

REGULAR MEETING
June 5, 2000

CALL TO ORDER:

A regular meeting of the Beaverton City Council was called to order by Mayor Rob Drake in the Forrest C. Soth Council Chambers, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday June 5, 2000 at 6:38 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Evelyn Brzezinski, Dennis Doyle, Fred Ruby, Forrest Soth, and Cathy Stanton. Chief of Staff Linda Adlard, City Attorney Mark Pilliod, Human Resources Director Sandra Miller, Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/Maintenance Director Steve Baker, Police Captain Wes Ervin, Library Director Shirley George, Principal Planner Hal Bergsma, Emergency Manager Mike Mumaw, City Transportation Engineer Randy Wooley, Project Engineer Jonathan Flecker, Senior Planner John Osterberg, Senior Planner Barbara Fryer, Assistant City Attorney Bill Scheiderich, and City Recorder Darleen Cogburn.

CITIZEN COMMUNICATION:

There was no one who wished to speak.

Mayor Drake noted there was a request for a partial reduction of fees to Dick Mullen, Chair of the Architectural Compliance Committee of the Four Seasons Neighborhood.

Coun. Doyle MOVED, SECONDED by Coun. Brzezinski to grant the request and reduce fees for Right-of-Way permit application to \$125.

Question called on the motion. Couns. Doyle, Brzezinski, Soth, Stanton and Ruby voting AYE, the motion CARRIED unanimously. (5:0)

COUNCIL ITEMS:

Coun. Soth reported that he attended the meeting of the FAIR committee and one of the important issues was the implementation of the Government Accounting Standards Board (GSBE) Statement 34, which dealt with directives governing the way things were accounted for, as well as the things that went in to the annual audit. He noted Statement 34 was a book that changed and added to the way fixed assets were accounted for and required listing those assets on the annual financial

statements. He said the City must comply with Statement 34 because to not comply could have a significant effect on both the qualified or unqualified statement given by the City auditors and the Government Finance Directors Association (GFOA). He noted it might have repercussions from bond rating agencies if the City went to bonds. He suggested that Patrick O'Claire, the Finance Director give Council and the Budget Committee an explanation and an overview of the issue.

Coun. Stanton reported that the Committee for Citizen Involvement (CCI) was hosting a seminar on "How to Testify Before a Governing Body" at City Hall on Tuesday, June 6, 2000.

Coun. Stanton said there would be a Mayor's Walking Town meeting in the South Beaverton Neighborhood on June 8, 2000.

STAFF ITEMS:

Linda Adlard, Chief of Staff gave an update on the new Library. She noted that the inside of the building was being worked on and in about three weeks the actual rooms could be determined for use.

Adlard reported that the new City website was up and running. She encouraged Council to comment on the website's usability.

Coun. Stanton commented that she had checked out the website and really liked the fact that the Development Code was on the web.

Adlard gave the City's website address as *www.ci.beaverton.or.us*.

CONSENT AGENDA:

Mayor Drake announced that Council would review the Consent Agenda before the presentations that evening and AB 00-191 would be pulled for separate consideration after the Commuter Rail Study Presentation.

Coun. Brzezinski explained that she had to leave early to go back to the Portland School Board Meeting and had requested that the Consent agenda be voted on first.

Coun. Brzezinski MOVED, SECONDED by Coun. Doyle that the consent agenda be approved as follows, with AB 00-191 pulled for separate consideration.

