

REGULAR MEETING
October 30, 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 October 30, 2000, at 6:32 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Fred Ruby, Evelyn Brzezinski, Dennis Doyle, and Forrest Soth. Coun. Cathy Stanton was excused. Also present were Chief of Staff Linda Adlard, City Attorney Mark Pilliod, Finance Director Patrick O'Claire, Human Resources Director Sandra Miller, Police Chief David Bishop, Library Director Shirley George, and City Recorder Darleen Cogburn.

CITIZEN COMMUNICATION:

There was no one who wished to speak.

COUNCIL ITEMS:

Coun. Soth reported that he would not be able to attend the League of Oregon Cities (LOC) or the National League of Cities (NLC) meetings this year due to his recuperation from knee surgery.

Coun. Brzezinski asked how many meetings he had attended.

Coun. Soth said he had attended 23 LOC meetings and 19 NLC meetings and this would be the first one he would miss in 20 years.

Coun. Brzezinski said they were glad he was back at the Council meetings.

Coun. Brzezinski noted that she had mentioned to Council about attending a reception for principals and administrators from Beaverton Schools. She said one suggestion was that the meeting be held at the same time as the administrators regular monthly meeting. She said it

was a Thursday morning meeting in December and she asked if Council would be able to attend at that time.

Council consensus was that they could attend.

Coun. Brzezinski said the reception would probably be held at the new Library on December 7, 2000, but she did not have a time set.

There was a discussion about conflicting reception dates due to the NLC meeting schedule.

Coun. Doyle reminded them that the Beaverton Arts Commission (BAC) would have its first Annual Gala reception at the new Library on Saturday, November 4, 2000, from 6:30 p.m. to 8:30 p.m.

STAFF ITEMS:

Linda Adlard, Chief of Staff, noted that it was time to start thinking about the legislative session, and asked Council to think about what they wanted to focus on. She noted that one issue going back to legislature was the removal of the sunset date for Photo Red Light. She said the language in the Photo Red Light bill could be improved, but at this time it was better focus on removing the *sunset date*.

Coun. Soth said that since the Photo Red Light was a pilot project and it had not be implemented, did Adlard suppose the legislature would choose to remove the sunset date or at least give a good extension.

Adlard said it was easiest to request an extension of the pilot period. She reported that there should be enough time to get a report back to the Oregon Department of Transportation (ODOT) and to the legislature on the merits of the Photo Red Light program. She said she believed they should try for the permanent law and if that didn't happen, then Portland and other cities might ask for an extension of the pilot. She noted that the pilot period went to December 2001.

Coun. Soth noted that they had to make a report at the next legislative session about the program.

Adlard explained that she thought they would be able to make the report early in the session.

PROCLAMATION:

Mediation Month (November 2000)

CONSENT AGENDA:

Coun. Brzezinski MOVED, SECONDED by Coun. Doyle, that Council approve the consent agenda as follows:

00-359 A Resolution Granting a Franchise for Telecommunications for RCN

00-360 Liquor License: Chevron – New Outlet

Contract Review Board:

00-361 Contract Award – Citywide Training Curriculum

Coun. Doyle commented that in the last set of minutes from the Traffic Commission there was discussion about requests to get overnight parking permits near Highland Park Forest to help cut down on vandalism. He expressed his regret to the Neighborhood Association Committees (NACs) that he did not push that a little harder a couple of years ago, when it had been discussed.

The vote was taken. Couns. Brzezinski, Doyle, Ruby and Soth voting AYE, motion CARRIED unanimously. (4:0)

Mayor Drake noted that the agenda would be out of order with the ordinances as the next agenda item.

ORDINANCES:

Suspend Rules:

Coun. Soth MOVED, SECONDED, by Coun. Brzezinski that the rules be suspended, and that the ordinances embodied in AB 00-363 and 00-364 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, Ruby, Doyle, and Soth voting AYE, the motion CARRIED unanimously. (4:0)

First Reading:

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

00-363 An Ordinance Amending Ordinance No. 2050, The Development Code, to Amend the City's Floodplain Regulations Affecting Development and Properties within the Beaverton Creek and Hall Creek Floodplains; TA 2000-0006

00-364 An Ordinance Annexing 0.5 Acres of Land Lying Generally Outside of the Existing City Limits to the City of Beaverton; ANX2000-0003, (13675 NW Cornell Road)

Second Reading and Passage:

Pilliod explained that he would read the change that was in the ordinance embodied in AB 00-351-A, and the title, which had also been changed.

00-351-A An Ordinance Granting a Non-Exclusive Cable and Broadband Access Services Franchise Agreement to RCN Corporation doing business as RCN Telecom Services of Oregon, Inc.

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

00-352 An Ordinance Amending Ordinance No. 1800, The Comprehensive Plan, by Amending Chapter Six – Transportation Element – by Adding New Text Relating to Transportation Improvements; CPA 2000-0003

00-357 An Ordinance Amending Ordinance No. 2050, The Zoning Map, From (OC) to (CS), For Property Located on the North Side of Cornell Road (Cornell Road Rezone); RZ 99-00020

00-358 An Ordinance Amending Ordinance No. 2050, The Zoning Map, From (R7) to (R5), For the Property Located at Hanson Road and 135th Avenue (Hanson Rezone); RZ 2000-0006

Coun. Soth asked if it was necessary to refer to AB 00-351-A as amended because of the language change.

