

REGULAR MEETING

April 3, 2000

CALL TO ORDER:

A regular meeting of the Beaverton City Council was called to order by Council President Evelyn Brzezinski in the Forrest C. Soth Council Chambers, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday, April 3, 2000 at 6:36 p.m.

ROLL CALL:

Present were Couns. Evelyn Brzezinski, Forrest Soth and Cathy Stanton. Mayor Rob Drake and Couns. Dennis Doyle were excused. Also present were Chief of Staff Linda Adlard, City Attorney Mark Pilliod, Human Resources Director Sandra Miller, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/Maintenance Director Steve Baker, Library Director Shirley George, Economic Development Program Manager Janet Young and City Recorder Darleen Cogburn.

CITIZEN COMMUNICATION:

There was no one present who wished to speak.

COUNCIL ITEMS:

Coun. Soth said he attended the meeting of the general Government Committee of the League of Oregon Cities (LOC) and there were several issues of concern. He mentioned one was the recording of various documents in the County. He noted the significance of the current phrase, *required or permitted* by law to be recorded, which meant records that were authorized by statute only. He stated it would no longer require a Waiver of Remonstrance to be recorded by the County and explained that the concern was such a Waiver was a deed modification agreement. He stated it had a big effect on Washington County records because they were not obligated to accept for recording all the various documents as in the past. He added that the changes came from House Bill 2774.

Coun. Brzezinski asked what the implications would be if a Waiver of Remonstrance appeared on a title for property bought ten years in the future.

Coun. Soth said if the County Recorder chose not to record the Waiver, there would be no record for a Title search at the County level.

Coun Brzezinski questioned if the Waiver of Remonstrance would be maintained at the City.

Mark Pilliod, City Attorney, said most title companies would refer separate inquires to the local jurisdiction on top of running a search of the county records and if they did, records would be checked and the Waiver would come up.

Coun. Soth reported any citations issued after April 1st, 2000 would no longer be a bail amount but a basic fine and would effect the way the Municipal Court processed fines. He clarified the breakdown of the fees: \$35 to the state, \$12 to the County and \$30 (on a contract basis) to the City. He noted \$47 was there regardless of the disposition of the case. He related it reduced the cost of \$82 to \$77 which would have a corresponding reduction in the amount of money generated from the Municipal Court, which in most cases, did not cover the cost. He indicated he would like to have a joint report from Police Chief David Bishop and the Municipal Judges on the issue. He explained there was a presentation by the Junction City Municipal Judge and Police Chief. He said it could impact photo and red light radar and he wanted to be pre-advised on the issue.

Coun. Stanton said next Tuesday, there would be a Voter's Forum in Council Chambers on April 11th at 4:00 p.m.

Coun. Brzezinski reminded the audience to mail in their Census forms.

STAFF ITEMS: There were none.

CONSENT AGENDA:

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

Minutes of the regular meeting of February 7, 2000

00-120 Receipt of the Local Law Enforcement Block Grant (LLEBG),
Authorization for Expenditure and Special Purpose Grant Budget
Adjustment Resolution

00-121 A Resolution Authorizing Mayor To Sign An Indemnity Agreement
Relating To A Surety Bond Required In Connection With The City's
Workers' Compensation Self-Insurance Program

- 00-122 A Resolution Declaring City Council Position No. 1 Vacant and Setting the Date of September 19, 2000 for the Election to Fill the Vacant Position
- 00-123 Boards and Commissions Appointments
- 00-124 CPA 99-00029/RZ 99-00019 17005 NW Cornell Comprehensive Plan Map Amendment and Rezone
- 00-110 Bid Award – City Park Expansion Project and Transfer Resolution (continued from 3/27/00)

Contract Review Board:

- 00-125 Ratify Work Performed and Authorize Contract Change Order – Legal Assistance For The Round At Beaverton Central and Transfer Resolution
- 00-126 Contract Change Order – Changed Conditions and Additional Work for Testing and Inspection Services During Construction of the New City Library

Coun. Soth referred to Agenda Bill 00-122, and said regarding the Council position in the historical perspective, that “the Charter allows for...” and he thought it should read “the Charter requires....” He stated the language in the Charter was directive.

Coun. Stanton stated she was absent February 7, 2000 and would abstain from the minutes of February 7th, 2000. She commented she would support Agenda Bill 00-110 because of good answers to her questions.

Coun. Brzezinski abstained from the minutes because she was absent on February 7, 2000, also.

Coun. Soth modified the motion to carry the minutes of February 7, 2000 forward to the next regular meeting and Coun. Stanton agreed to the modification.

Question called on the motion. Couns. Brzezinski, Soth, and Stanton voting AYE, motion CARRIED unanimously (3:0) (Minutes of February 7, carried to next meeting.)

