

REGULAR MEETING
June 8, 1998

CALL TO ORDER:

A regular meeting of the Beaverton City Council was called to order by Mayor Rob Drake in the Council Chambers, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday, June 8, 1998, at 6:36 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Wes Yuen, Evelyn Brzezinski, Forrest Soth, and Cathy Stanton. Coun. Dennis Doyle was excused. Also present were City Attorney Mark Pilliod, Chief of Staff Linda Adlard, Finance Director Patrick O'Claire, Assistant Finance Director Shirley Baron-Kelly, Human Resources Director Sandra Miller, Community Development Director Joe Grillo, Operations/Maintenance Director Steve Baker, Police Chief David Bishop, Administrative Chief Gary Nees, Development Services Director Irish Bunnell, Building Official Brad Roast, Principal Planner Alwin Turiel, and City Recorder Darleen Cogburn.

CITIZEN COMMUNICATION:

Henry Kane, 12077 SW Camden Ln., said he thought the Council saw the article that day in *The Oregonian* about Miller Sanitary. He reported that he had a motion to dismiss the request for a garbage franchise on the ground that Miller's did not have a permit from the City. He said he had submitted a letter to the Mayor earlier that day, (in record). He stated that the City should collect fees for Miller's being in operation unlicensed. He reported that he was submitting proposed stipulations designed to reduce his number of objections to the City Attorney. He said he was interested in getting it moving along to get a decision out of the Land Use Board of Appeals (LUBA) before Christmas, or December 31. He noted that he had talked to LUBA that day and there was no indication of when it would come up. He said it could be solved if Metro would deny their permit. He said the Washington County planners had told him how they had "beat back Metro's plan for a transfer station on 209th and TV Highway."

Mayor Drake said he had received Kane's letter that day.

COUNCIL ITEMS:

Coun. Soth said the first meeting of the Senate Bill 122 Committee regarding the Beaverton Hillsboro area would be on June 25. He noted that it would have a significant bearing on determining the ultimate Urban Services Boundary between Beaverton and Hillsboro.

Coun. Yuen noted that the Tualatin Valley Economic Development Committee's (TVEDC) monthly breakfast forum would be June 18, at 7:00

a.m. at the Sweetbriar Inn. He said the topic would be: Oregon Convention Center: Center of Success. He said he received a notice that the Sunset Corridor Association was hosting a golf scramble at Quail Valley.

Coun. Brzezinski noted that the Senior Citizens Advisory Committee was planning their first major event and workshop on Alzheimer's disease. She said it would have five different facets of the disease discussed by experts around the state including legal issues, physical health issues, etc. She said it would be Saturday, August 1, from 10:00 to 2:15 in the Council Chambers. She noted that lunch would be provided for people registered in advance. She added that there would be announcements in the paper closer to the date.

Coun. Stanton noted that she had questions to staff regarding the ordinance that evening, and she did not get the answers. She reminded everyone in attendance that the Taste of Beaverton was coming up and the Good Neighbor Days Parade was on Saturday, June 27 and the Councilors would be riding in the parade.

Coun. Brzezinski clarified that she liked the parade but would rather be on the sidelines.

Coun. Soth said they all should be proud of the Beaverton High School Baseball team for the way they portrayed themselves. He remarked that as a former baseball player he knew what it was like and really appreciated all of their efforts.

Coun. Brzezinski noted they couldn't take credit for the incredible year the Beaverton High School teams had, but their performances were fantastic! She announced that the Beaverton Float won first place for floats under 35 feet in the Rose Parade. She congratulated Marcy Speer and her group for doing another great job on the float.

STAFF ITEMS:

Mark Pilliod, City Attorney, reported that LUBA had scheduled oral arguments for the following morning on a case entitled, Nike vs. City of Beaverton, involving the Station Community Plan. He said he and Ted Naemura would be there to represent the City.

PROCLAMATION: Taste of Beaverton Weather

Mayor Drake read the proclamation declaring there should be good weather for the Taste weekend.

