

REGULAR MEETING
October 1, 2001

CALL TO ORDER:

A regular meeting of the Beaverton City Council was called to order by Council President Cathy Stanton in the Forrest C. Soth Council Chambers, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday, October 01, 2001 at 6:30 p.m.

ROLL CALL:

Present were Couns. Cathy Stanton, Fred Ruby, Evelyn Brzezinski, Dennis Doyle, and Forrest Soth. Mayor Drake was excused. Also present were 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, Library Director Ed House, Captain Wes Irvin, Project Engineer Joel Howie, Principal Planner Hal Bergsma, City Engineer Terry Waldele, Development Service Manager Steven Sparks and City Recorder Sue Nelson.

CITIZEN
COMMUNICATION:

There was none.

COUNCIL ITEMS:

Coun. Doyle noted that he and Coun. Ruby had attended the Police Activities League (PAL) Open House at the old Beaverton Library. He said he heard many comments from citizens about what a great facility it would be for the kids of the community. He added there were plenty of volunteer opportunities

Coun. Ruby added the national president for PAL was there, along with Congressman David Wu.

Coun. Stanton mentioned that she had won a Pepsi vending machine and had donated it to PAL.

STAFF ITEMS:

Linda Adlard, Chief of Staff announced that Sue Nelson had been selected as the new City Recorder.

Coun. Stanton noted that Sue Nelson was well known for her expertise in Records Management.

CONSENT AGENDA:

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

- 01296 Contract Award – City Hall Third Floor Remodel Contract and Transfer Resolution
- 01297 Findings And Order Upholding the Appeal and Overturning the Action of the Board of Design Review to Allow Expansion of an Existing Church Building; Murray Hills Christian Church, Applicant/Appellant; BDR 2000-0185/APP 2001-0012
- 01298 Intergovernmental Agreement for Cooperation of Special Response Services (Police)
- 01299 Bid Award – CDBG Vose Neighborhood Sidewalk Project Phase 1 (CIP Project 5016 A)

Contract Review Board:

- 01300 Waiver of Sealed Bid – Purchase of Seven Modems and Software Packages from Two Existing Bid Awards Through the Washington County Consolidated Communications Agency
- 01301 Contract Award – Design and Construction Engineering Services for Cedar Hills Boulevard Utility Improvements, Phase 1 (CIP Project 8006A)

Question called on the motion. Couns. Ruby, Doyle, Stanton and Soth voting AYE, motion CARRIED unanimously (4:0)

Coun. Brzezinski arrived at 6:40 p.m.

WORK SESSION:

- 01302 Project Advisory Committee Recommendations on the 125th Extension, Phase 1 Project

Joel Howie, Project Engineer introduced Brian DeHass from WRG Design; Debie Garner, Public Involvement Consultant, Martha Moore, TW Environmental, and Randy Smith, Project Advisory Committee (PAC) member. He said the City's design manual required a 45 mph design speed for arterial roadways and that Brockman Road and Greenway were designated arterials in the City's transportation plan. He noted the posted

speed was 35 mph and that design modifications could be made. He explained the three options and alternatives for the area (in record).

Coun. Stanton said for the record she was a resident of the Greenway area.

Coun. Soth stated the property owners had been concerned about the drainage and asked if those issues had been addressed.

Howie stated the project would add fill on Greenway that raised the intersection about five feet. He noted there was concern with the drainage that flowed to Greenway and noted they were close to a final design. He reported there was a steep hill at 125th Avenue that drained across a resident's property. He said the resident's concern was that the fill would block the flow of drainage. He stated the citizen felt his right-of-way would not be impacted. He added they could provide a French drain or attachment that would allow drainage to flow into the catch basin.

Coun. Soth referred to the right turn lane at 125th eastbound on Brockman; he said the law stated that bike lanes were not made for traffic lanes, on any right turn lane, at any intersection in the City. He added people hurried and used bike lanes as driving lanes.