Minutes of the regular meeting of July 19, 1999

00-189 Liquor License: Beaches Restaurant & Bar – New Outlet

00-190 A Resolution Approving the Communications Annex as Functional Annex B of the City's Emergency Response and Recovery Plan

- 00-191 A Resolution Endorsing the Recommended Locally Preferred Alternative for the Wilsonville to Beaverton Commuter Rail Study (Pulled for separate consideration later at this same meeting.)
- 00-192 A Resolution to Authorize the Mayor to Enter into Intergovernmental Agreements with ODOT to Receive Transportation and Growth Management Grants to Update the City's Transportation System Plan and Complete a Merlo Station Area Plan
- 00-193 A Resolution to Authorize the Mayor to Enter into an Intergovernmental Agreement with ODF to Receive a Grant to Update the City's Significant Tree Inventory and Associated Tree Regulations
- 00-194 Boards and Commissions Appointment
- 00-195 Traffic Control Board Issue 435
- 00-196 Traffic Control Board Issue 437
- 00-197 430 SW 150th Avenue "Expedited" Annexation (ANX 2000-0002)
- 00-198 Bid Award – Traffic Signal Controller Cabinet Replacements
- 00-199 Bid Award – Storm Drain Catch Basin Cleaning
- 00-200 Bid Award – SW 155th Avenue Traffic Calming Revision

Contract Review Board:

- 00-201 Contract Award – Public Involvement Services for the Bikeway Program Improvement Project
- 00-202 Contract Change Order – Ratify Work Performed and Authorize Additional Work for Architect Services for New Library Building and Transfer Resolution
- 00-203 Contract Change Order - Construction Project Management Services for the New Library Building and Transfer Resolution

Coun. Stanton thanked staff for answering her questions.

Coun. Doyle abstained from voting on AB00-196. He thanked City Recorder Darleen Cogburn and said the minutes from the July 19, 1999 Council meeting were very well done.

Question called on the motion. Couns. Doyle, Brzezinski, Ruby, Soth and Stanton voting AYE, the motion CARRIED unanimously. (5:0) (Coun. Doyle abstained from voting on AB 00-196.)

RECESS:

Mayor Drake called for a brief recess at 6:48 p.m.

RECONVENED:

The regular meeting was reconvened at 6:55 p.m.

Mayor Drake announced that Council would consider the ordinances on the agenda at that time.

ORDINANCES:

Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Doyle that the rules be suspended, and that the ordinances embodied in AB 00-204 and AB 00-205 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, Doyle, Brzezinski, Ruby, and Stanton voting AYE, the motion CARRIED unanimously (5:0)

Mark Pilliod, City Attorney, read the ordinances for the first time by title only:

First Reading:

- 00-204 An Ordinance Amending Ordinance No. 2050, The Development Code, to Correct Grammatical and Syntax Errors and to Correct Internal Inconsistencies Established as a Result of Recently Adopted Text Amendments; TA 2000-0002, 2000 Omnibus TA # 1
- 00-205 An Ordinance Amending Ordinance No. 2050, The Development Code, to Eliminate Certain Minimum District Sizes, Reduce Certain Parcel Widths, Revise Open Space Requirements, Modify the Threshold of Type 1 Board of Design Review Decisions, and Further Modify Other Minor Changes to Text to Ensure Internal Consistency; TA 99-00011, 1999 Omnibus TA #3

Second Reading and Passage:

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

- 00-182 An Ordinance Amending Chapter Six of the Beaverton Code to Enlarge the Parking Permit Area in Central Beaverton
- 00-183 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 17005 NW Cornell Road; CPA 99-00029 and RZ 99-00019

Coun. Soth MOVED, SECONDED by Coun. Brzezinski that the ordinances embodied in AB 00-182 and AB 00-183 now pass. Roll call vote. Couns. Soth, Brzezinski, Doyle, Ruby, and Stanton voting AYE, the motion CARRIED, unanimously (5:0)

Mayor Drake announced the Commuter Rail Study Presentation would be heard, followed by the separate consideration of AB 00-191.

