

REGULAR MEETING  
March 19, 2001

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, March 19, 2001 at 6:40 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Fred Ruby, Evelyn Brzezinski, Dennis Doyle, Forrest Soth, and Cathy Stanton. Also present were Chief of Staff Linda Adlard, City Attorney Mark Pilliod, Human Resources Director Sandra Miller, Finance Director Parick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Facilities Supervisor Ron Koppel, Police Captain Wes Ervin, Library Director Ed House, City Engineer Terry Waldele, Project Engineer Jim Duggan, City Utilities Engineer David Winship, Economic Development Program Manager Janet Young, Neighborhood Program Manager Megan Callahan, Support Specialist II Deborah Baidenmann and Deputy City Recorder Sue Nelson.

CITIZEN COMMUNICATION:

Joan Salerno, Beaverton, she said had read information in *The Oregonian* regarding Photo Red Light. She noted that the article had said the City had purchased five Photo Red Light systems and she was very much in favor of Photo Red Light. She commented that she had seen a reduction in people running red lights and suggested purchasing ten empty photo red light boxes to simulate the actual system. She commented that would give the City flexibility and reduce the cost of the program.

Coun. Stanton explained that Germany had simulated photo red light but Beaverton did not have the same kind of setup.

COUNCIL ITEMS:

Coun. Soth reported that he had attended the National League of Cities Conference in Washington DC and there were many discussions about water in the State of Oregon. He commented that all of the sessions at the Conference were very good and very enlightening.

Coun. Stanton noted that she had some corrections for the minutes of January 8, 2001, that she would give to staff.

#### STAFF ITEMS:

Linda Adlard, Chief of Staff, reminded Council about the Legislative Dinner scheduled for March 21, 2001. She reported that the Beaverton Library had been nominated for an award from the National Concrete Association and the awards would be announced at a dinner on April 19, 2001. She invited Council to the Legislative dinner and asked them to R.S.V.P to her.

#### PRESENTATION:

01080 Unified Sewerage Agency – Integrated Water Resource Management (IWRM) Strategy Plan for the Tualatin River

Sherry Wantland, Public Involvement Coordinator for Unified Sewerage Agency (USA) noted that she was there to give a presentation on the Integrated Water Resource Management (IWRM) Strategy Plan for the Tualatin River. She said that for the past several years, water resources managers in the Tualatin River watershed had been collaborating on the IWRM strategy. She explained the IWRM provided a framework for users and regulators with widely diverse issues to work together to meet their shared objectives. She noted that in the next fifty years, water demand (including industrial water demand) would more than double in the Tualatin basin and she explained that in-stream flows were currently too low. She said that municipal and industrial water demands and agricultural irrigation needs would change as the community grew. She noted that the community's water needs would be met through collaboration among all stakeholders, valid information, knowledge of the communities involved, and sophisticated planning. She emphasized the IWRM was a draft strategy plan in its draft state. She presented an overview to Council through a PowerPoint program and also handed out the overview in printed form (in record).

Coun. Brzezinski referred to one of Wantland's PowerPoint slides entitled *IWRM – Identified Water Needs*, and asked if there would be enough water in the year 2012.

David Winship, City Utilities Engineer, said that in 2012 the demand would outtake the supply.

Coun. Stanton referred to the same slide and asked if there were identifying marks for the year 2020.

Winship pointed out that that the slide represented the maximum supply and usage, and indicated a line on the slide that represented demand. He explained where on the slide that demand would equal supply and beyond that line, the supply would end.

Wantland said the first draft of the IWRM was completed in March 1999, the process was being updated and the final document would change as time went by. She explained the IWRM Strategy looked at all the options, including new water supply information, which included expanding Hagg Lake, Willamette River transfer options, aquifer storage and recovery and updated information on the regional plan. She said other options included in-stream flow targets; clean water and endangered species act information to see what was happening with fish, types of water and water use.

