



City of Tigard

Tigard Workshop Meeting – Minutes

TIGARD CITY COUNCIL

MEETING DATE/TIME: June 16, 2009 – 6:30 p.m. - Workshop Meeting

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

1. WORKSHOP MEETING

1.1 Mayor Dirksen called the City Council to order at 6:31 p.m.

1.2 Deputy City Recorder Krager called the roll:

	Present	Absent
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	
Councilor Buehner	x	

1.3 Pledge of Allegiance

1.4 Council Communications & Liaison Reports – none

1.5 Call to Council and Staff for Non-Agenda Items – None. City Manager Prosser announced that there would be an Executive Session at the end of the meeting.

City Manager Prosser said six years ago Tigard partnered with over 20 Oregon cities to conduct a joint audit of franchise fees paid by Qwest and Verizon. He said he signed off today on a settlement agreement which becomes effective once all the cities have signed. Tigard will receive an \$87,228 settlement from Verizon for unpaid franchise fees. Tigard’s portion of the audit cost was nearly \$14,000. The Verizon portion will be complete when all cities sign off on the agreement and they are still working on the Qwest portion. In response to a question from Councilor Buehner, City Manager Prosser said the money would be put into the General Fund.

2. MEETING WITH OREGON DEPARTMENT OF TRANSPORTATION REGION 1 MANAGER – JASON TELL

[6:35:57 PM](#) Engineer Duenas introduced ODOT Region 1 Director Jason Tell. Mr. Tell read a newspaper article from the past which said, “No dough on the horizon for Tigard,” and noted this situation has changed, with about \$4 million heading to Tigard for transportation projects. He said, “You have a really good plan for 99W and are set up to do some projects that make sense in a comprehensive way but are also fundable in pieces.” He commented that the Mayor and Council President Wilson are active participant and this serves Tigard well.

He said that in working with Washington County on the 99W connector project they've been considering looking at it as a series of projects. This might help complete funding for the Hall Boulevard intersection and start preliminary engineering on the Gaarde/McDonald intersection, which is a joint Federal Reauthorization project ODOT has with Tigard. He acknowledged this is a lot to do in today's fiscal environment but said the groundwork will pay off in the future for Tigard. He said elected officials at the state and federal level respond well to communities that show a level of effort and Tigard has done so, by raising a local gas tax, having good planning and project prioritization, working well with the state and getting a Council member (Mayor Dirksen) onto JPACT.

He referred to a letter from Council President Wilson regarding how funding is applied statewide and said his staff is preparing a written response.

[6:44:13 PM](#) Council President Wilson said he is pleased that there is progress is being made on the three worst intersections on 99W - Hall, Greenburg and potentially, McDonald. He said traffic signal timing technology has increased so much in the last five years that he is glad we held off on installation.

Councilor Webb referred to previous conversations regarding ODOT turning responsibility for Hall Boulevard over to the City of Tigard. She gave ODOT Region 1 Director Tell photos of pavement damage on Hall Boulevard, noting that drivers attempt to straddle the damage to avoid catching their wheels in it. Mr. Tell said he would pass along the photos to the District Manager.

He said there are many examples of roads that were designated state highways in the past but don't necessarily function today like a state highway. He said, "When you look at ODOT's needs on the interstate and some higher level volume state highways, they're never going to rise up to be a high priority for paving dollars." He said they are working out ways with local jurisdictions to transfer roads that have more meaning to the cities than they do to ODOT's system. He said ODOT would try to find opportunities to find money for some degree of road upgrades prior to transferring them.

Council President Wilson asked who would maintain the bridge over Highway 217 if Tigard was given responsibility for Hall Boulevard. ODOT Region 1 Manager Tell said that would need to be discussed along with an evaluation of the bridge condition. Mayor Dirksen reiterated with Mr. Tell that the first step would be to evaluate the bridge and then come up with an agreement of what level of maintenance or improvements would be required. He said there is broad consensus on Council to take responsibility for maintaining and managing Hall Boulevard. Mr. Tell said, "Sometimes we are hampered by state standards that you would not be held to." Councilor Webb agreed, saying, "It takes years of going through steps with ODOT to put in traffic signals, etc. If it was our road, we could do that ourselves."