PRESENTATIONS:

- 98-148 Presentation of the Award of Financial Reporting Achievement to Shirley Baron-Kelly

Mayor Drake said the award was to be presented to Kelly who was on vacation and did not know the award had come in, so he presented it to Patrick O'Claire, Finance Director. He noted that every good manager had a good back-up crew.

- 98-149 Beaverton Arts Commission's Annual Awards Presentation

Jim McCreight, President of Beaverton Arts Commission (BAC) said every year they honor companies and individuals who had made great contributions to the Art Commission's activities in the City of Beaverton. He introduced the award winners for the past year and Mayor Drake presented the awards.

He announced that the Corporate Member of the year was the Greenwood Inn, who had been very supportive and also purchased art work for their lobbies and corporate suites. He thanked Tim Estes, President of the Greenwood. Estes received the award from Mayor Drake.

McCreight acknowledged Saylor's Old Country Kitchen, for their support, and said they supply food for Showcase each year. He called Mary Saylor forward to receive the award from Mayor Drake. He expressed their appreciation to Trader Joe's also, for providing food and dessert for Showcase. He called Jim Brack to come forward to get the award from Mayor Drake.

McCreight noted that because of the generosity of these three companies and others like them, the Commission was able to save hundreds of dollars in event expenses. He said their contributions not only make the Commission's events more elegant and fun for the community, but they also make them more affordable for the Commission.

McCreight said the next award was for Outstanding Individual Member, and the Board's choice for this award was Florentina Serighanu, who came forward to accept the award. He noted she is an artist, financial contributor, volunteer, patron, etc. and she gives tremendous support. He said her work was currently on display at the BAC gift shop.

McCreight announced that the Volunteer of the Year Award was given to Ross Miller, who had volunteered for over 10 years, working alongside the BAC Executive Director, Jayne Scott. He noted that Miller works in the Commission office Tuesday and Thursday mornings, as well as many

additional days during special events. He said Miller was dependable, sets up systems for jurying thousands of slides, maintains a large data base, prepares numerous bulk mailings and has packaged many works of art for shipping. Miller came forward to receive the award.

McCreight introduced Bryan Grimes as recipient of the Artist Member of the Year Award. He said through Grimes' business, Frame of Mind, he had donated framing to the Commission and had offered discounts to members. He said Grimes also volunteered many hours to the Commission. Grimes came forward to accept the award.

McCreight announced that the Art Education Award was presented to McKay Elementary School for their commitment integrating the arts across the curriculum. He applauded the accomplishments of principal, Gretta Grimala and the members of the site council for recognizing that artistic experiences are almost universally motivating and that every subject is enhanced by an artistic component. Grimala came forward to accept the award on behalf of McKay School, and said they could not do this without the work of the staff at McKay, the parents and other volunteers who all help so much.

McCreight explained that the purpose of the last two awards was to recognize and spotlight distinguished visual and performing arts programs in the community. He said the first was in the area of visual arts, which would go to two individuals in the community; Linda Peters and Pam Baker. He reported that they turned their dream into a reality in Washington County, and through their leadership, Oregon's first public Sculpture Garden had been created. He said when the Westside Max began operating in the fall, public art would be seen all along the way. Linda Peters and Kristine Calhoun (on behalf of Pam who was not present) accepted the award.

Peters said she thought the Sculpture Garden should be getting the award, not them personally, although they spearheaded the fund raising. She encouraged everyone to visit the Garden because every time she walked through she saw something different.

Calhoun said Baker had asked her to thank the BAC for having the leadership and regional vision for the arts.

McCreight introduced "Johnny Limbo and the Lugnuts" who were the final award winners for the many years of family entertainment they've provided throughout the State. He noted that the band was a favorite of many and that they continued to be in high demand at festivals, fairs and conventions throughout Oregon and even though their performance schedule was non-stop, they take time to give back to their community. He said they volunteer in the community, including the Commission's

Children's Theater series for the past few years and they closed the series on Halloween weekend with a concert. He said the kids and their parents loved it. Jerry Hoffman and the members of the band came forward and got their award. Hoffman said they celebrated their 20th anniversary just two weeks ago. He and the band performed an impromptu song for those present, playing *Rock and Roll is here to Stay!* much to the delight of those present.

