

## REGULAR MEETING

September 14, 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, September 14, 1998, at 6:35 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, Human Resources Director Sandra Miller, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Police Chief David Bishop, Administrative Chief Gary Nees, City Utilities Engineer David Winship, and City Recorder Darleen Cogburn.

### CITIZEN COMMUNICATION:

Irma Tromlitz, 515 NW 112<sup>th</sup> Ave., Portland, addressed Council regarding her dissatisfaction with the County and the urban planning process. She said she wanted to be part of Beaverton's future and had paid attention to its annexation policies through CPO 1 (the St. Vincent Hospital area). She expressed her interest in annexing to the City soon because of a lack of sensitivity on the part of the County, to urban planning in higher densities. She referred specifically to the planning of Leahy Road and said she was concerned that (Community Development Director) Joe Grillo had been instrumental in that decision before coming to Beaverton. She explained that she had taken Washington County and the developer to LUBA (Land Use Board of Appeals) because the development had resulted in Leahy Road becoming a discontinued street. She said she had a conversation with Washington County Administrator Charlie Cameron and Washington County Land Use and Transportation Director John Rosenberger, because she was incredulous that the County, considering the Metro 2040 Plan, Light Rail, etc., could make that kind of decision. She said their response, regarding urban planning, traffic calming, and being pedestrian-friendly, was that it was a level of urban services the County was not in the business of delivering; their priority was regional services and facilities. She said she believed Beaverton would not want to annex an area with the type of traffic problems that currently existed. She added that Cameron and Rosenberger indicated that, in fact, cities did not want the County to do anything about urban level planning. She stated that she would like an

official response from the City because she felt there were certain standards and planning that had to occur in order to transition an area like theirs into Beaverton. She said she wanted to know what they could expect as Beaverton's future citizens, and suggested that a discussion with the County would be appropriate..

Mayor Drake expressed his thanks to Tromlitz for her comments, and noted that neither he nor the Council could speak for the County. He explained that within the next few weeks the Council would be looking at a draft agreement to work jointly with the County on 2040 planning in the unincorporated area of the City's Urban Service Boundary (USB), east of 185<sup>th</sup>. He pointed out that although the area was under the wing of the County, the City was an equal partner in the process. He explained that recent comments by the Council in support of that kind of planning were based on the knowledge that someday the urban areas of unincorporated Washington County east of 185<sup>th</sup> would likely be part of Beaverton. He said the City was concerned about the areas it may annex in the future, and part of that concern was funding. He explained that the question arose as to whether current Beaverton residents should be doing planning for outside areas when there was no mandate or requirement for the outside areas to ever come into the City. He commented that Beaverton had worked very hard to be a good neighbor and not start some sort of land grab process. He added that the funding would probably be provided by the County with the City providing support.

Tromlitz said she was aware of some of the sensitivities involved but they had some precedent with the Urban Road Maintenance District and other special service districts. She said local circulation could create problems for arterial circulation and they were looking at a long-term problem. She commented that there might be similarities with the 125<sup>th</sup> (extension) situation, but those types of issues should not have to happen with the current standards and values. She said she hoped that future work would have an eye to those standards, and perhaps some other special service district planning or transitional budgeting could be considered.

Mayor Drake referred to her earlier comments regarding Leahy Road and Joe Grillo, and said the reason they brought Grillo from the County was their belief that he would work well with the citizens and developers.

Tromlitz said her feeling was that the County was reaching decisions that were not beneficial to her area, to Beaverton, or to the transportation problems. She said she hoped Beaverton would do a better job than the County, and be sensitive to their needs.

#### COUNCIL ITEMS:

Coun. Soth said he had distributed a copy of an August 28, 1998, letter from Washington County regarding a meeting on October 1, relating to discussions concerning the ultimate USB between Beaverton and Hillsboro. He explained that the meeting was to include elected people as

well as staff from all affected jurisdictions to review the issue and get acquainted with each other. He said it would also include input from the consultants regarding information they had received in interviews with the stakeholders. He urged attendance at the meeting and said they hoped to have a recommendation by the end of the year or early next year.