Councilor Buehner asked how the City can help request an update of the formula used to allocate funding for the ODOT districts. She noted that this had not been updated in many years and asked how to get it updated for Region 1 to reflect the massive population increase. ODOT Region 1 Manager Tell said he thought the best way to do this would be a letter to the Commission outlining the City's views. Mayor Dirksen said a recent legislative bill created a task force to evaluate and consider allocation changes. Councilor Buehner said that with the Census coming up in 2010 it would be the perfect time to tie it to the population update.

[6:55:38 PM](#) Council President Wilson mentioned concerns with the Transportation Planning Rule. He said almost every development Tigard has that would create increased trips draws a comment from ODOT that trips need to be capped. He said this is at odds with Tigard's planning efforts. He said, "If we can't invest in our transportation infrastructure to the extent that we need to in order to support higher densities then we need to rethink our planning." In response to Council President Wilson asking if there was a concerted effort to look at this issue, Mr. Tell said, "There is always interest in revisiting the Transportation Planning Rule. We haven't run

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into too many problems because we had capacity available. But now this area is reaching capacity throughout the system. So the concept of the TPR is hitting reality and we don't know how to solve the problems. ODOT is constrained by being required to follow the TPR but is not given any additional money to direct at solutions. Development can probably carry some, but not all of those costs."

[6:59:27 PM](#) Councilor Buehner said that given the pressure on the Urban Growth Boundary, it is time for the state to look at having a different set of criteria for dense metropolitan area as opposed to rural areas. Mr. Tell commented that the statewide mobility standard has already been lowered so Portland can accept more congestion. Some people urge going lower and accepting even less performance out of the roads, but they still need to function. Mayor Dirksen asked if that was just in Portland or for the greater Metro area. Mr. Tell said he thought it was the area within the Metro urban boundary.

Council President Wilson brought up a policy issue on railroad crossings. He said these are minimized, obviously because of safety concerns, and the official policy at the federal level seems to be no new crossings that are not grade separated. He said modeling shows a potential railroad crossing at an extended Ash Avenue would draw 8,000 vehicles from Highway 99W, our most dangerous highway. Reducing the pressure on 99W by allowing one very minor crossing could prevent many accidents annually. He said Tigard would consider closing another crossing if this could be built. ODOT Region 1 Manager Tell said his experience is that rail issues take longer than any issue he's dealt with and he encouraged that Tigard staff persevere. He noted that ODOT area manager David Kim was present and has rail expertise and he suggested City staff seek his advice.

[7:08:03 PM](#) Councilor Henderson said he appreciated ODOT's support for turning abandoned railroad beds into trails. He asked Mr. Tell to comment on last winter's weather conditions and the effects on our roads. Mr. Tell said the combination of tire chains, steel plows and icy conditions led to a lot of road damage. ODOT sought federal emergency funds to help fix these road problems, with mixed success. He also noted the mix of asphalt used by Oregon in recent years has not performed as well as expected and will be evaluated.

Mayor Dirksen referred to Council President Wilson's comments on railroad crossings saying we all agree that railroad crossing safety is important. The idea of "no more crossings" is not a reasonable position when you are talking about the area inside a growing urban area. The railroad that goes through Tigard cuts the city in half and the only way we can access from one side to the other is across those tracks. As we get more people and more development we need more not fewer crossings. He also commented that the City has accomplished some things on 99W but there are a lot of challenges remaining that will require coordination and teamwork with ODOT.

3. JOINT MEETING WITH THE PLANNING COMMISSION FOR PRESENTATION ON NEIGHBORHOOD TRAIL STUDY RESULTS

[7:14:42 PM](#) Project Planner Roberts said this study was funded by ODOT and is based on reducing car traffic. He introduced Consultants Jamie Parks of Kittelson and Associates and Hannah Kapell of Alta Planning + Design.

Mr. Parks gave a brief PowerPoint on the Tigard Neighborhood Trails Plan. He said Neighborhood trails are shorter connections between neighborhoods and streets (one to two blocks long). A copy of this PowerPoint is available in the City Recorder's Office. He gave a project overview and described the process used to develop the plan, noting that over 100 potential trail sites were identified.