McCreight thanked the Mayor and the Council for their support of BAC.

Coun. Brzezinski remarked that she appreciated being a Councilor because she had always wanted to be a back-up singer for a rock band and this was the closest she had ever come!

CONSENT AGENDA:

Coun. Yuen MOVED, SECONDED by Coun. Soth, that the consent agenda be approved as follows:

Minutes of the regular meeting of February 23, 1998

- 98-150 Boards and Commissions Appointment
- 98-151 CUP 98002 Pacific Kids Preschool on Hall
- 98-152 City-wide Annexation Policy (CPA 98011)

Contract Review Board:

- 98-153 Contract Award for Temporary Inspection Services
- 98-154 Contract Award for Building Code Plan Review Services

Coun. Brzezinski asked Barbara Fryer, Senior Planner, regarding page two of minutes, about half way down the page, if she really did say "cement corridors."

Fryer clarified that the correct term was "scenic corridors."

Darleen Cogburn, City Recorder said she would make that correction.

Coun. Yuen asked that the record show he would abstain from voting on the minutes.

Question was called on the motion. Couns. Yuen, Soth and Brzezinski voting AYE, motion CARRIED unanimously. (3:0) (Coun. Stanton was out of the room.) Coun. Yuen abstained from voting on the minutes.

ACTION:

98-155 Resolution Referring Measure Authorizing General Obligation Bonds To Construct New Library For November 1998 Election
(Public Comment Invited)

Linda Adlard, Chief of Staff, said she was delighted to be back to talk to them about a wonderful opportunity to have a new library in the City. She introduced Thomas Hacker, principal of Thomas Hacker and Associates, as well as another architect working on the project, Dave Shelman. She said they would be presenting background on the library to refresh everyone's memory about what a wonderful library it would be. She noted that they had been working on this for the past couple years, and that they had approved, over the last couple years, the design elements and that staff and citizen groups had been involved. She noted that the site was selected as the site of the old City Hall. She said it should be a beautiful structure with a parkway in front. She reported that the variance for the parking had been denied, and they were still working on that issue. She said Hacker and Gilman would do the presentation.

Hacker said it was exciting to be back in front of them talking about this exciting project. He said they were thrilled and excited that this would be on the November ballot. He noted that the project started in the fall of 1995, and they began working on the schematic design in 1996. He explained that the original recommendation was for a 90,000 square foot library, but in the process due to cost estimates, the design was reduced to about 60,000 square feet as a way of making the project more reasonable in terms of its overall cost. He said the project they would see that night was a library of about 67,000 square feet, including the auditorium and public space, which had been added. He noted the library had been sited for Fifth Avenue and Hall Street.

Hacker reviewed the drawings from earlier presentations. He said the library would be the first piece of a development of a civic center for the City, and noted the current park space. He stated that it would be a two-story building with another level below ground with an auditorium. He pointed out that the central area was an open space. He continued to review the drawings of the different levels of the building, and pointed out the locations of various areas, and described it as a very open space with skylights, and a transparent front wall.

Coun. Soth asked what provision had been made for expansion at some future date.

Hacker said they had a couple of schemes for expansion, with the one to the north probably most workable. He noted that it was towards the back

where the parking was, and explained that the addition would become the staff and working area, and open up those rooms for more public use.

Adlard noted there were a number of elements to the agenda bill. She said she was going to ask for approval that evening, and asked them to direct staff to rewrite the ballot title they saw, which was a rough draft, and needed to be a bit clearer. She noted Henry Kane suggested he review it since that was his specialty of law, and expected that to take about two weeks. She reminded them that they just had a survey and asked if people would support a \$16 or \$18 million dollar bond. She said there were very small differences in the numbers that would support that and said there was a reason to look at the larger \$18 million number. She said that number would include building construction, site improvement, some parking, lighting utilities, some furnishings, and the best estimate of costs.