PRESENTATIONS:

00-188 Commuter Rail Study

Bob Post, Vice President of BRW, a consulting firm assisting jurisdictions looking at the feasibility of a Commuter Rail project in Washington County was present to speak. He gave a brief description of the Commuter Rail project. He explained that in 1997 the jurisdictions in Washington County wanted to take a look at opportunities to address north-south traffic issues. He said it was obvious to everyone that traffic was high on Hwy. 217 and on Interstate 5. He reported that the railroad tracks that paralleled both highways were seen as an underutilized resource and jurisdictions were looking at using the railroad for passenger service during peak-hour commuter travel. He noted that the commuter service would provide 30-minute frequency service in both directions. He said one of the concerns was that the freight traffic needed to continue and noted that the railroad owned the tracks and the property.

Post said the project was about 15.5 miles long from Wilsonville to Beaverton, with five stations at Wilsonville, Tualatin, Tigard, Washington Square, and Beaverton. He said the vehicles would be something like a light rail car, and would operate in pairs. He noted they were called Diesel Multiple Units (DMU) and were self-propelled. He said a 1997 feasibility study included looking at regulatory and physical issues that might prevent operation of commuter rail. He said there was a technical advisory committee and a steering committee with jurisdictions, which included the Cities of Beaverton, Tigard, Wilsonville, Tualatin, and Sherwood. He noted it also included Washington County, Trimet, Metro, and the Oregon Department of Transportation (ODOT). He said the legislature made some funds available to study the idea and last fall the steering committee decided to use federal funds, which slowed things down because of the process. He said the process was completed in January 2000, with the committee deciding on Commuter Rail.

Post said the criteria for Commuter Rail included transportation planning, environmental and financial considerations. He explained the key findings from the study were peak-hour operation only, carrying 4650 passengers per day (by the year 2020), as opposed to the bus option of 1500 passengers per day. He reported that travel time would take about 26 minutes from Wilsonville to Beaverton with all the stops. He said the

projected travel time for cars in the year 2020 would be 39 minutes. He noted that capital cost (1998 figures) was \$67 to \$73 million, while the bus option was \$7 to \$10 million. He explained that annual operating maintenance costs were projected to be \$3.9 million for Commuter Rail and \$1.1 million for the bus. He said auto vehicle trips reduction would be 17,500 for Commuter Rail and 2,100 for the bus option.

Post said there was strong support for the idea of a commuter rail system and there was a desire to coordinate this with other transit systems such as bus and light-rail. He noted that in Wilsonville there was support for an additional station, and support for two stations in Beaverton. He noted there was also support for longer operating hours. He said there would be an objective to make a connection to the MAX line as well as the bus system.

Post noted the resolution before Council and said it provided justification for the recommendation from the committee. He reported that there were additional meetings where there continued to be strong support for Commuter Rail, with suggestions that included more stops, longer service and more park and ride areas as well as connection to the Beaverton Transit Center. He said some thought it was too costly for the amount of trips reduced and some thought a vanpool should be considered.

Post said the next steps for the project were to complete the environmental process they were currently in, which included the alternative analysis. He noted that a draft would be issued and circulated by the federal government, which would initiate a 30-day comment period. He said the next step was further design of the project, Congress had approved a portion of the funding, and other funding was in progress. He reported that concurrent with that would be a specific financial plan development based on estimates from the preliminary design phase. He said a complication was that part of the system was owned by various entities, including Union Pacific Railroad and another portion was owned by ODOT. He said they had to make the determination to operate the line and if all went well the start up of the project could be as soon as 2004. He added that a preferred alternative was to terminate the line at the Beaverton Transit station.

Post said the resolution's purpose was to state Council's support for the project, and adopt the Locally Preferred Alternative of Commuter Rail (Exhibit 6 in record).

Mayor Drake thanked Post for the presentation.

Coun. Brzezinski said there seemed to be strong support for two stations in Wilsonville, and she wondered why only one was recommended.

Post said Commuter Rail usually operated more efficiently with more widely spaced stations and within the Wilsonville area one station would suffice. He noted that if there was some interest in extending the line to

Salem, they might end up with a station at both the north and south sides of Wilsonville.