Coun. Stanton commented that she had seen many of those present at the Light Rail opening and hoped that many more would make use of the system. She also praised the artwork and the sculpture garden in front of the Justice Center.

STAFF ITEMS:

There were none.

PROCLAMATION:

Dispute Resolution Recognition Week

Mayor Drake read the proclamation and said it was also to honor Beaverton's Community Dispute Resolution Service. He acknowledged members of the staff who were in attendance and thanked them for their outstanding work.

PRESENTATIONS:

98-259 Presentation in Preparation for the Vintage Steam Train Event

George Hickok, President of the Pacific Northwest Chapter of the National Railway Historical Society, explained that he was responsible for coordinating volunteers who were dedicated to the preservation and promotion of railroad history. He noted that railroads were an important part of the region's history, and their mission was to preserve that history. He said a part of that was to get the machinery out and running for the enjoyment and education of the general public and described the excitement of seeing and hearing one of the locomotives in motion. He give a brief background of the SP 700 Steam Locomotive which had been restored by the volunteers who occasionally brought it out and operated it for citizens in the area. He said the locomotive weighed about 880,000 lbs., burned 15 gallons of fuel per mile, and used 150 gallons of water per mile. He added that, fully loaded, it hauled 6,000 gallons of fuel and 20,000 gallons of water.

Mayor Drake noted the locomotive would be in Tigard on September 24 and 25 available for viewing by schoolchildren during the day, and open to the public after school. He said on Saturday, September 26, there would be an excursion train with five vintage railway cars pulled by the 700, and it would operate several times during the day. He said on September 27, an excursion would operate from Beaverton at the Park and Ride at 160<sup>th</sup> and TV Highway. He added that it would be parked at that same location on

September 28 and 29 for the Beaverton school children to view, and available from 3:00 p.m. until dark for viewing by the public.

Coun. Soth complimented Hickok on their restoration efforts and said he was grateful the trains were still available, even on an infrequent basis.

Mayor Drake thanked Hickok for his presentation, and added that any questions about the event could be directed to the Mayor's office.

98-250

#### Presentation of Shields and Swearing In of the Newly Appointed Lieutenant and Sergeants

David Bishop, Police Chief, said the presentation was to promote a sergeant to lieutenant, and two officers to sergeant. He introduced Sergeant Ed Kirsch with a brief background of his career, especially noting the Medal of Valor he received from the State of Oregon. He also introduced Officers Richard Preim and Michael Janin and noted their special accomplishments while serving with the City. He then proceeded with the oaths of office, Mayor Drake presented them with their new shields; promoting Kirsch to Lieutenant and both Preim and Janin to Sergeant.

Bishop expressed his thanks to the families and friends of the officers for their support, as well as that of other members of the agency.

#### Hiteon Creek Greenway Enhancement Project

Jacqueline Dingfelder, Coordinator for the Tualatin River Watershed Council, and Kendra Smith of Unified Sewerage Agency, addressed the Council.

Dingfelder said in lieu of the visual presentation originally scheduled for the presentation, they had distributed brochures, and any questions could be directed to the numbers listed in the newsletter. She explained that her group was a voluntary, non-regulatory organization who worked to protect and enhance watershed resources in the Tualatin basin. She said she wanted to provide an update on the Hiteon Creek-Greenway Enhancement Project. She noted that the project sponsors included the Tualatin River Watershed Council, THPRD, USA, and the City of Beaverton. She reviewed the project background from the handouts (in record), and said part of the project objective was to do an extensive planting of the greenway to shade the stream and increase plant and wildlife diversity, particularly for birds and butterflies. She explained that a large component of that would be public education, including storm drain stenciling, community work and planting parties, distributing brochures on friendly lawn and garden care, and promoting watershed stewardship in general. She added that they would like to form a neighborhood "friends" group to get the neighbors involved in the project. She noted that there would be a community meeting at the Conestoga Recreation Aquatic Center on

September 29 at 7:00 p.m., and also reviewed their schedule for the upcoming months.