Adlard reminded them that construction would begin next spring, so there would be a 10% inflationary factor (which might be high) and a reduction in the furnishings from \$1.25 million to about \$1 million. She noted that they had "soft costs" within that number, such as construction, administration, and permits, etc. She noted that if the Council determined they did not want the permit fees to be paid from the City back to the City, that would also change costs. She stated that currently the City had paid themselves for the staff time and permitting, because they had always believed that permit fees paid for staff time to evaluate the plans. She said they were up to \$18 million or maybe a little more. She said the problem with the \$18 million was it did not include funds to fix the parking issue. She reported that they could purchase land across the street from Hall Blvd. She explained that they were required to have 300 spaces of off street parking, and they asked for a variance of 180 spaces and received a large, "NO" as an answer. She added that they needed to find that many parking spaces to make the library buildable, and their options were to purchase land and blacktop it, or take the current site for parking and put a parking structure on it. She noted that parking structures were very expensive, about \$2 million to accommodate their needs on that site. She said it was possible and could be designed to look very nice. She said if they included parking costs they might want to look at what was attached to the agenda bill, which indicated the annual and monthly costs.

Adlard reviewed the information in the agenda bill, (in the record) detailing the costs of the bonds. She reviewed the costs. She said to put that into perspective for them, if they worked with an \$18 to \$20 million bond, it would cost the average homeowner an annual cost of \$64.34, and if they raised that amount to \$21 million, it would raise the annual cost to around \$75.00. She said they were not very large numbers but to remember it is for a fifteen year bond. She said if they looked at every person in Beaverton paying that, it would be a total of \$87 each. She said they had

not heard anyone object to a new library. She reiterated that she was asking them to consider \$18 - 20 million. She explained that General Obligation Bonds are "up to," meaning they have authorization up to a certain amount, but it did not mean that they were obligated to spend all of it. She stated that it would be their intent as they went forward to spend only what was needed. She asked Council, again, to direct staff to adopt a resolution for the amount for 15 years in length of time that they would like and to develop a ballot title to bring back to them for final approval. She added that since that meeting was televised, she hoped people would see it and get the information.

Coun. Brzezinski stated that they had already done a survey and while she did not want to appear to be opposed to public hearings, she wondered what they would do if the response at the public hearing was a resounding "No." She noted that there were six people present at this meeting, but they had a scientific survey of 400 people; 60% who said, "Yes." She wondered what new information they would get from the public hearing.

Adlard said they could keep the option open to get messages from the public instead of a public hearing, so that anyone who felt compelled to give Councilors a message about this had the opportunity to do so before Council moved forward on it. She clarified that staff did have to come back to them with a final ballot title so there was an opportunity for the Council to consider other comments. She added that the \$18 million would be \$.43 per thousand the first year and then go down over the 15 years as the bonds were paid off.

Mayor Drake noted that as the assessed valuation in the City increased, it would reduce each person's obligation.

Coun. Soth said he liked the way it started out as \$.43, it was one of his hot buttons, because he liked to be honest up front on this and he felt they had done a good job on that. He pointed out that given the increases in engineering costs, etc., they were probably looking at, (for every year this project was delayed), about a half million dollar increase because of the way these things operate, so it behooved them to get going on the project. He noted that two and a half years ago the amount for the project was \$16 million. He noted that in the library budget, there were some funds "in a kitty" for some of the expenses up-to-date. He asked what the restrictions were on the use of the County money they get for reimbursement for circulation as well as the other, in terms of what they can use if for in regard to the things they could not purchase by law from the bond funds.

Patrick O'Claire, Finance Director, said there were no restrictions on that money from the WCCLS. He explained that that money was set aside

from the WCCLS levy for library operations, and must go through the budgetary process and be allocated appropriately as the Budget Committee and Council saw fit.

Coun. Soth asked if they could use those funds as part of the debt service on the General Obligation Bonds.

O'Claire said they could do that. He explained they would have to structure that in the (Bond) offering statement, but it was easier to sell a bond issue to buyers if the official statement to offer just listed the source from tax generation based upon general taxing authority, instead of tacking authority to the City's pledge of future dollars to the payment of debt service from another operating source.