Wantland said that in order for the IWRM Strategy to work there had to be public input. She gave an example of when she was in a restaurant and overheard the cook say it was raining and then make a comment about "what do we need water for?" She explained it was very important to keep telling people about the need for water and the watershed. She pointed out that people wanted a healthy environment and needed to understand the importance of planning for future water needs. She noted that the IWRM Strategy would affect everyone who worked, lived or recreated in the Tualatin Basin. She said the IWRM Water Managers Group supported the important first step of continued education with the public. She stressed that many challenges were ahead and the next step was to refine roles and responsibilities. She said the IWRM Strategy reaffirmed existing commitments of conservation and storm water management and would coordinate with the Tualatin River Watershed Council on the public review process. She concluded by saying USA and the Water Managers Group were nearing completion of a final report for the Tualatin River IWRM strategy, and thanked Council for the opportunity to present highlights of the final report.

Coun. Soth asked what connection she had to the Water Resources Managers group.

Wantland replied that everyone was involved.

Coun. Soth asked about the first step and if *no implementation* was one of the further objectives.

Wantland talked about cost sharing objectives with Hagg Lake, and said each case would be handled individually. She emphasized that USA took the lead role.

Coun. Soth referred to the idea of public reception, and emphasized that public outreach and public involvement would be a huge information project.

Coun. Stanton asked about the seven key areas for policy objectives and activities related to them.

Wantland referred to the fact sheet (in record) and the key areas listed.

Coun. Doyle asked about priority action items, which included wetland and riparian restoration, tributary management activities and evaluating new water sources and the drop-dead deadline dates for those projects.

Wantland said the stream flows were already there and the way things were shaping up they might get critical by the year 2012. She explained that exploring additional water sources was a project that was well under way. She noted that the changes had been in play for quite some time. She referred to water issues concerning the Willamette River and said she did not know how that would play out.

Coun. Doyle said he had recently visited SW Florida and noted that some construction had stopped because the sewer plant in the area could not hold the wastewater from the new buildings.

Coun. Soth asked if, within the framework of the Tualatin Basin, senior water rights had been discussed.

Wantland said she did not know if that discussion was under way.

Winship commented that there was a judiciary of water rights and the Willamette River was one of them. He commented that he thought there were more water rights granted than actual water, which was a serious issue.

Coun. Soth said that Scroggins Dam was owned and constructed by the Bureau of Reclamation and the work project should be completed in time for the 2012 water capacity.

Wantland said she was in total agreement.

#### CONSENT AGENDA:

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

Minutes of the regular meeting of January 8, 2001

- 01081 Approve Budget for Increase to Cover Dues for Westside Economic Alliance and Transfer Resolution
- 01082 Liquor License Annual Renewals
- 01083 Liquor License: Additional Privilege – Riverwood Pub
- 01084 CUP 2000-0025 Treasure Island Chinese Restaurant Conditional Use Permit
- 01085 CPA 2000-0009 Housing Element of the Comprehensive Plan

- 01086 CPA 2000-0012 Comprehensive Plan Public Facilities and Services Element Incorporating the Public Facilities Plan
- 01087 City Council Findings And Order Upholding Appeal and Reversing The Board of Design Review Decision; BDR Order No. 2000-0116/APP 2000-0015; Willow Creek Pedestrian Bridge
- 01088 Water Supply Feasibility Report Participation – Integrated Water Resource Management (IWRM) for the Tualatin River
- 01089 Bid Award – Storm Drain Catch Basin Cleaning
- 01090 Resolution of Intent to Condemn Property Located at 4500 SW 96<sup>th</sup> Avenue for Purposes of Storm Drain Construction

Contract Review Board:

- 01091 Land Purchase – Sorrento Water Works/Hanson Road Well Site and Transfer Resolution
- 01092 Consultant Contract Award – Engineering/Hydrogeology Services to Evaluate Feasibility for Aquifer Storage and Recover (ASR) Well No. 4 by an Aquifer Performance Pumping Test in Cooperation with the Portland Golf Club
- 01093 Contract Award – Geotechnical and Geoenvironmental Services for Sexton Place and Haggen Grocery Store Developments
- 01094 Bid Award – Ratification of Contract Award for Red Light Enforcement at the Intersections of SW Walker Road at Cedar Hills Boulevard and SW Hall Boulevard at SW Scholls Ferry Road and Transfer Resolution
- 01095 Bid Award – Janitorial Services for City Buildings

Coun. Soth referred to AB 01092 and asked if the Aquifer Storage and Recovery (ASR), included looking at casing and deepening the well.