Coun. Stanton asked what they wanted the City to do regarding the storm drain disconnect issue.

Smith explained that they planned to target the Hiteon Creek watershed area and needed to take a technical look at the soil conditions. She said it was an issue of urban hydrology so it wouldn't matter if the property owners were adjacent to the stream or not. She said they were planning to put in a flow meter to evaluate the stream flows in the creek, and if they were able to go forward and implement a disconnect program, they wanted to see the effect it would have on urban hydrology.

Coun. Stanton remarked that it would work in theory, as long as they were upstream from where the flow would be.

Smith agreed and said they would have to take a close look at what the landscape characteristics were in that area. She said they would explore the options to see if it was feasible, and also if the City would want to participate.

Coun. Stanton said it was her understanding there was some sort of financial benefit to disconnect in the City of Portland.

Mayor Drake said he believed part of the interest to disconnect in Portland was because that City had combined sewer-overflow, instead of separate storm drain and sewer systems. He noted that several days a year, the water flow into Portland's sewage plants exceeded capacity, so the combined raw sewage was dumped into the Willamette. He explained that a collective decision had been made some years ago in Washington County to invest in a separate storm drain program, whereas Portland might have to spend up to \$1 billion to correct their situation. He said this project was a stream corridor where it might work.

Smith said the goal was to not flood anyone further but to help improve the drainage system, and see what benefits the disconnect could bring.

Dingfelder added that the main focus was to promote neighborhood involvement and stewardship. She said their vision was to improve the wildlife habitat and make it more aesthetically pleasing, and the disconnect was something they would explore later.

Coun. Soth said he had two concerns; one was the percolation because of the clay, and the other was how to discourage those who lived within the confines of the corridor, from dumping their yard debris over the back fence into the creek.

Dingfelder noted that would be part of their education outreach. She recalled that on a similar project, they had explained to neighbors that they

were going to remove some blackberries, and people were surprised there was no vegetation remaining after the removal. She said within two years, after a tree planting, everyone was amazed at the results. She noted that it took time working with folks and letting them know there were other options, such as composting, and that was part of neighborhood involvement.

Coun. Soth asked how they proposed to remove the blackberries.

Dingfelder said they had been working with the Cascade Education Corps., a group of high school students trained to do that type of work. She said they did not use herbicides, but physically dug out the vegetation and repeated as necessary. She added that they hoped to get the neighbors' help with maintenance.

Coun. Yuen said the coming year was projected to be cold and wet in the northwest and asked if the resultant potential flooding had been taken into consideration.

Smith said if they did that, they wouldn't get any planting projects in the ground, so they anticipated just moving forward. She explained that they had types of protection for the plants, but would replace any that might be lost, and would choose plant material that could hang on during severe weather.

Coun. Yuen commented that in some streams and rivers, dead wood in the water and trees along the bank were considered part of the hydrology. He asked if they intended to mimic that in any way as part of the project.

Smith said they wouldn't do that in Hiteon Creek because it was such a narrow channel and there were numerous channels that could become clogged. She added that they would be putting woody debris in some of the upland areas as part of the butterfly habitat.

#### Update on Library Bond Measure

Linda Adlard, Chief of Staff, presented an update on the bond efforts for the new library. She said they had been working very hard to ensure a public information process, prior to the November 3 election, to promote awareness of past and present conditions of the library. She referred to bookmarks, and brochures containing pertinent information, and said they were available to the public at both City Hall and the library. She said she had distributed to Council a copy of the PowerPoint presentation which would be given to all the NAC groups and any other interested civic organizations. She referred to a memo (in record) that identified the various informational pieces being developed, including street banners throughout the City with the theme, "A Link to Our Past and a Path to Our Future. She said the theme would continue to be used even if the bond issue did not pass.