Coun. Soth asked if they chose not to issue all the bonds that were authorized because they were not required for what they are doing, but the problem he asked O'Claire to address was that of arbitrage.

O'Claire explained there were some requirements for spending provisions that were called arbitrage rebate. He said they infer that a government cannot issue bonds and vest the bond proceeds at a higher rate than it was paying on the bond issue. He added there was an area of regulation called arbitrage rebate, with spend-out provisions over a three-year period that they required them to spend X-percent of the proceeds of the bond issue for the purposes of meeting the arbitrage requirements. He explained that in that case, there was no interest earnings rebate calculation that would be required if they met the spend-down provisions. He stated that if they did not meet the spend-down provisions and the City made money on the bond issue, they would have to rebate that to the federal government.

Coun. Stanton noted that in the ballot statement, the sixth sentence said "County funds support book purchases and circulation but are not usable for new facilities." She suggested they clarify that sentence.

Adlard reminded Council that this was a draft put together by the City Attorney's office and said the attorney was trying to tell them that they could not build a library with the County funds. She said they were to be operating funds, and now that they were City funds, they could be used as the City Council directed. She clarified that it was not the City's intention to use County funds as capital funds, but as operating funds.

Coun. Stanton said she agreed but when she first looked at it, she thought once the money came to the City they could use it, and yet that sentence narrowly construed it to only allow the purchase of books and circulation expenses. She asked about the caption of the ballot title, which included the word "design" of the library, when they already had the

design.

Adlard explained that they would have some modifications of the design for which money would be needed. She noted that it also stated that they needed parking and there was at least engineering for that design and landscape design, also. She reminded them that they were limited on both the caption and the question on the ballot title. She said they would try to make it very clear to citizens exactly what they were purchasing.

Coun. Stanton said the last sentence in the statement said to "design, build and furnish the new library, provide parking, acquire additional real property needed near Fifth, Hall, Tucker." She asked if the additional real property was for parking and not the facility, and suggested it be stated more clearly.

Adlard said the agenda bill had been written and would not be rewritten but they could certainly rearrange those words in their motion, which would be appropriate.

Coun. Stanton said she wanted it to be as clear as it could be.

Adlard agreed and said this administration and City Council prided themselves on being as clear as they could be with their citizens and allow that interchange so that anything they could do to make it clearer from their perspective is exactly what they wanted to do.

Coun. Stanton noted there would be other money measures on the ballot in November and hoped people would look at their local needs in terms of how they want their money spent. She suggested they should take care of their fire department needs, library needs, City needs, County needs and maybe some Metro needs.

Adlard responded that this was a wise citizenry and they voted with their hearts and their minds and they did a very good job of it.

Coun. Soth asked how many words they were limited to on the statement.

Adlard said the limit was 175.

Coun. Brzezinski asked if they had to decide that evening on the parking or just acknowledge they needed to have parking.

Adlard said they did not have to decide but if they were going to direct them to put a number in the ballot title, then that has to be a discussion that evening. She explained that Council could direct staff to write the ballot title, leaving the total amount of the bond out at this time and they could bring it back in a week or two, allowing them to collect additional

information. She said she didn't know what the land would cost, but they could provide some best guesses.

Coun. Brzezinski said she would like to know what the cost for alternative parking would be, other than structured parking. She stated that she would rather see structured parking, even though it would be a high cost. She noted that she assumed it would be on the east which would cut out the nice view of Mt. Hood, so she was really torn on that. She said if they did not have to make that decision that night, she would rather get some more information on the parking issue.

Mayor Drake explained that another advantage of purchasing the remainder of the block, was that the City already owned about 60% of that block and they could accomplish some very positive things. He said first, at the south end of the library where the sycamore tree was, there would be a greenbelt which could extend to the City park, and could possibly close Washington Street, and create an additional green space, creating a public amenity in that area. He stated that second, an additional open space for the remainder of that block to the west would be created and it would provide as permanent a home as they could for the Beaverton Farmer's Market which drew up to 5,000 people on a Saturday and lesser amounts on Wednesdays. He said they also would be leaving options open for the future.