Tom Ramisch, Engineering Department Director, said they would examine the ASR as best as they could.

Coun. Stanton referred AB 01093 and asked if the expenditure required was just for Sexton Place

Jim Duggan, Project Engineer, said the expenditure was for the entire contract.

Coun. Stanton asked if the City would be reimbursed from Haggen.

Duggan replied that Haggen would pay for their share.

Coun. Stanton asked how it would be paid back.

Mayor Drake said they would be billed based on cost and the City would handle it with no contract from the developer.

Coun. Stanton asked if it would be within one or two months.

Patrick O'Claire, Finance Director, said they would be on a 30-day billing cycle.

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

RECESS:

Mayor Drake called for a brief recess at 7:20 p.m.

RECONVENE:

The regular meeting reconvened at 7:30 p.m.

PUBLIC HEARING:

01042 Termination of Recognition of Raleigh Park Neighborhood Association Committee (RPNAC) (Public Hearing) (Carried from 2/5/01)

Mayor Drake announced that he would act as staff liaison for the public hearing that evening. He read a memo (in record) he had written to the NAC Chairpersons and the Members of the Committee for Citizen Involvement (CCI) dated February 12, 2001. He explained that the City formally recognized the Raleigh Park NAC in 1996, following the 1995 annexation of the Birchwood, 87<sup>th</sup> and Laurelwood Streets section of the City. He said that the neighborhood felt traffic calming had been a major issue at that time and when the NAC was formed the Washington County government was operating under the direction of the established County 2000 blueprint for providing urban services and encouraging annexations to cities. He said that since that time, the County had not experienced a significant increase in annexations of unincorporated areas moving into cities. He said that Washington County's formal stated interest was in moving away from providing urban services in unincorporated areas and encouraging areas to annex. He noted that County voters recently approved a bond to improve law enforcement services and he thought that was a good measure, which he supported.

Mayor Drake noted that in the last couple of years some traffic calming efforts had been made on 87<sup>th</sup> to discourage cut-through traffic. He commented that five years ago the hope was that this area would annex into the City. He explained that since there was already an existing neighborhood association formed by the unincorporated citizens in this area of Washington County, the agenda bill establishing the NAC

determined that the boundaries of the new NAC should duplicate the existing boundaries of the established neighborhood association. He noted that the Raleigh Hills area had remained primarily unincorporated and had shown little interest in annexation to Beaverton. He said that the remaining unincorporated was likely to prevail for the foreseeable future.

Mayor Drake noted that while the RPNAC had been active and successful, increasingly it had become less a creature of the City. He pointed out that only about 10% of the NAC were residents of the City and these Beaverton citizens were not in control of the City-funded citizen involvement organization and were being disenfranchised from City processes. He remarked that there had been no annexation of the area in the last five years and the current RPNAC Board Chair, Patrick Burnett, had sent him a letter in June 2000, and said he felt there was little interest in annexation. He reported that there was very little communication from Laurelwood and 87<sup>th</sup> and they felt outnumbered with 90% of NAC not in the City.

