



City of Tigard

Tigard Workshop Meeting - Minutes

TIGARD CITY COUNCIL

MEETING DATE/TIME: November 17, 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 At [6:32:52 PM](#) Mayor Dirksen called the Tigard City Council to order.
- 1.2 Deputy Recorder Krager called the roll.

	Present	Absent
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	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 Agenda Item No. 4 – Downtown Code Amendments, was rescheduled to the December 8, 2009 Council business meeting. Assistant Community Development Director Hartnett said the Planning Commission directed staff to work on outstanding issues with ODOT, which subsequently required changes to the document. She said the Planning Commission will have a chance for final consideration at their December 7, 2009 meeting.

2. ANNUAL MEETING WITH THE TREE BOARD

[6:35:25 PM](#) Associate Planner/Arborist Prager introduced Tree Board Interim Chair Dennis Sizemore and Member Matt Clemo, slated to take over as Chair in 2010. Chair Sizemore updated Council on the progress of the Tree Board’s 2009 goals and introduced their proposed 2010 goals.

Tree Board 2009 Goals:

- Work toward developing the Urban Forestry Master Plan (UFMP) – *This document received Council approval on November 10, 2009.*
- Complete interim Tree Code revisions – *This was tabled, per Council direction not to pursue an interim tree code.*

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- Begin comprehensive Tree Code revisions – *Staff is currently in the process of revising the Tree Code. Chair Sizemore said he assumes that the Tree Board will be advising on this at some point.*
- Complete the development of urban forestry orientation materials for new residents – *This was completed in October in cooperation with the City’s Office Services staff, and the brochure will be mailed to new Tigard residents in early 2010.*
- Participate in Arbor Day celebrations – *Arbor Day was celebrated at Alberta Rider Elementary School on April 7, 2009 with participation from a Tree Board representative.*

Tree Board Interim Chair Sizemore noted that the tentative 2010 Goals are:

- Advise staff on comprehensive Tree Code revisions and a Tree Grove Protection Program
- Provide oversight on the implementation of the Urban Forestry Master Plan
- Secure a budget for urban forestry outreach materials
- Develop official Tree Board bylaws for Council adoption

Chair Sizemore said the Tree Board welcomed Council input on their 2010 Goals. Tree Board Member Clemo mentioned that another goal is to increase Tree Board membership. Arborist Prager noted that three additional members will be considered for appointment at the November 24, 2009 Council meeting, bringing the Tree Board up to six members.

Chair Sizemore said the Tree Board found the past year energizing as they were given much to do. Mayor Dirksen commented that a large burden was placed on the Tree Board and he appreciates all they have taken on. He said he was encouraged that the Board felt their work was challenging and rewarding.

Councilor Webb said she appreciated the Urban Forestry Master Plan recommendations and sees the Tree Board as the eyes and ears of Council on these issues. Council President Wilson said he has been through several iterations of tree codes over the years. He complimented the Board and staff on the Urban Forestry Master Plan, saying it was backed by expertise in the forestry field and it is remarkable that the development community did not oppose the UFMP. He said, “But as we go forward, I don’t expect you’ll be able to please everybody with what is coming up next.” He asked the Tree Board to keep Council informed.

[6:43:42 PM](#) Councilor Buehner noted that the current Board and staff liaison have been more focused on working through the issues. She agreed that the UFMP is a wonderful document. She inquired about the Street Tree Index and suggested that the City look at listing more native trees.

Mayor Dirksen referred to a previous idea of offering developers a modified process or alternative track with components that preserve more trees yet make it attractive to developers. Mitigation requirements could be eliminated if a developer chooses. Tree Board Chair Sizemore said, “We are in line with that thinking.”

Council President Wilson recommended keeping the tree code as simple as possible.

City Manager Prosser had two comments:

1. Council meets each year to set goals for the City and they are asking all boards and committees to come up with important goals for the City. He asked if the Tree Board would be meeting before December 22, 2009, and if so, that they discuss recommendations to be considered at the Council Goals discussion. He said they did not need to limit these suggestions to tree-related goals.
2. He said he was wary of their 2010 Goal 3 – *Secure a Budget for Urban Forestry Outreach Materials*. He said the City has four more deliverables due from Tualatin Valley Community Television (TVCTV) this fiscal year

and suggested the Tree Board consider putting together an informative cable access production. This was used for a water program video and urban renewal communication in the past.