Coun. Brzezinski said she wanted all of that!

Coun. Stanton asked if the City owned the property on the west side of Hall, immediately west of the footprint for the new library. She suggested that if they did, they should do the structured parking there with a pedestrian bridge across into the library because she would like senior parking and mothers with small children parking close to the library.

Mayor Drake stated that they only owned approximately 60% of that property. He explained that if they built the parking structure and the pedestrian bridge, they would potentially have two significant costs; the remaining purchase of that block and an exorbitant cost for the structured parking. He recommended that the Council to provide the basic library structure and complete the next step in the future.

Coun. Yuen noted that since they already have one-half of the current amount of parking they needed, if they purchased a suitable amount of the property on the west, the ground floor would be sufficient for current needs so there was no need for a parking structure. He asked if the current discussion of \$18 million did not include parking.

Adlard said that was correct, and clarified that it included a very basic portion of parking but not the additional need of approximately 140

spaces.

Coun. Yuen asked if the Council did not include the couple of extra million dollars in the bond measure to acquire and then provide additional parking, how would the City provide parking, since there was no way the library could be built without parking. He stated they could go through all the effort of approving a bond measure that would never get through the Planning Commission because it would lack the needed parking.

Adlard explained that he was correct, that if they did not purchase land and provide parking, there were no other options in that area. She said if they waited long enough, it might be that their land use planning laws and regulations would change enough to be transit oriented but eventually the number she has suggested would be acceptable through the City's ordinances. She noted that that would be 5 to 10 years in the future. She said if they wanted to build this within the next three to five years, parking was an issue they had to deal with. She pointed out that some of that block has been purchased with CDBG funds and they would have to consider the appropriateness of allowing those lots to be included in this for parking for parking shared between the library and community center.

Coun. Yuen asked for clarification that if they did not include funds for acquiring parking within this bond measure, there was no funding for acquiring additional parking.

Adlard said that was correct.

Coun. Yuen asked when the deadline was for Council approval of a referral.

Adlard said there was no specific date, but obviously it needed to be prior to the November election but in order for them to supply information to the citizens it was important that by the end of June it should be ready. She noted that it would take a large effort from a grass roots level, and point out that the staff could not legally participate in this effort but could provide information to the public. She said she would like them to not pass the resolution but allow staff to come back with a resolution and a completed title after Kane had an opportunity to look at it and after staff had evaluated the parking dollar numbers so they could return to Council with an absolute number they would like Council to pass. She explained that they were given an idea at that time so the "sticker shock" would not be as bad regarding why those numbers were different from the last time they saw them.

Coun. Yuen said the next time it came back they could authorize it, and stated that he did not want it to keep coming back.

Mayor Drake noted that this had been well presented, not only in the *Your City Newsletter*, but had also been on the agenda with a great deal of interest in the community. He said he had three responses on the Mayor's Hotline after it was featured on the front page of the *Your City Newsletter*, and all favorable, and noted that they conducted a professional poll in April. He added that three committees worked on this for well over a year, and it had received a great deal of public input. He stated that he would like Council to direct staff to do some further evaluation on what the parking would potentially cost and authorize them to come back with a package on June 29. He said they could adopt the ballot title at that meeting.

Coun. Stanton said she thought the \$18 million included parking in the recommended action.

Mayor Drake said they prepared this quickly, initially, so that they could get this to Council sooner, and the longer they wait the harder it would be to pass. He said this was a ballpark number when they started putting it together a couple of weeks earlier, and they would ask staff to refine the potential costs for parking in the next couple weeks, and bring it back to Council on June 29. He suggested Council give an "up to" figure that evening so they could proceed.

Adlard reported that the parking was not a difficult piece, they knew generally what that they would cost. She said the reason the numbers vary was because they had soft costs, and depending upon how well a project was administered, they could be anywhere from 40 - 55%. She added that the architects told her that as deliberate as the City was about following and monitoring contract costs, they would be at the low end of that. She said an "up to" number was perfectly appropriate with the acknowledgement that that is exactly what was meant when they refined those dollar estimates down to the penny on the parking. She said the resolution did state a figure that could be "up to" in GO bonds, and said that 15 years seemed like a better amount of time because if it was reduced to 10 years then it increased the per family cost considerably.