Pilliod replied that that it would be adequate if one referred to the ordinance embodied in AB 00-351-A.

Coun. Soth MOVED, SECONDED by Coun. Doyle that the ordinances embodied in AB 00-351-A, 00-352, 00-357, and 00-358 now pass. Roll call vote. Couns. Brzezinski, Ruby, Soth, and Doyle voting AYE, the motion CARRIED unanimously. (4:0)

PUBLIC COMMENT/ACTION:

00-362 Proposed Use of Old City Library Facility

Mayor Drake noted the letters that had been received concerning possible uses of the old City library facility and they had been included in the agenda bill packet (in the record). He noted that an additional letter had been received earlier that day (also in the record).

Coun. Brzezinski said she felt that it was the Council's role to be policy-makers, and not to decide which specific organizations should use the facility.

Mayor Drake said he had crafted the agenda bill with the intent being to evaluate, and utilize the old library facility for non-profit youth, art, and cultural activities. He said he was very specific about the school district's English as a Second Language (ESL) program and his thoughts included providing additional public meeting room space. He said in getting general direction from the Council that evening, a general plan could be formulated for remodeling and funding.

Coun. Brzezinski asked if anyone on the Council disagreed with the information for consideration.

Coun. Soth said the only concern he had was the deficit of meeting space for a variety of groups in the City and he did not disagree that it was Council's role to set the guidelines for those groups which may use the facilities. He said there were other considerations such as Council's indication that the Police Activities League (PAL) would have some use of the space. He said there might be some other groups of that nature that Council would have to decide on, bearing in mind that the groups acted to the benefit of all citizens in Beaverton. He pointed out that they needed to be as flexible as possible in assignment of spaces and should realize that the same space could be used by a variety of groups at different times.

Mayor Drake responded by saying it would be difficult to miss the Veterans' groups and Coun. Soth had received a specific request from them. He noted they had used City buildings in the past, and had a long-term relationship with the City. He noted they were working hard to build the Memorial and would be dedicating it soon. He pointed out that the Veterans' groups would be the kind of groups that would be scheduled for the evenings and Coun. Soth had suggested they have some storage space, also. He reviewed some of the groups that had some specific requests for use of the facility (information in the record). He said they all mixed well, and the only groups interested in the evenings would be the Veterans, and the NACs. He said the facility would have upwards of five to six meeting rooms and still allow significant space for the other groups to function cooperatively. He said the ESL group would primarily meet during the day.

Coun. Brzezinski said her point was that she did not think anyone on the Council disagreed with this so she did not think they needed to be convinced of something they were already in favor of.

Mayor Drake said he agreed with her and noted that it had been well publicized and on the Council Agenda twice. He said that broadly what had been suggested really fit in well to the needs and maturity of the community.

Mayor Drake said Coun. Soth's statement had made it clear that Veterans' groups had been great partners and they would not be forgotten. He said the staff did an outstanding job of juggling requests from citizens.

Coun. Doyle noted that the last group on the agenda bill was a Model Railroad Group and Mayor Drake's response should go into the record.

Mayor Drake explained that his response was that group did not fit the public purpose of the facility.

Coun. Doyle said it was an interesting thought, and the purpose of the public comments that evening was to inform Council of any other interests.

Public Comments:

Mayor Drake invited anyone present who had new comments to come forward and propose any new suggestions. He welcomed new ideas.

No one came forward to speak.

Coun. Soth MOVED, SECONDED by Coun. Brzezinski, to direct staff to come back to Council with a proposal for the interior design of the remodeled facility, bearing in mind that some of the proposed uses would require dedicated space, and with an outline of the proposed remodeling as to which areas would be considered for dedicated space, which of those areas would be considered for general meeting rooms, with the adjunct for some storage, and also, to return to Council with some funding recommendations, bearing in mind that the City was under the little Davis-Bacon.

Coun. Brzezinski offered a friendly amendment to the motion that the recommended uses were for non-profit youth, art and cultural activities, the Beaverton School District ESL Bilingual Welcome Center, and meeting spaces for non-profit groups such as NACs, Committee for Citizen Involvement, as outlined in the agenda bill.

Coun. Soth accepted the amendment.

Coun. Doyle emphasized the need for flexibility as the designers planned, since this would be the one chance and the funds would be difficult to come by. He expressed his hope that staff would meet with the potential user groups, use the creative talent in the community, take their time, and work this out so when it came back to the Council, everyone would be comfortable. He said he appreciated the input from the community in the process.

The vote was taken. Couns. Soth, Brzezinski, Ruby and Doyle voting AYE, motion CARRIED, unanimously. (4:0)

Coun. Soth thanked those who had come out that evening, and said he appreciated their interest and earlier comments.

EXECUTIVE SESSION:

Coun. Soth MOVED, SECONDED, by Coun. Brzezinski that 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. All Councilors voting AYE, motion CARRIED unanimously. (4:0)

RECESS:

Mayor Drake called for a brief recess at 7:02 p.m.

Executive session convened at 7:08 p.m.

Executive session adjourned at 7:48 p.m.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 7:48 p.m.

Darleen Cogburn, City Recorder

APPROVAL:

Approved this 8th day of January, 2001

Rob Drake, Mayor

**MINUTES
OCTOBER 30, 2000**

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