Approval of Change Order to Kurahashi & Associates Engineering Contract

98-260

Ratify Personal Services Contract for Advertising and Production Services for the Beaverton Library Bond Measure Television Informational Campaign

Coun. Brzezinski submitted a correction to the minutes of June 1, to City Recorder, Darleen Cogburn.

Question called on the motion. Couns. Soth, Brzezinski, Stanton, and Yuen voting AYE, motion CARRIED (4:0)

RECESS:

Mayor Drake called for a recess at 7:43 p.m.

RECONVENE:

The meeting was reconvened at 7:53 p.m.

PUBLIC HEARING:

98-257

Capital Improvements Plan for Transportation, Water, Sewer, and Storm Drain Projects – Annual Update for FY 1998-99

Jerry Williams, Project Engineer, said instead of a brief presentation, he would answer Council's questions as suggested by Mayor Drake

Coun. Brzezinski complimented staff on their excellent work in preparing the report. She said she had inquired about the Waterhouse North project and was told it was included in the Traffic Enhancement project on page T-12. She asked if that was the money from the new tax base that was set aside for three years.

Williams said that was correct and the Waterhouse North Traffic Calming project was included in #3189 on page T-3 of the Transportation section. He explained that it had been previously investigated by the Transportation Division, and had dropped of the "needs" list. He said it should have been included in the Project Data Sheet on page T-3.

Coun. Brzezinski said she wanted to be certain it remained on the list for consideration.

Williams confirmed that it was currently being studied.

Coun. Soth asked if there were any substantive changes between this document and the one they reviewed earlier in the budget process.



Williams said the last CIP brought before Council was in February 1998 for FY1997-98. He said there were some changes in this document but he was not sure they were substantive.

Coun. Soth said she thought those changes were the result of the budget hearings.

Mayor Drake said Coun. Soth was asking if anything was substantially different from what Council had approved during the budget process.

Williams said either by the budget process or by previous transfer resolution, vis-à-vis, the parking lot project.

Coun. Stanton commented that although she appreciated having inception dates on the "needs" list, she would like to see them on all the projects and plans in the CIP. She said it would be valuable to Council especially when they had to make decisions about moving a project.

Coun. Yuen referred to the Lombard to Center project and noticed there was \$23,700 remaining. He asked if that was for closing down the project and landscaping.

Williams said the money was the difference between what was projected in FY 97-98 and the remaining cost of the project. He explained that the \$23,700 was the amount of money budgeted for FY 98-99, presupposing that a certain amount of work would be accomplished and paid for in the prior fiscal year.

Coun. Soth referred to the same project and suggested that on Center Street, both east and west, a temporary sign be installed that said "Traffic Control Change Ahead."

Williams reported that the project manager for that job had agreed a sign was needed, and it was being planned.

Coun. Stanton referred to Circulation Improvements, FP2, which stated that improvements were being constructed or planned in other parts of the City, but it did not mention specific streets. She asked if that included projects such as the Allen/Western intersection, or left turn lanes on Allen, etc.

Williams said it referred to Davis Road, the 125<sup>th</sup> Avenue study, and other circulation driven projects. He said the Allen/Western and Allen/Menlo projects were under Safety and Capacity Improvements. He explained that the purpose in writing it that way was to highlight the fact that their focus was not just on the downtown vicinity, but in other areas as well.

Coun. Stanton asked if the County was still paying for Davis Road under MSTIP 3.

Patrick O'Claire, Finance Director, explained that they still billed the County on a monthly basis depending on expenditures incurred by that project.

Mayor Drake said, as a result of Measure 50, the completion of the list of projects would take longer, but the construction time would be the same. He said it would just take longer to raise the money for completion.

Mayor Drake opened the public hearing.

There was no one who wished to address Council.

Mayor Drake closed the hearing.