Coun. Yuen said one of the Councilors had to leave shortly so he'd like to move along.

Mayor Drake asked people to come forward to testify.

Robert Becker, Chair of Advisory Board for the City of Beaverton Library, said with all due respect to Adlard's comments, it was the goal of the project for the new library which started in excess of 16 years ago. He stated that when it moved into the grocery store it was severely compromised, and had always been referred to as a Band-Aid. He said he used the library frequently and was very aware of its problems and

successes, due to his involvement with the Library Foundation Board, in his role as a citizen of the Beaverton area with a daughter in the fifth grade, and in his role of teaching Art Literacy to third grade students. He said when they look to the future of the existing facility, which was designed for one use, a grocery store, it was interesting and had been rewarding to see the Beaverton library providing the services that it did to the community. He declared that they couldn't expect that to continue, and added that the existing facility should be discarded with many hearty thanks and they should move forward with as much eagerness as they possibly could toward the goal of the new library.

Henry Kane, 12077 SW Camden Lane, said he would work with staff to improve the ballot title, in terms of giving the voters the most effective presentation of the facts. He noted that he had been fighting GO bonds in Washington County since the 1970's and had fought very hard to get the first library serial levy through for the County and then as Chairman of the County Library Board to get the second one through and barely made it. He explained that one of the reasons he wanted the library so badly was that whatever he paid in taxes was a lot less than what he paid for books he had purchased. He said he was happy to hear that this resolution would be clarified because one of the things that should be done, in his view, was to tell the findings of fact, and explain in detail the situation as it currently existed and what the voters would get for their money. He said his experience had been to show the benefits versus cost, so the benefits exceeded cost. He noted that he hoped the resolution adopted would start with "a" and give everything the voter, who wanted to make an informed decision, needed to know, with nothing left up in the air. He said the November election was going to start out with a bond issue for Tri-Met of \$475 million and he suspected it would need to be higher to match the federal grant. He added that the various special interests would drown out, in their advertising, what little Beaverton could say through all the shrill advertising. He said he didn't know how many others would be voted on by the citizens of Beaverton, so it was critical to have every detail in the resolution, and every criticism that can be raised needed to be addressed. He said this resolution is OK in an ordinary year, but to get this one through the pile of bond issues, the City will have to say exactly what citizens will get for their money.

Nell Langeluttig, Beaverton, noted that she was not there representing Central Beaverton NAC. She said she was wholeheartedly in favor of the new library. She noted that Central Beaverton had been supportive of the new library, and would like it to be the beginning of a civic center.

Tom Marsal, Beaverton, said he felt the library was a most valuable asset, and said they should consider it a municipal area. He stated that as far as parking structures go, he had never seen one that was not the ugliest building in town. He said he had mixed emotions about a public

hearing, and said people had been talking about it for years, and it should move ahead.

Coun. Yuen noted that he saw a lot of familiar faces in attendance and appreciated that they had come to give support. He said it was a pleasure to be on the Council when this finally went forward.

Coun. Yuen MOVED, SECONDED by Coun. Soth, that the Council approve AB 98-155, the resolution referring the Library Bond Measure to the November 1998 ballot, with staff direction to re- write the resolution and ballot title clarifying the issues discussed; authorize staff to include an amount up to \$20 million dollars and return to Council for final consideration and approval. He said the motion included to not call a public hearing.

Coun. Soth asked for clarification of the amount he had proposed.

Coun. Yuen clarified that staff had asked for an amount "up to," and said his "up to" was \$20 million.

Mayor Drake said they would look at it closer and have final figures soon.

Coun. Stanton said Coun. Yuen stated they did not need a public hearing, and agreed with him. She noted that they needed double the parking in terms of what they currently had. She asked if Adlard thought it would in any way make it a better piece, if they had a public hearing.