Mayor Drake commented that the City of Beaverton Neighborhood Office provided guidance to and support for each of the City's NACs. He said the annual budget for the Neighborhood Office was \$211,075, including staff, materials and services. He noted that by dividing the annual costs for the Neighborhood Office among all fourteen NACS, the estimated cost per NAC was \$15,077. He said the City had prorated the Raleigh Park NAC the \$15,077 and the City was spending that money on people who lived outside of City limits. He said his recommendation to the Council was the fact that the NAC was not a creature of the City, and was in the unincorporated area of Washington County. He reiterated that very few Beaverton citizens attended the NAC meetings, which made it representation without taxation. He pointed out that in trying to find a fair solution, they had tried something for five years, but the majority of the residents of the NAC were not Beaverton citizens. He said the City would encourage the NAC, but they were still not citizens of Beaverton. He suggested that the citizens of the unincorporated area continue their efforts in reaching out to area citizens and he noted that the current RPNAC Chair had said the original Raleigh Park Neighborhood Association would continue, regardless of being recognized by the City of Beaverton. He suggested they continue their good work and in addition, to keep their area autonomy, they might approach Washington County about being able to form a sub-area of Citizen Participation Organization Three (CPO-3) to keep their interests and involvement at the current high levels. He said the County would be able to provide staff and funding for area interests to be represented. He stated that the City would like to have the unincorporated area annex to Beaverton, but they were not a part of the City currently, and not Beaverton citizens.

Mayor Drake noted there was a five-minute testimony time limit.

Debra Conrad, Portland, thanked Mayor Drake and Council for the opportunity to speak that evening and said she was a RPNAC Board Member. She explained that ongoing problems had culminated in the

resignation of Beaverton residents from the board and while there were no personal attacks at the meetings, members were angry and took different sides of the issues involved. She stated that the RPNAC residents had rebuilt the neighborhood, worked with Washington County officials to change the Raleigh Hills Town Center plan, blocked the location of a methadone clinic and had hosted an annual picnic which was very successful. She said it was not true that the NAC had failed and concluded by saying there were allegations behind the City's decision and she wanted Council to honor the truth, and recognize the tireless efforts of the Board.

Coun. Stanton asked about non-residents on the Board.

Conrad said under the City's bylaw definition of *resident*, there were none.

Mayor Drake asked Conrad if she was aware that most NACS had 90% of their residents within the City limits and only 10% of residents outside the City limits.

Conrad said she understood that.

Coun. Soth asked if Conrad had attended any of the CPO-3 meetings. He said there seemed to be an overlapping of CPO-3 meetings with City NAC meetings.

Conrad said she had attended meetings, and it appeared to be an overlapping because of the location of the dividing line. She said she was involved with both groups.

Barb Stewart, Portland, said she had been a member of the RPNAC in the past. She commented that it was a fabulous Board and Patrick Burnett, as Chair, had done an excellent job bringing the neighborhood together and the meetings were well attended. She suggested that Council reconsider because RPNAC was an awesome group.

Mark Holady, Beaverton, said he came to the meeting that evening representing himself as an individual. He noted that he also chaired the Sexton Mountain NAC and stated that he opposed the termination of recognition of RPNAC. He said the RPNAC provided the dissemination of information and also did a lot of hard work, and if recognition was removed that would also remove public access. He said the costs to the City warranted inclusion of the NAC within the Neighborhood Program. He said there was a remnant of the Raleigh Park Neighborhood that warranted the whole NAC and Beaverton should support the NAC members. He urged Council to vote against the termination of RPNAC.

Coun. Brzezinski said other areas north and east of RPNAC could make the same arguments as well as all associations for Cedar Hills and all current eastern boundaries of the Washington County line. She said they would be encouraged to have NACs for all areas.



Holady said it was not a forum for non-City residents.

Coun. Brzezinski commented that she felt the City listened to Cedar Hills and other areas that came to talk to them.

Holady said the NAC meetings were important because that was where people found out the information they needed to make decisions for their areas.

Coun. Soth said if an area adjacent to an existing NAC wanted to be included following Holady's reasoning, then they needed to be included.

Holady said the voting act of the 1960's allowed 18 year olds to vote through constitutional amendment and if the amendment were revoked the nation would be left with a disenfranchised generation. He explained that if someone was granted the right to participate and then that right was removed the right to have an opinion would also be removed. He said if the rights of the RPNAC were removed then the residents would no longer have an information line.

Coun. Soth said the people outside of the present City limits had the representation of CPOs. He noted that anyone could appear before Council if the issue affected the City. He said he was unable to follow Holady's argument.

Holady said he lived in a safe area and traffic on Murray was an issue and he was sure that the Washington County Sheriff would not want the City Police patrol stopped.