Coun. Brzezinski MOVED, SECONDED by Coun. Stanton to adopt the final CIP for FY 1998-99 through FY 2001-02 and direct staff to distribute copies as shown on the attached list. Couns. Brzezinski, Stanton, Yuen, and Soth voting AYE, the motion CARRIED unanimously (4:0)

#### WORK SESSION:

#### 98-258 Project Advisory Committee Recommendations on the Preliminary Design of the 125th Extension (North/South Arterial) Project

Tom Ramisch, Engineering Director, said a brief overview of the 125<sup>th</sup> Extension would be provided. He said Joel Howie, Project Engineer, would give a summary of the project's features and design concept, and also introduce other team members who were part of the public involvement process.

Howie said he would discuss the project design features recommended by the Project Advisory Committee (PAC). He described the displayed aerial photograph and explained the five major design features noting those which were preferred.

Howie then introduced Julie Sutherland of DKS & Associates, and the various PAC members. He asked Trudy Rippe and Mike Miner to continue with the discussion.

Mayor Drake requested that they expand on the Green Lane issue for Council's clarification.

Trudy Rippe, Public Involvement Coordinator for the project, explained that the PAC represented a diverse section of the community which included three NACs, four adjacent property owners, environmental interests, Cresmoor/Ridgecrest neighborhood, and Engineering and Planning Department staff members. She said the overriding goal of the project was to design a safe arterial roadway with minimal community impact while meeting the multi-modal transportation needs to the year 2015. She noted that they did not hold debates on whether the road should be built,

but rather focused on deciding what the best design would be in the event it was built. She said they worked through a process that included meetings and open houses attended by over 200 citizens. She reported that they also sent out newsletters and return-mail surveys, and received an excellent response, which provided the team with an understanding of community issues and design preferences. She reviewed the issues and said after compiling and tabulating the comments, her perceptions were that the community remained somewhat polarized but to a lesser degree than at the start. She explained that while most were in favor of the project, many adjacent neighborhoods and property owners were in opposition; and most of those involved with the process felt it was a reasonable design if it must be built.

Randy Smith, 8795 SW Oxbow Terrace, PAC member, said the PAC was directly involved in evaluating the design alternatives, and had lengthy discussions with the consultants who prepared them. He noted that they reviewed and evaluated citizen responses to surveys and comments, and believed the public involvement process produced a design that was the best trade-off between the affected members of the community. He thanked the Council for using that process and recommended it be continued into the final design stage, should that occur. He also expressed the PAC's appreciation to Rippe for her leadership.

Mayor Drake said if Council decided to proceed, they would be glad to have the PAC's continued involvement.

Howie said the Green Lane issue was currently in the Comprehensive Plan as being a cul-de-sac at Hall Blvd. and would tie into the 125<sup>th</sup> extension. He noted that the fire code, and also the Design Manual, stated if a cul-de-sac was beyond 600 feet, it must be addressed by the Fire Marshal. He explained that the alignment was about 844 feet, but if the cul-de-sac was moved up, it would be a little beyond 600 feet. He said that was left as an open issue

Rippe added that people who lived on the other side of Green Lane were opposed to the cut through traffic from Barberry to Hall. She said the PAC discussed the possibility of a right turn in and right turn out, which would hopefully eliminate the opportunity for cut through traffic.

Coun. Stanton noted that even with the right turn in and out at Hall it would still allow people west of 125<sup>th</sup> to use Barberry to cut through to go east on Hall, so she could understand their concern.

Coun. Soth said he could also see a problem with people crossing over to use Cresmoor, regardless of what any sign might indicate.

Howie said they had looked at cut through traffic, and had left it as an open issue until input was received from residents who would reside in the area.

Coun. Soth said if the plans for a cul-de-sac were implemented, he wondered about those who lived between there and Hall Blvd. He asked if there would be a way to access the cul-de-sac.

Coun. Stanton noted that the area north and east of Green Lane was zoned for multi-family, which could result in substantial redevelopment.