He said they worked closely with a Stakeholder Advisory Committee (SAC) which included Tigard citizens, ODOT representatives, Washington County Bicycle advocates, and representatives from the Tigard-Tualatin School District. Input was also received through a project website and open house.

43 recommended trails were prioritized into three tiers - High, Medium and Low Priority – and planning level cost estimates were developed for them. Each trail has a single-sheet summary in the draft report.

[7:29:27 PM](#) Council President Wilson requested that the report be bound for ease of reading and Project Planner Roberts agreed and said that the final report will be bound. Council President Wilson said the City is interested in extending Fanno Creek Trail, which is a really great transportation route as well as for recreation, but some segments are narrow and windy and may not be good for that purpose. He asked if there were standards for two-way bicycle routes and for curvature.

Consultant Parks said there are standards similar to roadways. He said in this particular case they were limited to looking at neighborhood trails by the grant. Project Planner Roberts noted that the next agenda item, Parks System Master Plan, would relate more extensively with the greenway trail system.

[7:32:46 PM](#) Councilor Buehner referred to Trail No. 9 and said it would make sense to use the existing roadbed for a connection, which is overgrown but the paving still exists. Mr. Parks said they weren't aware of it but it can be incorporated into their final document.

Planning Commissioner Vermilyea noted that potential funding sources are listed but amounts are not identified and asked if there is a plan to fill in this information. Project Planner Roberts replied that it was not part of the current grant. There is a lot of work to be done and this document will be a reference. Mayor Dirksen noted Tigard's success recently with obtaining grants, but said sometimes planning and design costs are too high to prepare something to be shelved just in case money becomes available.

[7:44:01 PM](#) Council President Wilson commented that the trail segments identified are already being used by people, and while it is good to formalize them, there are segments that no one uses because they don't perceive them as a connection. Those could be raised on the priority list because they might meet a demand. He gave an example of a trail that connects 121st Avenue with Winterlake. A bridge would be needed across the pond but 121st Avenue is a bus route and people in the neighborhood could use a trail.

Councilor Henderson asked for more information on trail studies being done in conjunction with schools. Project Planner Roberts said a school district facility manager was on the panel. He noted a few significant trails that provide access to schools.

Consultant Parks said the report includes an implementation plan that identifies funding opportunities as well as some minor code changes that would be required.

4. JOINT MEETING WITH THE PARK AND RECREATION ADVISORY BOARD (PRAB) TO DISCUSS THE DRAFT PARK SYSTEM MASTER PLAN

[7:47:15 PM](#) Park and Facilities Manager Martin introduced this item saying the City has been working on an update of the 1999 Parks System Master Plan and a draft has been completed. This is being presented tonight for Council's review and comment. He introduced MIG, Inc. Consultant Ryan Mottau.

Mr. Mottau discussed the four-step planning process for which the baseline was the 1999 Park System Master Plan. He noted that many changes have occurred in the past ten years and current information needed

consideration. He said a statistically valid phone survey process was completed as well as a paper analysis and on-line survey. He said a number of targeted stakeholder interviews were held with people with this particular interest. The consultants worked with PRAB on a community workshop where people were asked what they want and where they would like to see it. Over 700 residents were involved in the workshop.

[7:51:58 PM](#) Mr. Mottau said there were many changes in assumptions since 1999 when, for example, a lot of time was spent planning how parks would be provided for Bull Mountain. He said they needed to identify what opportunities and challenges exist in a differently defined planning area. He said they looked at:

- How to provide community recreation programming in a bigger way
- Intensifying land use - how to get more out of the land you have. Creative thinking and design can help develop remaining public lands into parks. He said he mentions Elizabeth Price Park frequently when consulting on the West Coast because it is a great example of finding public lands that can be used for recreation purposes.
- Increasing cooperation with the Tigard-Tualatin School District. The District is second only to the City in providing park and recreation facilities in the community. This was mentioned as a priority in the 1999 parks plan and includes City elected officials talking to TTSD elected officials about shared benefits.
- The trail system and how to connect to regional trails.
- Prioritizing projects. He said they attempted to prioritize and are asking for Council and community comments now what this draft is done.