Mayor Drake said Holady was paying County taxes and it was a statement of fact that a citizen had the right demand a sheriff to be there.

Coun. Stanton said there were staff time costs for mailing the agenda and a part of the area was entitled to support from the West Slope NAC. She said there was some existing infrastructure support.

Holady said they would receive NAC mailings from the West Slope NAC.

Charles Conrad, Portland, said he was there that evening not to persuade Council one way or the other, but to bring balance to some recently published issues. He said the area was 90% unincorporated and 10% of the area was in Beaverton, which were the same figures as five years ago. He said there were no documentation for annexation and no plan for a timeline of annexation of Raleigh Park. He said the NAC bylaws did not stipulate how many people in the area had to be City residents. He commented that RPNAC was very active in traffic control, beautification and other important issues and there was no distinction in residents in the amount of support everyone put forth. He noted that the NAC had a close

association and would continue with that supportive spirit and urged to Council to support and protect it.

Elaine Wilson, Portland, said she was a Board member in March of 2000. She submitted a letter (in record) and read her letter to Council. Her main point was a specific response to a letter dated May 9, 2000 (in record) written to Mayor Drake and Council regarding the Raleigh Park NAC. She stated that the Beaverton residents of RPNC did not attend the meetings or sit on the Board and she felt it was unfair for them to complain. She said the Board worked together for all the residents of the area.

Coun. Soth asked Wilson if she was a member of the CPO-3 and was it preferable for the members of the Raleigh Park Association to remain as members of the CPO-3 instead of the RPNAC.

Wilson replied that there were mixed feelings from the Raleigh Park Association. She said both organizations spread information to citizens, and interacted with Beaverton in work, schools and shopping and she had no preference to either one.

Leonard Orzol, Portland, said he concurred with Wilson and he believed that the City and NAC should cooperate, because of future transportation needs, planning and the continuation of information. He commented that he was not a member of the RPNAC as defined by the bylaws, but the area where the Beaverton residents lived was adjacent to the unincorporated Raleigh Park area and so the termination of recognition issues should be reexamined. He submitted a letter into the record.

Mayor Drake said the Beaverton City Code did address the areas and the Council set the boundaries for the NACs. He noted that in staying above politics, the conflict there had been no movement in the past five years for Orzol's neighborhood to become part of the City.

Orzol said he understood. He said the letter dated May 9, 2000, stated the issue was related to Beaverton non-residency but he thought it was a financial issue.

Mayor Drake said the RPNAC was a great NAC, but was not comprised of enough Beaverton citizens and should not be a formal NAC of the City. He said the 90% to 10% mix didn't jibe with the mix of the other City NACs. He said the original vision for the area was that it would eventually be in the City. He commented he would love to have them be part of the City, but they were not a part of the City at this time, and commented that it had nothing to do with Board membership.

Orzol encouraged the City to keep the strong communication.

Coun. Soth referred to the boundaries of the NAC and asked Orzol if "non-resident" described a resident as being within the boundaries of the neighborhood association.

Orzol referred to Article Two, Section Three of the Bylaws (page 3) about election of Raleigh Park Board members. He suggested that the Board was made up of described members.

Coun. Soth said the current board was made up of non-City residents.

Kay Gage, Portland, said they had worked hard to get the neighborhood together and it was very divisive that one street would be represented by another NAC. She said this would be defeating what the NAC had worked for and she commented that the City had allowed the odd strip of land to be annexed. She said she did not want the Beaverton Police responding to one street and the Washington County Sheriff responding to another.