Tree Board Chair Sizemore said the thought behind Goal 3 was to communicate changes to the public and a large budget was not required. He agreed that a video would be another way to communicate. Arborist Prager said the Tree Board currently budgets \$1,500 for training and asked if some of these funds could be used for outreach materials if not used for training. City Manager Prosser said that would be an easy budget adjustment to make.

Councilor Buehner suggested the Tree Board write an article for the Cityscape telling citizens what the Board is doing and where to find more information.

[6:55:30 PM](#) Mayor Dirksen said the City Council met with the Park and Recreation Board last night. This was not their annual joint meeting but was specially scheduled to discuss the failed bond measure. He said it brought up an issue: Council meets annually with each City board and committee at a regularly scheduled Council meeting. He asked Council if they would consider occasionally meeting with a board at one of their meetings, when appropriate. He suggested trying this next year with all the boards and commissions. He asked the Tree Board if they were open to this idea and they were supportive.

3. TIGARD TRAIL SYSTEM UPDATE

[6:59:17 PM](#) Project Planner Roberts updated Council on staff's work on Tigard's trails. He said a copy of the final Tigard Neighborhood Trails Plan was included in Council's packet. He said the next step is to submit a package of trail improvements for Capital Improvement Plan (CIP) consideration.

Project Planner Roberts noted that in September, the City participated in a trail survey to collect trail-use data. He said very few jurisdictions have hard data on trail use, as opposed to vehicular data which can be collected with electronic counters on the streets. He said 40 volunteers were recruited to collect data over a five-day period at five survey points. At least three uses are intended for this data:

- Providing baseline data to evaluate trends and trail uses
- Soliciting funds for trail improvement grants
- Helping to form the upcoming Trail Master Plan

Metro is voluntarily tabulating and analyzing data collected by the participating jurisdictions within the region. Data entry has been completed and analysis has begun.

Project Planner Roberts said the Intertwine is Metro's branding and marketing effort to provide a consolidated regional source of information and to leverage federal dollars for parks and natural areas within the region. He said Metro intends to actively work with Oregon's congressional delegation regarding steering more federal dollars for this. He said the region traditionally has attempted to capture transportation dollars for alternative transportation and parks, but Metro will also seek health-related funds because of the many health benefits to walking and biking on trails and because there may be more health funding available.

[7:02:46 PM](#) Project Planner Roberts updated Council of the status of local trail efforts:

- Metro's Intertwine project is soliciting funding for active transportation (biking and walking for transportation purposes). Tigard partnered with Durham, Beaverton and Tualatin Hills Park and Recreation District (THPRD) to request \$12 million in funding. He said the project is called the

Crescent, because of its shape, and Tigard's portion consists of filling in gaps and providing better access to the Fanno Creek Trail. Metro is refining the submitted projects into a portfolio that will go to Oregon's congressional delegation.

- Rail to Trail is the loop rail line extending from Tiedeman to Main Street on an abandoned rail bed. Portland and Western Railroad still has a freight easement and ODOT is holding approval until that easement is lifted.
- The Library Trail is ahead of schedule and should be completed by the end of December.
- Trail System Master Plan – The City will be receiving ODOT funds (Transportation and Growth Management) to conduct a master plan for the entire greenway system.
- Metro Greenspaces Map – Metro passed an open spaces bond measure in 2006 and the Fanno Creek corridor is one area targeted for regional and local-share dollars. At this time, Metro real estate representatives are working with two property owners along the creek in Tigard. A portion of Tigard's local share will connect the trail behind the Library and across what is called the Brown property to connect with Bonita Park.
- Westside Trail Master Plan – Metro has MTIP grant funding for a master plan. Tigard has a one-mile portion of the trail, formerly called the Powerline Trail. A new development is that Tualatin Hills Park and Recreation District is infilling its missing sections of trail and by 2013 will have completed a trail from Barrows Road (Tigard city limits) to the THPRD nature center, a distance of six miles.

Project Planner Roberts asked if Council had any questions.

[7:12:08 PM](#) Council President Wilson asked about Metro getting involved in local jurisdiction's planning. Project Planner Roberts said they are actively involving local organizations.