Rippe said they had not looked at those issues in that level of detail. She noted there were also other design issues that were outstanding and would be addressed in the final design.

Coun. Stanton referred to the sound walls, and asked why none were indicated for the south end of 125<sup>th</sup>.

Michael Miner, consultant, explained that the roadway depressions in that area made for some natural shielding for noise impact. He described the various sound levels in different areas and said the noise impact was decreased as one neared the intersection of 125<sup>th</sup>/Brockman/Greenway.

Coun. Stanton asked why there were no sound walls for those already experiencing noise in that area especially since it was bound to increase.

Miner explained that unless improvements were done to a roadway, they did not go back and do retrofit mitigation. He said he must follow federal and ODOT guidelines.

Coun. Yuen recalled some charts that compared the base vs. the no-build and noted that even if they didn't build, there would still be a substantial traffic increase on Brockman in the future, causing a three to four decibel noise increase.

Miner agreed, and said all the receivers along Brockman and Greenway who were within 60 to 65 feet of the roadway center line, already exceeded the ODOT criteria for noise impact.

Coun. Soth asked if some of the lack of increase in sound level was the result of a possible deceleration of traffic going into the intersection.

Miner explained that the model assumed a car was not traveling less than 35 mph, and since the majority of noise from passenger vehicle traffic was actually from tire noise, that was not a probability. He said if it did go to final design, it would be remodeled using the new Federal Highway Administration's standard which would take the intersection into account.

Coun. Yuen asked how much it might cost to add sound walls along that area.

Howie said it would be an additional \$400,000.

Coun. Yuen said it would be hard to justify sound walls based on the level of impact, but it would be a good-neighbor gesture to help out those residents if possible.

Miner said when he did his analysis, he only considered mitigation where there was impact. He clarified that there had been discussions about continuing the sound walls, but the noise reduction would be minimal, and ODOT preferred to see at least a 7 to 10 decibel reduction to be cost effective.

Mayor Drake said it appeared that only about 50% of the distance had sound walls, and noted that the City might possibly include funding of the roadway in a process submitted to Metro for regional funding. He asked, if Council proposed putting sound walls along that area where it didn't meet state and federal criteria, would the grant cover the cost or would it be considered a local cost that would have to be funded by the City.

Miner replied that if it could be shown the receivers had a 5% decibel reduction, then the wall could appear to be cost effective, and there shouldn't be any problem maintaining the funding for the wall.

Mayor Drake said he realized there was a great deal of competition for transportation dollars in the City, but if Metro would fund it on a regional basis, then money could be released for other projects.

Coun. Yuen said he had received comments regarding water run-off and asked if they had a response to that issue.

Howie said they provided for adequate drainage within the cost estimate and design.

Coun. Yuen noted that a good part of it was downhill, and with a depressed roadway, it could be visualized as a creek after a heavy rain.

Howie said he believed it was correctly designed for adequate storage. He explained the design and said they would provide a culvert to transfer the run-off into a basin.

Mayor Drake noted that the new design standards could hold and store up to a certain water event.

Howie said he was asking Council for direction or a recommendation to actively seek Metro funding, and if they wanted a public hearing for input from concerned individuals.

Mayor Drake noted they had not yet conducted a public hearing, and that would be the process.

Coun. Yuen said after a public hearing and if they decided to proceed, they could then direct staff to pursue the Metro funding issue.

Mayor Drake reminded Council that the project was in the CIP, and they would have to make a conscious decision to pull it back out.

Coun. Yuen said the public hearing would be over design criteria, so they could direct staff to pursue the funding from Metro. He asked if they needed further design criteria discussion from Council.

Rippe said they had a few outstanding issues, and read some of those to Council including concerns about second-story noise levels.

Miner explained that traffic noise was normally mitigated for the outside area of a house, using the peak traffic hours of the day. He said unlike mass transit projects which ran 24 hours per day, traffic noise usually died down significantly after 10:00 p.m., and that was the basis for not mitigating second-story homes.