Councilor Henderson said he was impressed with the way this task was undertaken. He said there is a lot to do and it will take all of us to get this done.

PRAB Member Swanson echoed appreciation to MIG and highlighted the significant focus in the document on a recreation component. She said the needs assessment showed this was a priority with residents. She noted gaps in recreation were identified that are not being addressed by any group in the City, including nature and environmental programming, special events (although the City does have some), adult sports, programming for residents 55 and older and aquatic programs. She said MIG, Inc. has prepared a plan for starting a recreation program.

PRAB Member Freudenthal said their members have worked hard on this for many months and are pleased with this report. He said it does an excellent job of presenting the current status of parks and recreation in the City of Tigard and where gaps exist in parks, open space and recreation.

[8:11:57 PM](#) Mr. Freudenthal said, “We will be pursuing a bond to help towards implementation. He thanked Council for their support and said he would appreciate their input.

[8:13:02 PM](#) Councilor Webb said Council is excited that a recreation district is part of this plan. She said lessons learned from Port Moody visits were that people in a denser downtown want more open spaces and parks. She said Tigard is headed in the right direction.

Council President Wilson said he wanted to make the same comment he made at the last update ten years ago and that what is missing is a big visionary aspect, such as the concept of the 40-mile loop or Willamette Greenway Plan in Portland. Concepts stick in people’s minds and each project can be a part of the bigger vision. He said he would like Tigard to take a longer view and develop something like that.

Consultant Mottau said one thing that is covered is the build-up period to generate that kind of excitement. Other cities advised that these plans are used to get more people involved and out in the parks. When someone

actually gets out into a park and experiences a nature walk for example, they get excited about the parks they have. Tigard has a niche for natural areas.

[8:18:41 PM](#) PRAB Member Swanson said after her company hosted a race in Cook Park she received many post-race comments on the “beautiful trails” here. She said we need to get people into our parks so they can see firsthand and appreciate what resources we have.

[8:19:12 PM](#) PRAB Member Bernhard said Tigard is in a system of drainages and it would be great to envision this entire system interconnected from Summerlake Park to the Fanno Creek System, from Tualatin to Beaverton. He suggested creating a picture portfolio to build interest. Mayor Dirksen agreed, saying he went before the Oregon State Parks Board to request funds for the Fowler (Summer Creek) property. He said the PowerPoint pictures of the property were compelling and said as we look forward to showing the community why this is a good idea, we need visuals.

Mayor Dirksen complimented the group on questioning their basic assumptions and studying priorities that may have changed. He said that is what makes it a living, pragmatic document.

[8:29:30 PM](#) Councilor Webb said the Schaltz house next to City Hall is an example of how the City needs to be ready to move ahead quickly when opportunities arise. Council President Wilson noted that the Schaltz house has been re-named the Fanno Creek House. The Consultant said any references will reflect that change.

[8:30:40 PM](#) Councilor Buehner noted a water development site in a neighborhood that she suggested could be considered for a pocket park.

[8:32:46 PM](#) Mayor Dirksen called for a recess.

[8:43:45 PM](#) Mayor Dirksen moved that the City Council recess and the City Center Development Agency convene. Council President Wilson seconded the motion and all voted in favor. Deputy City Recorder Krager called the CCDA roll:

	Present	Absent
Chair Dirksen	x	
Board Member Henderson	x	
Board Member Webb	x	
Board Member Wilson	x	
Board Member Buehner	x	

5. WORKSHOP ON CURRENT AND FUTURE CITY CENTER DEVELOPMENT AGENCY ROLES AND RESPONSIBILITIES

[8:44:59 PM](#) Senior Long Range Planner Farrelly introduced this item and presented a brief PowerPoint on the history of urban renewal in the City of Tigard and the role CCDA plays. He said the information was being presented in order to initiate discussion and review some urban renewal policies.