Patrick Brunett, Portland, said he was a member of the RPNAC Board since November 1997 and was currently chair of the NAC (since March 2000). He thanked everyone for coming out to the Council meeting that evening. He said he felt well qualified to shed light on any details the Council should desire regarding the current state of the NAC, and the events leading up to the question before Council that evening. He presented a letter (in record), and some of his main points included information about general and Board membership of the Raleigh Park NAC. He indicated the NAC bylaws were clearly never intended to stack the Board with 75% City residents and that Board membership by City residents had varied from a high of only 50%, down to a low of 25% as of the past March. He said the RPNAC Board had never sought to exclude members, nor squelch discussion or dissenting opinion. He noted that Beaverton citizens' repeatedly, publicly and in writing, had been invited to participate on the Board, and City residents had voluntarily chosen not to participate. He stated that he believed the proposal to disenfranchise the RPNAC was largely political and to a lesser extent financial. He declared that the RPNAC was willing to give up all financial support from the City, and become completely self-supporting. He noted that RPNAC had very effectively represented the citizens of Beaverton in a number of issues, which affected both City and County residents. He specified issues such as traffic calming on Laurelwood, meetings on the Raleigh Hills Town Center, a proposed methadone clinic at 87<sup>th</sup> and Canyon Road, and a current proposal for a beautification measure at the corner of 87<sup>th</sup> and Canyon. He said his last point was about the future of the RPNAC and stated that the NAC planned to conduct business as usual to the extent possible, to act as a conduit of information to their constituency, to produce and distribute newsletters, hold regular general and board meetings and advocate for their citizens' interests at every level. He noted that because policies at the City level effected residents of unincorporated Washington County, and vice versa, the plan was to work very closely with leadership of the West Slope NAC and with the CPO -3.

Coun. Brzezinski asked what they got out of a Beaverton NAC as opposed to a special interest or CPO.

Brunett said there were issues that affected the County and communication from the City was most important. He said information from NAC meetings took weeks and months to come through normal channels. He noted that it was important to participate in the decision-making processes.

Coun. Stanton asked why there was a peak in attendance at the January 10, 2000, NAC meeting; what was on the agenda at that meeting.

Brunett answered that in January 2000, the issue of the traffic light at White Pine and Beaverton Hillsdale Highway was the important issue, as well as the proposed methadone clinic. He said that prior to that meeting was the issue of the Raleigh Hills Town Center, and noted that not everyone signed in at the meetings.

Bill Strand, Portland, said he was a past chair of the RPNAC, and invited Council to ask him questions. He reported that he favored annexation and it was a goal when he was chair.. He said they had several items on the agenda with the Raleigh Hills Town Center, and extensive discussion of the White Pine Street diverter. He said they discussed many other issues and it seemed that there was never enough time to talk about annexation. He commented that he had gone to a County work session and they brought up the Plan 2000. He said it was questioned whether the County would continue to fund the streets in the neighborhood, and fund the enhanced police program. He reported that the indication was there wasn't any money to fund the street projects and those areas affected should look for annexation. He said he had been working with CCI, had gotten to know how the City worked, and was impressed with the City and the staff. He said the City did listen and they took action as well, and annexation was a good idea, but he didn't know how to start the process. He commented that if the City withdrew their support they would be giving a real club to use against those opposed to annexation.

Mayor Drake stated that the Neighborhood Program Manager (Megan Callahan) was a paid professional and her time should be spent in the existing NACs, with 100% City residents.

Strand asked if the City had taken steps to annex the area.

Mayor Drake explained that there had been all sorts of "feelers" during the discussions regarding the Raleigh Hills Town Center, and many people during that time found reasons not to annex into the City. He said many times citizens were not interested when they found out how much the costs were, but the City was more than willing to bring people in if they wanted to be annexed. He reiterated that there had not been a strong interest from the people in the Raleigh Hills Association. He reported that in the past, the City had received extreme criticism for inviting areas to annex.

Coun. Stanton pointed out that the City had listened to Strand and he was not a resident of the City.

Strand complimented Council on listening.

Coun. Soth commented that part of the reason folks downplayed the annexation was to get all the services without annexing into the City. He said what disturbed him was dissention within the ranks and asked Strand how that should be addressed.

Strand replied that it was a knotty problem and he had worked as hard as he could to solve it. He commented that some things had turned into such personal issues. He said the current board and the current work would continue on, and noted that the neighborhood was unified.

Coun. Soth said after hearing some of the testimony that evening, that did not appear to be the case.