Coun. Stanton asked how they would mitigate for second-story homes if it was going to be done.

Miner said as an example, storm windows were used in the light rail tunnel project.

Mayor Drake suggested that staff could work with the committee in addressing those concerns prior to a public hearing.

Coun. Yuen said Rippe had raised several issues, and in the interest of time, perhaps a questionnaire could be prepared and distributed to Council for their input.

Mayor Drake said while he was not opposed to that idea, he would be in favor of Council having another work session to discuss their responses and collate them into a direction for staff.

After a brief discussion, it was decided to have the questionnaire followed by a work session.

Coun. Brzezinski commented that some things would not change even if they continued having meetings.

Rippe said that was true in the case of Barberry Drive and the proposed extension.

Howie said most of the issues were things the PAC had taken a stand on, and if the questionnaire addressed the same issues, it would be doubling up.

Mayor Drake said his concern with the questionnaire was that they might be persuaded with public input. He said he thought the PAC had acted in a calm, rational manner, but they still needed to hear from people in the

area. He suggested that before a decision was made, they listen to the public and look at the recommendation made by the committee

Rippe said they wanted Council to be aware of the outstanding issues. She explained that some would be resolved in the final design process because they were technically oriented, and others required a greater level of detail. She said they just wanted Council to be aware of the work left to complete.

Coun. Stanton said if they had an opportunity to secure outside funding, she would like to know that something was going forward to Metro

Mayor Drake said they had received a draft of a recommendation of several different projects that could qualify for funding. He said more information would be forthcoming prior to October 12, so it would be timely to send a "want" list to Metro for regionally funded projects. He noted that they could include this road in their request.

Coun. Soth expressed his appreciation to the committee for their thoroughness in the preparation of the report, especially given the diversity of opinions.

#### ORDINANCES:

##### Second Reading and Passage:

Pilliod read the following ordinances for the second time by title only:

- 98-247 An Ordinance Amending Ordinance No. 2050, the Development Code, to Allow Use of the Town Center – Sub Regional Designation as Defined by Section 3.5.7.5 of the Comprehensive Plan; TA 980001
- 98-248 An Ordinance Amending Ordinance No. 1800, The Comprehensive Plan to Add New Provisions to the Commercial Land Use Section Defining "Town Centers"; CPA 98010
- 98-249 An Ordinance Amending Ordinance No. 2050, The Zoning Map, From (RA) to (R-5), For the Property Located North of Otter Lane Between 135th Avenue and Citation Drive (Stanton Meadows); RZ 980011

Coun. Soth MOVED, SECONDED by Coun. Brzezinski that the ordinances embodied in ABs 98-247, 98-248 and 98-249 now pass. Roll call vote. Couns. Brzezinski, Soth and Stanton voting AYE, with Coun. Yuen abstaining, the motion CARRIED. (3:0:1)

#### OTHER BUSINESS:

Coun. Brzezinski noted that the City had recently celebrated its tenth anniversary of its Sister City relationship with Hsinchu, Taiwan. She said

the Vice-Speaker of the Taiwan Assembly and a group of 21 others from Taiwan had attended the opening of Light Rail with Mayor Drake.

EXECUTIVE SESSION:

Coun. Soth MOVED, SECONDED by Coun. Doyle that the Council move into executive session in accordance with ORS 192.660 (1)(h), to discuss the legal rights and duties of the governing body with regard to litigation, or litigation likely to be filed. Couns. Yuen, Brzezinski, Soth, and Stanton voting AYE, the motion CARRIED unanimously (4:0)

RECESS:

Mayor Drake called for a brief recess at 9:09 p.m.

The executive session convened at 9:15 p.m.

RECONVENE:

The regular meeting reconvened at 9:30 p.m.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 9:31 p.m.

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Darleen Cogburn, City Recorder

APPROVAL:

Approved this 11<sup>th</sup> day of January, 1999

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Rob Drake, Mayor