Coun. Brzezinski said the chart showing the different times to get from Wilsonville to Beaverton by various methods was impressive, and she was supportive of the northern terminus being at the Transit Center rather than at Merlo Station. She commented that it would be a longer trip from Wilsonville to Beaverton to downtown Portland, than if someone just drove from Wilsonville to Portland.

Post explained that she was probably right but it would probably depend on the day of the week. He said that 20% of the trips terminated in Beaverton in the morning commute and there were a fair number of trips that probably originated in Tigard or at Washington Square that would terminate in Portland.

Coun. Soth referred to ridership projections, and asked how many of those if they split 4650 in half (coming and going) how many were transfers from existing bus routes, rather than new riders.

Post explained that it was a minor share being removed, because there was not a parallel service.

Coun. Soth said on the Lombard to the Beaverton Transit Center, his main concern was that Lombard be retained as a three-lane corridor, because of the possibility of increased traffic due to the decrease in traffic lanes.

Post said there were three design options and he was positive that on Farmington and Canyon Road the existing turning movements were retained. He said he was not sure the turning lanes would not change at Broadway.

Coun. Soth said the crossing at Farmington and Lombard was the longest in Oregon and he was concerned about the right-of-way acquisition that might be needed there.

Post said they had different designs and most of them would work (other than moving some islands). He reiterated it was a complicated design issue and they would work closely with City staff.

Coun. Soth said regarding the operating entity, he thought they could have an intergovernmental agreement between the various jurisdictions and hire the current operating superintendent of Portland and Western to supervise the Commuter Rail. He explained that the superintendent would have experience knowing the line and would have interest in both the passenger and freight operation to better coordinate both and also oversee the intergovernmental board.

Post said it was an idea that had been implemented elsewhere and it was clear that the railroad would be the dispatcher for the service; there would be no other option.

Coun. Soth said regarding the Resolution, he thought they were talking about the year 2020, and was wondering if they based that on the widening of Hwy. 217 and solving problems near Washington Square.

Post replied that it assumed any committed projects in the Regional Transportation Plan.

Coun. Soth said he could currently drive to Wilsonville in 26 minutes if it was not at peak commute time.

Coun. Stanton said she was currently a transit rider and related the various places where the train crossed the streets, and asked if there were six additional train trips, how much time would it take the train to go through the intersections. She explained that she was worried about the added inconvenience for vehicular traffic.

Post said there had been detailed traffic studies done and the crossing time and the gate time would be similar to the light rail at 45 to 50 seconds, and said most crossings were connected to traffic signals. He said during the peak one-hour period there would be four trains, two in each direction.

Coun. Stanton and Post discussed the actual time it took for the gates to activate and the train to cross, and both agreed to the standard 45 to 50 second time period.

Coun. Ruby asked about the difference between the Merlo Station and the Beaverton Transit Center options concerning which station was better for passengers to walk from the Light Rail station to the Commuter Rail station.

Post said the most promising area of the Beaverton Transit Station was adjacent to and at the south side of the bus pickup area so passengers would have a slightly longer walk to connect to the Light Rail. He said at the Merlo Station, passengers would only have to walk across the platform.

Coun. Ruby said he was thinking about the rain and wondered if they could have covered areas for ease of travel between the Light Rail and the Commuter trains.

Post clarified that it would be a fairly short walk.

Coun. Doyle asked if they had looked at the option of taking Commuter Rail to Salem. He thought that it would be a good option in 2020.

Post said it was an option but had not been looked at in detail. He noted that ODOT owned the line down to the City of Donald, so it was attractive. He noted that in that operating environment there were only a few crossings, so it the trains could operate at 80 M.P.H. or above.

Coun. Doyle asked if there was a feeling about what funding support they would get from Senators to get financial assistance from the Federal Government.

Post said both Senators Smith and Wyden had endorsed the project.