He described the role of the City Center Development Agency as the board that administers the Urban Renewal Plan. Their responsibilities include:

- Establishing policies for the district and directing the Executive Director of the CCDA (City Manager) and staff to carry out.
- Approving CCDA budgets and allocating tax increment funds.
- Purchasing land from willing sellers for redevelopment as part of public/private partnerships
- Establishing rules and regulations for administration of programs and relocation regulations.
- Making amendments to the Plan, some of which require voter approval, such as expanding the area of the District more than 1% or increasing maximum indebtedness.
- Assigning additional duties to the CCAC

He then described the role of the City Center Advisory Commission as the advisory body to the CCDA on Plan implementation. Their responsibilities include:

- Making recommendations on policy, budget, and implementation of urban renewal projects to the CCDA
- Making an annual report to the CCDA including a summary of key activities, proceedings and recommendations
- Performing other duties assigned by the CCDA

He said the most common form of Oregon urban renewal district governance is the elected body. Examples are Lake Oswego, Tualatin, Gresham, Sherwood, Salem, Troutdale, Bend and Clackamas County. Examples of appointed boards are the Portland Development Commission and Medford.

Senior Long Range Planner Farrelly discussed the current state of urban renewal saying that suburban downtown urban renewal does not occur overnight. He presented a slide graphing the difference between the 2005 projections and the 2008 projections. The early years were not too far off but if the lack of new investment downtown continues it will be far off the mark by 2014. There has not been much new development in the downtown. He said the CCDA may want to review and revise the Urban Renewal Plan to better match projected expenditures with tax increment revenues. Other potential strategies include developing specific strategies to engage property owners, promote redevelopment, and interagency coordination. He noted that two members of the CCDA will be working on the commercial façade improvement program. The CCDA also supports the CCAC's efforts at developing a downtown leadership program.

Senior Long Range Planner Farrelly acknowledged that new CCAC Chair Tom Murphy was present. CCAC Chair Murphy thanked City staff for their excellent support and said he looked forward to working on the Commission. [8:53:33 PM](#) He said he recognizes that the CCAC exists to serve the CCDA and allow the CCDA to perform its functions in regard to the urban renewal district. He said he was not speaking for the Commission, but he wanted to request a meeting with the CCDA for a candid exchange about how they are doing and whether they are providing the CCDA what they need and want.

Councilor Webb thanked Mr. Murphy for stepping up into a leadership role. She said the CCAC has come a long way and should continue to do just what they are doing. She said she will check in quarterly at their meetings and suggested holding two meetings a year for detailed discussions between CCDA/CCAC members if that is what they desire. CCAC Chair Murphy said it was his sense was that this would be welcomed by the Commission.

Councilor Buehner suggested scheduling a workshop that is not held on a regular Council night. Councilor Webb said there is a precedent for this with the Council and the Planning Commission. CCAC Chair Murphy said this would be appreciated.

[8:58:05 PM](#) Mayor Dirksen said essentially the Downtown Urban Renewal Plan is the same as the Downtown Improvement Plan. That is the guiding document for what we want to do downtown. He said, “We’ve always acknowledged that tax increment money alone is not enough. From that standpoint I don’t think we need to make changes based on the fact that the urban renewal monies are lower. The projects we said we want to do are still the projects we want to do.” He suggested a regular review and prioritization of those projects by the CCAC.

[8:59:26 PM](#) Councilor Buehner commented that when the report on projections was released, there were comments from CCAC members that maybe they were a little bit too high because of the types of businesses in the downtown and perceived resistance to development. She said, “We walked into this with our eyes wide open that there wasn’t going to be a lot of money for a long time.” She said there may be a misperception that the \$22 million will cover everything we want to do in the downtown. She said the CCDA may need to reiterate to the public that this amount is only a small part of the money involved in this process.

CCDA Member Wilson said, “If we were getting a lot of development in the downtown we wouldn’t need an urban renewal district. I’ve always considered that urban renewal revenues are only one of the tools to try and redevelop downtown. Things take a long time. In my view, this is going slower so we re-double our efforts. I wouldn’t adjust our sights downward. If it takes longer than expected that’s OK.”

[9:03:46 PM](#) CCDA Chair Dirksen said there is a need to develop specific strategies and policies to engage property owners, developers and financing institutions to promote private investment downtown. He suggested the CCAC and CCDA consider whether or not to hire an outside agency to act as an agent for the CCDA. He said he has asked a private group if they would create a proposal showing a suggested list of actions they could take and the cost associated with them doing this on an annual basis. He will bring this to Council for discussion.