Adlard said she supposed that was possible, and noted that there were always political aspects with something like a bond measure, but reminded them that there had been extensive publicity about this. She stated that she felt the public was very aware of the library issue.

Coun. Yuen said he appreciated Adlard's comments, and knew about the political issues. He stated that he had been involved with this for a long time and was anxious for it to move ahead. He reported that the people he knew were asking when it was going to get going, and he was concerned that they not keep drawing it out. He stated that the results of the poll and comments they had received were pretty good indications that they had support. He said the Councilors had been elected to lead, and they needed to do that.

Coun. Brzezinski said she also was not in favor of a public hearing.

Coun. Soth said he thought they could make the exception on June 29 when it is brought back to Council at that time but not call it a public hearing. He commented that he thought Mr. & Mrs. Nichols, who were present, could recall the first library which was a room less than half the

size of the Council Chambers.

Mayor Drake noted that people could send letters, e-mail or voicemail messages to the Council with their comments. He stated that they had heard from some people and those who had already commented did not have to appear again on June 29.

Adlard explained that, as the staff person who was writing it, if people waited until June 29, it would further draw it out, so she asked that they call her with comments at 526-2482. She said people could also leave her messages and they would incorporate the comments. She stated that they needed all comments as soon as possible, because by the next Monday they needed to be re-writing it.

Question called on the motion to approve the agenda bill, and re-write the resolution, revise the ballot title and explanation, and authorize the amount up to \$20 million. Couns. Yuen, Soth, Stanton and Brzezinski voting AYE, motion CARRIED unanimous. (4:0)

Coun. Brzezinski was excused at that time.

ORDINANCES:

First Reading:

Coun. Soth MOVED, SECONDED by Coun. Yuen that the rules be suspended and that the ordinance embodied in AB 98-156 be read for the first time by title only at this meeting and for the second time by title only at the next regular meeting of the Council. Couns. Soth, Yuen and Stanton. voting AYE, motion CARRIED unanimously. (3:0)

Mr. Pilliod read the following ordinance:

98-156 An Ordinance Amending Ordinance No. 1800, the Comprehensive Plan Map, from Urban Standard Density Residential to Urban Medium Density Residential and Concurrently Amending Ordinance No. 2050, the Zoning Map, from Residential Agricultural (RA) to Urban Medium Density Residential (R-2), for the Property Known as Osprey Park; CPA 97007 and RZ 970007

First and Second Reading and Passage:

Coun. Soth MOVED, SECONDED by Coun. Yuen that the rules be suspended and that the ordinance embodied in AB 98-157 be read for the first time in full, and for the second time by title only at this meeting. Couns. Soth and Yuen voting Aye, Coun. Stanton voting Nay, motion

CARRIED. (2:1)

Pilliod explained they could not pass it on a first and second reading at the same meeting with an emergency without an unanimous vote. He explained that they put all the changes together and had an emergency clause because they were talking about emergency issues.

Coun. Stanton said 46% of the changes had to do with legislative action, and many of them were the City's own housekeeping issues, and she said they needed to be clear in what they were doing and why they were doing it. She said they could re-vote if the others wanted to.

Coun. Yuen said if Coun. Stanton had made her point, perhaps the motion maker could withdraw his motion and make a new motion.

Coun. Stanton said her point was that the agenda bill spoke to what 46% of the sections related to and said it was not clear.

Mayor Drake noted that it did not originate out of his office.

Coun. Soth MOVED a substitute motion, SECONDED by Coun. Yuen, that the rules be suspended and the ordinance in AB 98-157 be read for the first time by title only at this meeting, and for the second time by title only at next meeting. Couns. Soth, Yuen and Stanton voting AYE, the motion CARRIED unanimously. (3:0)

Mr. Pilliod read the ordinance by title only:

98-157 An Ordinance Adding and Amending Provisions Contained in Chapters Five and Six of the Beaverton Code and Declaring an Emergency

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 8:27 p.m.

Darleen Cogburn, City Recorder

APPROVAL:

Approved this 14th day of September, 1998

Rob Drake, Mayor