Councilor Buhner requested an update on the status of the Fanno Creek Trail from Grant Street to Tiedeman. Project Planner Roberts said Metro is working on obtaining two properties in that segment. He noted the property owners have security concerns but pointed out that a public trail near the industrial area would make it safer by bringing more people into the area. Also, police would be patrolling the property behind their buildings if it was public property. Council President Wilson suggested having a ten- or twelve-foot wide trail to make it easier to police to patrol behind properties. He commented that when the trail links are completed, the use on all of the trails will increase and existing trail widths may be too narrow.

[7:18:58 PM](#) Councilor Buehner recalled that a private developer who wanted to build a trail and bridge across a Fanno Creek tributary was told by Clean Water Services (CWS) that it could only be a three-foot trail; a compromise with CWS allowed them to build a six-foot wide trail. She asked if Project Planner Roberts had discussed trail width recently with CWS. He responded that trails up to ten feet are allowed in buffer areas by CWS but everything is site specific. He noted that the Tualatin River trail on CWS property is eight feet.

[7:21:06 PM](#) Councilor Henderson asked who authored the Tigard Trail System Update (dated November 17, 2009). Project Planner Roberts said he wrote it and Helen Marvin from the City's Office Services Department did the graphics. Councilor Henderson complimented staff on a well-prepared document. Mayor Dirksen said Planner Roberts is well known at the regional level and is spoken of highly.

Agenda Item No. 4 was rescheduled tentatively for discussion on December 8, 2009.

~~4. DOWNTOWN CODE AMENDMENTS (SECOND WORKSHOP DISCUSSION)~~

- ~~• Staff Report: Community Development Department~~

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5. BOUNDARY CLARIFICATION BETWEEN CITY OF TIGARD AND TUALATIN VALLEY WATER DISTRICT

[7:24:14 PM](#) Public Works Director Koellermeier introduced this item, which is a housekeeping issue from the 1970's. He said the City of Tigard has provided water to a few areas annexed into the City which were not withdrawn from the Tualatin Valley Water District (TVWD). He said a public hearing on the withdrawal of this territory is required by ORS 222.520 and has been scheduled for the December 8, 2009 Council meeting. He said the TVWD is in agreement with this change, which provides legal clarification of the existing service area boundaries. He noted that the process being followed was recommended by the City Attorney as appropriate for Tigard to use in this situation. He asked Council if anyone had any issues and, if not, this would come before them in December.

Councilor Buehner commented that the Intergovernmental Water Board talked about a long-term boundary change and is interested in having Tigard's Public Works Director Koellermeier authorized to negotiate these minor boundary changes.

6. DISCUSS TOPICS FOR THE JANUARY 19, 2010 JOINT MEETING WITH THE PLANNING COMMISSION ON TREE CODE AMENDMENTS TO IMPLEMENT THE URBAN FORESTRY MASTER PLAN

[7:28:23 PM](#) Assistant Community Development Director Hartnett and Associate Planner Floyd presented this item. Associate Planner Floyd said that at the October 20, 2009 Council Workshop meeting, there was agreement to hold a joint meeting with the Planning Commission to discuss new tree regulations to implement the Comprehensive Plan policies.

Associate Planner Floyd described Agenda Item 6 Attachment 1 – Suggested Topics of Conversation for the January 19, 2010 Joint Meeting with the Planning Commission to help structure the discussion. He said the intended outcome of this meeting is a mutual understanding of the respective concerns and priorities regarding tree management. The Planning Commission and other involved citizens don't want to get too far ahead or out of sync with Council as they move forward with these recommendations. He said any changes made by Council tonight will be brought to the Planning Commission on December 7 and if they make changes, they will be brought to Council on December 8.

Councilor Buehner said, "It's really important to have joint workshops so we are all on the same page. The issues don't come up that often, but sometimes there is something controversial and we need to meet..."

[7:31:34 PM](#) Mayor Dirksen asked Council if there were any additional items for discussion.

Council President Wilson noted two concerns:

- The City mostly hears from homebuilders but also needs to keep commercial and industrial developers in mind when writing code. There is not much undeveloped housing land remaining. We have been least successful in getting a tree canopy in the industrial areas.
- There should be some flexibility about tree removal. We don't want to see wholesale tree removal but if an owner wants to remove a tree, it shouldn't be onerous.

[7:33:13 PM](#) Mayor Dirksen said, “There are some guiding principles that we would like to talk to the Planning Commission about up front that clarify the goals of the City. I think that may have been one of the mistakes we made as we looked into making interim changes to the tree code. We failed to do that up front which led to some misconceptions.”