Strand said he did not have that impression and out of 1300 homes only a few people were dissatisfied.

Susan Cook, Beaverton, said she was a member of the Sexton Mountain NAC and they had gone through a big division over a land issue a year ago and she had stuck with it all the way through. She commented that she was hurt when she heard about termination of recognition of the RPNAC. She commented that she was there that evening to encourage citizens to participate to make their lives better. She said those participation issues were near and dear to her heart because it represented a Constitutional sense of "We the people..." She said she was not opposed to residents participating in County issues, but she wanted the City to reach out, because issues were always intermixing. She urged the City to work with other areas other than those within the City limits on traffic, zoning, and many other issues. She referred to Council Goal 7 and said that people needed to cooperate.

Coun. Soth remarked that the City had a reputation of cooperating with others. He asked if the City had a reason to spend tax money on County issues.

Cook said the money crossed over City and County issues and she would not have a problem if a Beaverton policeman helped someone outside the City boundaries.

Bob Tenner, Beaverton, said he was a past CCI Chair, but he was there that evening representing himself as an individual. He thanked Council for delaying the hearing that evening because it allowed everyone to take a stand. He noted that in January 2001, CCI was opposed to the de-certification of RPNAC, but he had encouraged other CCI people to come and express their views. He stated that he had friends on both sides and he pointed out that the Beaverton Code talked about the formal recognition

of groups of citizens and those citizens referred to Beaverton taxpayers and residents only. He noted that when the RPNAC first came into the City everyone thought they would want to annex into the City, but in four years there had been no further progress towards annexation. He mentioned that it was appropriate that the issue came up at budget time and noted that the City had no obligation to the non-tax paying residents. He urged Council to vote in favor of the termination of recognition of RPNAC.

Coun. Stanton clarified that there was no formal CPO in Beaverton, but the Beaverton CCI acted like a CPO.

Ralph W. Shoemaker, Portland, said he was the author of the May 9, 2000, letter and represented the City of Beaverton residents who got together with their concerns. He said there were many reasons for the termination of recognition of the RPNAC, and commented that he felt under represented by the NAC. He said he was involved with the residents of Laurelwood and they had gone door-to-door in the neighborhood and all had favored annexation, because they felt they were negatively represented from Washington County. He said the NAC was not representing the citizens and had encouraged members from outside the City to participate. He commented that all was not in harmony in the NAC and newcomers in the neighborhood wanted stronger representation. He said his area neighborhood had joined Beaverton because they wanted better service and the dissolution of the NAC seemed to be the only reasonable solution, since the majority of the Raleigh Park Association were not citizens of Beaverton. He suggested that it was representation without taxation.

Coun. Soth asked if any dissention within the ranks would be resolved.

Shoemaker said the problems would not be resolved and the Beaverton citizens were not on the Board because of problems with personalities.

Andrea Soltman, Portland, said that it appeared to her from what she had heard that evening that there was still rancor. She said she wished everyone could understand the differences in the neighborhood and it had everything to do with representation. She said that when Laurelwood and Birchwood annexed to the City, other residents of Raleigh Park would have loved to be represented by the City, but they did not want to annex. She commented that there had been plenty of time to annex, but they chose not to. She said she didn't want to go into details or the NAC bylaws, but the options were to appoint unincorporated residents to the Board or meet with Beaverton residents and start an annexation campaign. She reiterated that they just did not want to join the City.

Coun. Stanton asked how long the neighborhood picnics had gone on.

Soltman replied since 1995.

Peter Scott, Portland, said he was a resident and supported the City position and the Raleigh Hills Neighborhood Association had other options to continue their activities.

Mayor Drake closed the public hearing.

**Coun. Brzezinski MOVED, SECONDED by Coun. Soth to accept the termination of recognition of the Raleigh Park Neighborhood Association.**

Coun. Ruby said he lived in close proximity of the area and knew some of the residents. He stated that he would support the Mayor's recommendation, because RPNAC was founded on the premises that annexation would be accomplished. He said his feelings should not be seen as resistant to annexation and noted that he would like to see Raleigh Park annex, because they seemed to be a natural fit with the City of Beaverton.