CCDA Member Wilson said we should not lose track of the Leland list of tasks. CCDA Chair Dirksen said they are good as a general guideline but we may need at this time to come up with specifics. He said in general, we are on the right track.

[9:04:18 PM](#) CCDA Board Member Henderson said as he understands it the CCDA is supposed to be a development agency and the CCAC provides government oversight of the tasks taken on by the tax increment financing. He said he would like to have a workshop with the CCAC to discuss roles. CCDA Chair Dirksen said having a joint meeting with the CCAC is a good idea. He agreed that the CCDA is a development agency but cautioned that this should not be confused with a development company.

CCAC Chair Murphy thanked the CCDA for supporting the recent Community Partners for Affordable Housing project which received the tax increment financing they requested.

[9:07:12 PM](#) CCDA Chair Dirksen asked CCAC to consider at an upcoming meeting whether or not they’d like to meet with the CCDA for a strategizing session.

[9:08:02 PM](#) Councilor Webb motioned that the CCDA adjourn and the City Council reconvene. Councilor Buehner seconded the motion. All voted in favor.

6. PROGRESS REPORT ON STREET MAINTENANCE FEE PUBLIC OUTREACH EFFORT

Engineer Duenas introduced this agenda item. He mentioned a wide variety of groups that were included to obtain a broad range of input from the public.

He said the responses have ranged from full support to requesting that the City lower its sights. He said large commercial property owners such as PacTrust and Washington Square were supportive. The Washington Square representative said they understood the need for timely maintenance, clearly seeing the deterioration created by last winter's storms. However, Downtown Tigard businesses said they were struggling just to stay in business and it was not the time to raise fees.

A street maintenance fee video is being prepared showing a cross-section of people discussing the issues. Community Development Director Bunch said this was a staff group effort. He asked Assistant Planner Daniels about feedback received. She summarized:

- larger organizations are supportive, recognizing infrastructure as important
- Smaller businesses are trying to survive and see this as another expense during tough times.
- Residents have varied opinions.
- Summerfield residents are concerned about right-of-way maintenance
- We are hearing about the gas tax and where it is being applied

Councilor Webb commented, "The City Council is going to act on this and yet citizens don't get to vote. I am not comfortable with this because of the economy. I would be more in favor of it after the first of the year."

Councilor Buehner said she has spoken to about 30 neighbors over the past month and has not heard one negative comment about the residential increase.

[9:18:16 PM](#) Councilor Henderson wanted to make it clear that he believes we need to maintain our streets. He said, "This last year was very severe and I can't go down any of these roads without seeing the deterioration, even on roads with very little traffic." He asked Engineer Duenas, "What is our back down position? Is there something we can do or have we waited too long?" Engineer Duenas it was computed to give an average pavement condition score of 68. He said, "We don't want to be below 60. We will take any funding we can get and make the maximum from it we can. But if we take something less we will be in a decline."

[9:21:18 PM](#) Council President Wilson commented that the residential customers and larger companies are in favor, and the smaller companies are against it so something may be unfair about the formula. He said if it was fair to everyone we would have heard more complaints from everyone. He suggested investigating whether the burden is too heavy on the small business owners.

Engineer Duenas responded that favoring small businesses would be difficult as there aren't that many large businesses. Council President Wilson said he is not suggesting that staff change the formula but rather, look at the nature of the opposition of the small business owners.

Mayor Dirksen said the public outreach is going well and once completed will give the City a good base of data. He said we need to consider adjusting the fee to become a more sustainable funding source. Stimulus funds may enable us to postpone implementation as long as we can. He said he wanted to see an analysis of how far the stimulus dollars will go. Engineer Duenas said "The projects we are doing are on the arterials and we can compute how this relieves their backlog, freeing up more funds for residential streets. However, that is a one-time thing."

Councilor Webb said, "I'm hoping that we get the backlog caught up and then can look at sidewalks. Another thing is right-of-way maintenance. But this is a street maintenance fee. I don't want to do anything else until we catch up on our roads."

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