

SPECIAL MEETING  
December 7, 2000

CALL TO ORDER:

A special meeting of the Beaverton City Council was called to order by Council President Evelyn Brzezinski in the Mayors Conference Room, Beaverton City Hall, 4755 SW Griffith Drive, Beaverton, Oregon, on Thursday, December 7, 2000 at 6:05 p.m.

ROLL CALL:

Present were Couns. Evelyn Brzezinski, Forrest Soth and Fred Ruby. Mayor Rob Drake, Couns. Dennis Doyle and Cathy Stanton participated via conference call. Also present were City Attorney Mark Pilliod, Chief of Staff Linda Adlard, and City Recorder Darleen Cogburn.

COUNCIL ITEMS:

There were none.

STAFF ITEMS:

There were none.

CONSENT AGENDA:

There was nothing scheduled on the consent agenda.

EXECUTIVE SESSION:

**Coun. Soth MOVED, SECONDED by Coun. Doyle, that Council go into executive session in accordance with ORS 192.669 (1)(h), to discuss the legal rights and duties of the governing body with regard to litigation or litigation likely to be filed. Couns. Soth, Doyle, Ruby, Brzezinski, and Stanton voting AYE, the motion CARRIED unanimously. (5:0)**

The executive session convened at 6:07 p.m.

The executive session adjourned at 7:07 p.m.

Coun. Brzezinski reconvened the regular meeting at 7:07 p.m.

OTHER BUSINESS:

**Coun. Soth MOVED, SECONDED by Coun. Doyle, to approve the resolution as read in executive session.**

**The vote was taken. Couns. Soth, Doyle, Brzezinski, Ruby and Stanton voting AYE, the motion CARRIED unanimously. (5:0)**

Linda Adlard, Chief of Staff, announced that flue shots would be given the following day.

Adlard reported that she was still negotiating with Drake Construction regarding the 147 different requests for payment. She noted that one vendor who was unhappy about not being paid yet, (she noted that she believed Drake should have paid them, already), had gone to *The Oregonian* so a reporter was looking into that. She stated that she did not think there was any basis for this, since the City had paid, virtually 100% of the base \$12 million, almost \$13 million to Drake and within about two weeks she would be ready to pay the rest that was outstanding.

Adlard noted that in a short time they would have a presentation on the garbage haulers franchise arrangement. She told them that it would be very different that what they had seen in the past and it had to do with the lawsuits they had had from AGG. She noted they were trying to be proactive, and she had some work to do on dollars and funds that normally came in from franchise, vs. her new idea. She said as soon as they had that, she would present it so they could have an approved franchise in place for the haulers soon.

Coun. Stanton asked if the City had ever done their own garbage hauling.

Coun. Soth said they had not.

Adlard noted that it was a very expensive capital outlay.

Mark Pilliod, City Attorney, reported that the Neighbors for Livability and a few token individuals did file an appeal on the Hagggen's zone change and PUD. He noted that it was a timely filed appeal with the Land Use Board of Appeals.

Coun. Doyle asked if it would be about six months for LUBA to decide.

Pilliod said it would be quicker than that from LUBA, and noted that he had talked to Jack Orchard, attorney for the developer, who said they would intervene. He said Orchard said they were interested in pressing ahead with no extensions of time. He said he could not commit the City to the same posture, but expected that the Council was interested in moving this along as quickly as possible.

Mayor Drake asked what the basis was for the appeal.

Pilliod explained that they did not have to mention anything other than the decisions that were appealed, so they did not spell out any basis at this point.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 8:13 p.m.

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Darleen Cogburn, City Recorder

APPROVAL:

Approved this 8<sup>th</sup> day of January, 2000

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Rob Drake, Mayor

**MINUTES**  
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