Mayor Drake explained that the funds would come from a different pot other than Light Rail funds, so it would not be competitive. He said the only question had been if Congress would support two rail projects in one region. He noted that the projects would be funded differently and that Portland got good marks from Washington DC for its land use and transportation planning.

Coun. Doyle asked if they had been able to talk to any of the larger businesses that have been running shuttles to Light Rail.

Post said they had met with several businesses and there were firms on both ends of the line who were interested in participating on an employment basis. He reported they met with NIKE, Tektronix and Washington Square and several others that might have an interest in the project.

Coun. Doyle asked how well attended the work sessions were.

Post said the initial meeting were attended by over 100 participants. He said the other meetings were about the same, which was a very good attendance rate.

Coun. Doyle said he was in support of the Resolution and looked forward to seeing what the final decisions were on the options, the cost and funding situations.

Separate Consideration:

00-191 A Resolution Endorsing the Recommended Locally Preferred Alternative for the Wilsonville to Beaverton Commuter Rail Study (Pulled for separate consideration at this time, after the presentation.)

Coun. Doyle MOVED, SECONDED by Coun. Soth to approve AB 00-191, including the Resolution.

Question called on the motion. Couns. Doyle, Soth, Ruby and Stanton voting AYE, the motion CARRIED. (4:0) (Coun. Brzezinski had left the meeting prior to this motion and vote.)

Mayor Drake called for a brief recess at 7:35 p.m.

RECONVENED:

The regular meeting was reconvened at 7:45 p.m.

00-187 Traffic Signal Video Detection

Randy Wooley, City Transportation Engineer said he and Jonathan Flecker, Project Engineer, would speak briefly about a new technology called Video Detection for Traffic Signals. He noted that sometimes putting cameras in intersections caused concern for some people, so Flecker would address what the video detection program didn't do.

Jonathan Flecker, Project Engineer, said the reason they started looking at the video detection program was that they had some intersections that had older style transition equipment. He reviewed the PowerPoint presentation (in record), which included an explanation of the currently used systems as well as a description of magnetometers (sensors) embedded in the pavement. He said the failures of the magnetometers were the primary reason for looking at alternative methods of detection. He noted four locations in the City where magnetometers should be replaced and noted alternatives for replacement (in record).

Flecker talked about how video detection worked and the disadvantages as well as the reasons for using the video detection, as listed in the presentation.

Mayor Drake asked if adding detection zones to the video detection system could be done remotely.

Flecker said it could, and noted they were looking at either having a modem connection or a live stream video via modem.

Coun. Soth asked if it was common to have the video detection system in conjunction with a demand type of detection system.

Flecker said that was common, and that was where the system would be used (on demand).

Flecker noted that video detection systems in the Sacramento Valley in California (in an area where there was dense fog) had never failed because of the fog.

Coun. Stanton pointed out the difference between Oregon fog and a completely different kind of fog in California and she questioned if the video detection system would work through the Oregon fog.

Flecker said he thought the video detection system would be very effective in this area.

Flecker continued to review the reasons for using video detection (in record).

Flecker clarified that the video detection system was not being "Big Brother" and cars in the intersection were photographed only to identify whether signals needed to change. He noted it was not part of the Red Light Running program, and as part of normal operation, no records would be kept.

Coun. Soth noted that the cameras were mounted on the signal arms, and wondered why would they have to be modified for construction purposes.

Flecker replied that if road construction was in progress, the video detection system could be modified or have areas added to help time and direct traffic during construction.

Coun. Soth asked if it would be the same camera with the same lens used to modify the areas.

Flecker replied that it would be the same camera with modifications made to the area the camera monitored or controlled.

Discussion ensued between Coun. Soth and Flecker concerning the programming and monitoring area of the video detection camera.

Mayor Drake suggested that Flecker continue the discussion with Coun. Soth at a later time to answer any detailed questions.