ORDINANCES:

Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Stanton that the rules be suspended, and that the ordinances embodied in AB 00-127, 00-128, and 00-129 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. Brzezinski, Soth, and Stanton voting AYE, the motion CARRIED unanimously (3:0)

First Reading:

- 00-127 An Ordinance Amending Ordinance No. 1800, The Comprehensive Plan Map and Ordinance No. 2050, The Zoning Map, to Reassign Washington County's Planning Designations to City Comprehensive Plan and Zoning for a portion of Property at 7733 formerly 7799 SW Scholls Ferry Road; CPA 99-00028 and RZ 99-00018 (Edgewood Downs)
- 00-128 An Ordinance Amending Ordinance No. 1800, The Comprehensive Plan Map And Ordinance No. 2050, The Zoning Map, to Reassign Washington County's Planning Designations to City Comprehensive Plan and Zoning for Property at 8805 SW Willow Lane; CPA 99-00027 and RZ 99-00017 (Gilbert)
- 00-129 An Ordinance Amending Ordinance No. 1800, The Comprehensive Plan Map And Ordinance No. 2050, the Zoning Map, to Reassign Washington County's Planning Designations to City Comprehensive Plan and Zoning for Property at 20 SW 173rd Avenue; CPA 99-00026 and RZ 99-00016 (Williams/173rd)

Second Reading and Passage:

- 00-118 An Ordinance Amending Ordinance No. 2050, The Development Code, to Add the Use "Cemetery" to the List of Conditional Uses in Various Zoning Districts; TA 99-00014
- 00-119 An Ordinance Amending the Development Code, Ordinance No. 2050, Modifying Current Provisions and Adding New Text Relating to Traffic Impact Analysis Requirements; TA 99-00003

Coun. Soth MOVED, SECONDED by Coun. that the ordinances embodied in AB 00-118 and 00-119 now pass. Roll call vote. Couns.Brzezinski, Soth, and Stanton voting AYE, the motion CARRIED unanimously (3:0)

EXECUTIVE SESSION:

Coun. Soth MOVED, SECONDED by Coun. Stanton that Council move into executive session in accordance with ORS 192.660 (1) (d), to conduct deliberations with person designated by the governing body to carry on labor negotiations and 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.

Pilliod pointed out that they would only need to discuss items related to section (1)(h).

Couns. Brzezinski, Soth and Stanton voting AYE, motion CARRIED unanimously. (3:0)

RECESS: Coun. Brzezinski called for a recess at 6:53 p.m.

The executive session was called to order at 6:54 p.m.

The executive session adjourned at 7:42 p.m.

RECONVENED:

The regular Session reconvened at 7:42 p.m.

OTHER BUSINESS:

Coun. Brzezinski noted she had copies of material used for the prior process of the appointment to Council. She asked Council to look at the application form and see if there were any changes needed. She noted she had a copy of the questions and they were to be kept secure. She mentioned she felt two of the questions were dated and one was stated in a way that she felt should be changed. She said the ads for the process were in the *Valley Times* and the *Oregonian*, so applications needed to be prepared. She noted to contact City Recorder Darleen Cogburn, or herself if they saw any changes needed.

Pilliod said they needed to discuss whether they would have interviews by committee or by the whole Council. He noted if it was by the whole Council, it was a public meeting.

Coun. Stanton recalled that was how it was done when she was interviewed.

Coun. Brzezinski agreed, and noted they wanted to see how many applications they got before they decided how to proceed.

Coun. Stanton questioned what the process would be if they received as many as 50 applicants. She suggested having an open session or a sub-committee to sort through the applications.

Pilliod noted the sub-committee would not be a full Council so the meeting requirements would not apply.

Coun. Stanton suggested setting up a process so they would do some phone interviews, and make some determination, so that as a body they could decide who would fit best.

Pilliod clarified they would ask individually. He suggested if they got together to give a response, an argument could be made there was a meeting held.

Coun. Stanton suggested each Councilor call a certain number of applicants and then send the recommended applications to the Council President for review.

Pilliod agreed that would be fine.

Linda Adlard, Chief of Staff, said it would be helpful if they compiled a list of issues, characteristics, skills and time needed for a Council candidate. She commented the candidates themselves could decide if they were interested and added it would reduce those truly interested to a smaller number.

Coun. Brzezinski verified that when she applied for the position only four or five had applied.

Coun. Stanton said the interviews were thirty to forty-five minutes and were completed in one night.

Coun. Brzezinski explained she did not remember doing the criteria ahead of time.

Coun. Stanton said there was a matrix the Councilors used when they were speaking to her.

Coun. Soth said the procedure they used was similar to what they used when he and Coun. Brzezinski screened the new City Attorney applicants. He said based on the responses to the applications they would screen them as a Council, and thought that to arrive at a smaller number of applicants it would be a public meeting. He commented it gave them an open process that no one could argue with and still be fair to all of the applicants.

Coun. Brzezinski asked if there were any copies of the matrices from the past applications process. She stated the process would need to be discussed in a following meeting so it would need to be a topic on one of the agendas soon.

Pilliod asked the time frame anticipated for applications.

Coun. Brzezinski said the application deadline was on April 20, 2000.

Pilliod added the discussion should be on the next meeting or the week after. He added they would talk with the Mayor to get it on the agenda as a placeholder.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 7:53 p.m.

Darleen Cogburn, City Recorder

APPROVAL:

Approved this 12th day of June, 2000

Rob Drake, Mayor