Councilor Buehner said the City will be considering some island annexations over the next year or two, some of which are on steep slopes. She suggested there may be some tree code issues relevant to these areas.

Assistant Community Development Director Hartnett said staff wanted to make sure they are on the right page for the discussion. She said she thought the discussions will be robust on this topic and she appreciated hearing that guiding principles are important and that is a good place to start. She said the code development process will be outlined and Council input will be sought.

Councilor Buehner said there was sometimes a “disconnect” when something has been appealed from the Planning Commission to the Council. She said the Planning Commission minutes are not sufficiently detailed.

Mayor Dirksen said he was not aware of any philosophical differences between the Council and the Planning Commission and asked if staff perceived that to be true. Associate Planner Floyd said staff doesn’t have those feelings. He said the question was not crafted out of having specific knowledge; it was just put out there for discussion.

Councilor Webb mentioned that there were hurt feelings about Council overruling the Planning Commission on a recent land use situation. She noted that Council did not have as much information as the Planning Commission on that issue and suggested this should be a discussion item.

Assistant Community Development Director Hartnett commented on discussions around the UFMP that seemed as if there were differences between Planning Commission and Council regarding mitigation vs. preservation and protection of private property development interests. She said she didn’t think there was a significant divergence. She thought this topic might be worth discussing.

Councilor Webb said Council needs to hear what kind of appeals may come forward due to these code amendments. She said there may be no sure way to predict appeals but it might be apparent by the opposition what is coming and Council needs to be informed.

Mayor Dirksen said he looked forward to the dialog with the Planning Commission.

7. NON-AGENDA ITEMS – Barrows Road/Scholls Ferry Intersection

Assistant City Manager Newton gave a synopsis of a meeting she attended earlier in the evening regarding Washington County eliminating the left-turn signal at the Barrows Road/Scholls Ferry intersection. The meeting was held at Fowler Middle School and attended by Washington County engineers and two commissioners along with about 30 area residents. She said a letter written by Mayor Dirksen reflecting Council’s input was read and entered into the record.

Concern was expressed about the timing and lack of involvement of the public. There was discussion that County counsel was advised not to overturn the decision because of liability issues.

[7:42:26 PM](#) Assistant City Manager Newton said citizens were also concerned about increased traffic as a result of the Progress Quarry development. Beaverton's transportation engineer said that development will be conditioned to do improvements at the Murray and Scholls intersection.

[7:47:06 PM](#) Councilor Webb referred to the money contributed by Beaverton and Tigard cities for the bridge to be operable for 15 years. City Manager Newton said the bridge was only supposed to be closed when Davies Road opened. Davies Road hasn't opened.

Councilor Buehner suggested that staff look into turning the private road in a nearby bankrupt planned development into a connecting public street. Assistant Community Development Director Hartnett said there were ways to do that and she will familiarize herself with the private road in question to revisit this possibility.

Mayor Dirksen said another consideration is moving up the signalization of 135th and Walnut.

Assistant City Manager Newton said City staff needs to connect immediately with Washington County staff and develop a plan to move forward. She said citizens want to be kept informed of what is going on. She said at the end of the meeting the County engineer committed to looking at the signals again and working with Tigard regarding mitigation for the impacts to Tigard streets. Cameras that would cue the lights differently are budgeted.

Mayor Dirksen thanked Assistant City Manager Newton for attending the meeting and reporting to them.

TIGARD HIGH SCHOOL STUDENT QUESTIONS

There were several Tigard High School students in attendance at the meeting. Mayor Dirksen asked if they had any questions for Council.

[7:52:42 PM](#) 1. What is going on with Burnham Street?

Mayor Dirksen said the road is being completely being rebuilt and widened, with street trees, sidewalks and street lights. It will also become the first Green Street in the City of Tigard.

2: Why can you drive 30 miles per hour on Walnut Street near Fowler Middle School, yet when you turn onto Tiedeman the speed limit is 25?

Mayor Dirksen said it has to do with the street designation, such as arterial or collector, which means different criteria for each designation. Councilor Webb said the City also has new flashing school zone lights and people need to drive 20 when the lights are flashing. But some drivers don't realize this is only when the lights are flashing; they just see school zone sign and slow to 20 miles per hour.

