittees. Expectations of the subcommittees would need to be clear. Other projects besides the Bull Mountain Annexation Plan would run on parallel tracks.
- Councilor Wilson indicated that his perspective was that he has heard from the Bull Mountain residents asking what they will "get" for the taxes they pay to Tigard and the focus has been on the delivery of services. He continued by saying: "I can throw a baseball from my yard across the city limits. I live up there; they're my neighbors and they write Tigard on their return address, they drink the same water we do; they're virtually the same except that they don't contribute. We're going to generate an operating surplus from this, that's clear. I think to assume that all of those dollars should go to say hire police out there when nobody calls for police out there is ridiculous. They are in the same traffic congestion that we're in...we've been operating for years on this sort of status quo, just doing the bare minimum. Maybe this is an opportunity to say to the people up there, our neighbors, can you help us do something that we've never done before? Can we get out of this and actually start to develop the downtown. Don't they have an interest in downtown too? Don't they have an interest in seeing Pacific Highway finally improved? If we can approach them that way saying you guys can help us substantially financially to do some of these things and let's work together."
- Council consensus was to open the hearing on December 2 and take testimony. The Council members will indicate that the City might want to investigate an alternative course of action. Commitments from the County will be explored with regard to the collection of parks system development charges, County financial assistance for roads when the roads are transferred, the potential for identifying MSTIP projects in this area, and to determine if some commitments can be extended to the City.

8. COUNCIL LIAISON REPORTS: None

9. NON-AGENDA ITEMS: None

10. ADJOURNMENT: 10:16 p.m.

Catherine Wheatley

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: 1.13.04

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