Flecker noted that several other cities were using video detection including Eugene, Keizer, and Vancouver, Washington, as well as Lane and Clackamas counties, among other jurisdictions.

Flecker said they would prefer to have a single system/manufacturer because costs would be lower. He clarified that there would be lower training costs with one program to learn and lower maintenance costs. He noted that the City of Lancaster, California had five different systems and manufacturers, and many problems.

Wooley emphasized that they did not propose to put video detection at every intersection and would only be requesting to use it where it was most appropriate. He said it would be appropriate and cost effective at the intersection of Fifth and Lombard.

Coun. Soth questioned how video detection would work at intersections where there were City, County and State jurisdictions. He wondered if

the video detection System could be used in areas where there was both City and County loop failure.

Flecker said he did not see a reason that it would not work, and the City had the maintenance responsibility in some of those areas and noted that ODOT had video detection in some areas.

Coun. Doyle asked how much it would cost to make the change at Fifth and Lombard.

Flecker said for all four approaches at the intersection of Fifth and Lombard the cost would be approximately \$20,000, and with conductive loops it would be about \$13,000 to \$14,000.

Coun. Doyle said he supported the video detection and was comfortable with the technology. He said he thought it was long overdue, but wondered what would happen if it failed.

Flecker said it would go to a fixed operation, and if the sun blinded it for a while it would go into a fixed mode for that one area.

Coun. Doyle said he was supportive of it, and thought it was a reliable system.

Flecker noted that some entities that were not satisfied were using older systems, but the systems were improving.

Coun. Doyle said this was probably easy now in comparison to the other new technologies.

Coun. Stanton asked how long it had been around.

Flecker said the video detection cameras had been out since the early 1990s and the systems since the 1980s.

Coun. Stanton noted that a 20-year life cycle for a video detection system was speculation.

Flecker said that was correct.

Coun. Stanton said every tool had a function and multiple tools worked well. She referred to surveillance issues and noted that as technology improved, the video s taped from the video detection system could be stored on tape. She questioned how many monitors would be needed to view an intersection.

Flecker said they could use one and switch from camera to camera and it depended on what they wanted to use it for and how much they wanted to get.

Coun. Stanton said she was considering the cost and no guarantee on the life cycle of the video detection system, and asked how long the life was of a loop.

Flecker said that was hard to say, if they were put in correctly they should last 10 years, but if the pavement failed it was a different situation.

Flecker pointed out that for larger intersections the cost of the cameras would be better than he had previously stated.

Coun. Doyle said he appreciated staff bringing the presentation to Council before the agenda bill the following week.

RECESS:

Mayor Drake called a brief recess at 8:34 p.m.

RECONVENED:

The regular meeting was reconvened at 8:40 p.m.

EXECUTIVE SESSION:

Coun. Soth , **MOVED, SECONDED** by Coun. Ruby 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 and in accordance with ORS 192.660 (1) (d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Couns. Soth, Ruby and Doyle voting AYE, motion CARRIED unanimously. (3:0) (Coun. Stanton was out of the room at the time of the motion and the vote, but present until 9:02 p.m. during the executive session.)

The executive session convened at 8:41 p.m.

The executive session adjourned at 9:17 p.m.

OTHER BUSINESS:

Coun. Doyle MOVED, SECONDED by Coun. Soth, instruct staff to proceed with the AGG case as discussed in executive session with appropriation for up to \$5,000.

Question called on the motion. Couns. Doyle, Soth and Ruby voting AYE, motion CARRIED unanimously. (3:0)

Coun. Soth MOVED, SECONDED Coun. Doyle to authorize attorneys to continue discussion with Enron concerning the Round as discussed in executive session.

Question called on the motion. Couns. Doyle, Soth and Ruby voting AYE, motion CARRIED unanimously. (3:0)

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 9:20 p.m.

Darleen Cogburn, City Recorder

APPROVAL:

Approved this 24th day of July, 2000

Rob Drake, Mayor