Coun. Brzezinski said she agreed with Coun. Ruby and she was not aware of the dissent in the neighborhood. She noted that the Beaverton Code needed to be clearer as to the definition of Beaverton residents. She pointed out that the original agenda bill dated October 14, 1996, suggested that all remaining unincorporated areas in the neighborhood would be eventually within the City. She said they believed that the County was going to force the area to annex to the City, but that was not the same message they were getting from the County. She said she admired the neighborhood and was impressed with how it functioned. She commented that she had trouble with Beaverton tax dollars supporting so many people who were not Beaverton residents. She specified that she would like to see the City continue with good communication to areas that were close to the City so one would not have to be a citizen of Beaverton to know what was going on. She said she would like the City to give Raleigh Park a level of information.

Coun. Soth said keeping communication open was important and CPO-3 did a good job. He specified that the issue was supporting residents outside the City with City dollars. He commented that if the public safety levy had not passed the City would see more areas wanting to annex. He suggested the Raleigh Hills Neighborhood Association should come together as a group and reapply for reorganization as a NAC area. He said he would support the motion.

Coun. Stanton said she didn't want to do this and she had respected friends on both sides and this put her between a rock and a hard place. She said she had sworn to uphold the Beaverton Code and would support the motion to uphold the Code. She said she believed in Raleigh Park and would support them.

Coun. Doyle said he concurred with Coun. Brzezinski. He asked the Raleigh Hills Neighborhood Association to annex into the City. He said

they had a lot of positive energy and commented that communication was a very important issue.

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

Linda Adlard, Chief of Staff encouraged everyone to use the City Website for information.

Mark Pilliod, City Attorney, read the following ordinance for the second time by title only:

ORDINANCE:

Second Reading and passage:

01079            An Ordinance Amending Ordinance No. 2050, the Development Code, by Amending the Public Notice Procedures for Quasi-Judicial Zone Changes; TA 2000-0010

**Coun. Soth MOVED, SECONDED by Coun. Brzezinski that the ordinance embodied in AB 01079 now pass. Roll call vote. Couns. Brzezinski, Doyle, Soth, Stanton, and Ruby voting AYE, the motion CARRIED unanimously. (5:0)**

OTHER BUSINESS:

Mayor Drake said there were two requests for fee waivers. He noted the first fee waiver was from Don Lohrey, who was asking for a waiver of a \$53 tree removal fee.

**Coun. Stanton MOVED to accept the fee waiver. The motion died due to lack of a SECOND.**

**Coun. Soth MOVED, SECONDED by Coun. Brzezinski to deny the fee waiver.**

Coun. Doyle said he was uncomfortable with the issue.

Coun. Brzezinski said that the City did not plant the trees and Lohrey's neighbors had already paid the tree removal fee.

**Question called on the motion. Couns. Brzezinski, Doyle, Soth, and Ruby voting AYE, Coun. Stanton voting NAY. The motion CARRIED. (4:1)**

Mayor Drake noted that the second fee waiver request come from the New Friends of the Beaverton City Library.



**Coun. Stanton MOVED, SECONDED by Coun. Ruby that the City grant a fee waiver to the New Friends of the Beaverton City Library for fees including a Type 1 Board of Design Review permit, sign permit and remodeling fees, and the necessary mechanical/plumbing/electrical fees.**

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

Adlard reported that the RPNAC had requested to keep the link to the City Website. She reported that she would look at other Websites to see a possible general trend.

EXECUTIVE SESSION:

**Coun. Soth MOVED, SECONDED, by Coun. Doyle 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. Couns. Brzezinski, Ruby, Soth, Stanton, and Doyle voting AYE, the motion CARRIED unanimously. (5:0)**

The executive session convened at 9:35 p.m.

The executive session adjourned at 9:50 p.m.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 9:50 p.m.

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Darleen Cogburn, City Recorder

APPROVAL:

Approved this 16<sup>th</sup> day of July, 2001

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Rob Drake, Mayor.