Howie commented the ultimate intersection improvements included a dedicated right turn lane on Brockman to the existing 125th Avenue.

Coun. Doyle asked if the road was heightened five feet on the east side, would that create visual problems.

Brian DeHass noted most of the houses on the east side were set up high. He stated by raising the grade of the street they were not creating a visual problem and that it matched the grade. He said the potential problem was at the corner of Oxbow and Greenway. He added the retaining walls would be pulled back so there was adequate site distance.

Coun. Doyle noted he was glad they had put the right turn lane back into the plan.

Coun. Stanton asked what components of 3 A, B and C were in component D.

Howie related that all of the components of Option 3 were included in components 3 A, B, C and D as far as the center-line alignment.

Coun. Stanton asked if the sidewalks along the north side of Greenway had been removed from the plan.

Howie replied that was correct. He added for clarification there would a sidewalk between the future 125th and Oxbow.

Coun. Stanton asked Debie Garner to comment about the citizen turnout.

Garner reported at the first Open House there were approximately 48 people and at the second one there were about 24 people. She said they were concerned that a number of the adjacent property owners did not attend. She stated they walked door to door and spoke with or dropped off information to the properties owners that would back up to the potential sound walls. She said the committee had hoped to hear what the property owners had to say about the sound walls.

Coun. Stanton noted it was the Council's direction that sound walls would be provided. She said she felt the sound wall was an important issue for people because they had already lived with noise in that area.

Howie reported when they went through the public involvement process, people said they liked sound walls. He said once the required heights (8-13 feet) were discussed, people decided to live with the noise instead of sound walls.

Martha Moore said they did a modeling exercise to determine the impact. She explained how that was done and said the sound levels did not change one decibel.

Coun. Stanton noted the change of five feet. She added she was looking forward to seeing how it worked.

Moore reported when the road was raised five feet, the line of site was not changed. She added there was little change with the linier distance between the house and the road.

Coun. Doyle asked about the neighborhood door to door walk.

Garner stated they went to homes that had property owners and residents. She noted a number of the homes were duplexes and rentals and one of their PAC members represented them. She related they left packets that included a letter to the people that were not home. She added they talked with three people but they had not heard from anyone where they left a packet at the door.

Coun. Doyle felt it was important to have a record of the homes that were visited. He said it was interesting that the three they talked with all said they wanted sound walls.

Gariner indicated two residents said they wanted a sound wall and the other one was neutral.

Howie noted two of the residents that they talked with were at the end of the sound walls so they would only partially benefit.

Coun. Soth noted he understood from the report that berms provided a landscape and not a traffic barrier.

Moore stated berms could be as effective as a concrete sound barrier if they were of equal height. She said to construct berms tall enough to provide reduction of noise levels, the slopes needed to be three to one so they were maintained safely. She added a 50 wide foot base would be needed in order to maintain an eight-foot tall wall. She said it was not typically practical for urban applications.

Coun. Stanton asked if the plan was approved, what would be the next step.

Howie stated the next step was to complete the final design and then submit a land use application. He added it would then go to the Board of Design Review (BDR).

Coun. Stanton asked for the tentative schedule for grading.

Howie stated their goal was early Spring of 2002.

Coun. Stanton asked if the 125th extension was not in the plan because of financial restraints.

Howie said that was correct and they had not included Phase III in the Capital Improvement Plan (CIP).

Coun. Stanton commented the City would have to come up with money and designs for sewer and water along this route.

Coun. Brzezinski stated the cost would be approximately ten million dollars.

Coun. Stanton stressed the intersection was in need of improvement.

Coun. Doyle said the information was helpful.

Coun. Soth MOVED; SECONDED by Coun. Doyle moved council adopt the recommendation in AB 01302, Project Advisory Committee Recommendations on the 125th Extension, Phase I Project and direct the Finance Director to include additional \$300,000 for the project in the next supplemental budget from the Traffic Impact Fee (TIF) Fund and authorize staff to apply for Type III Design Review Land Use application.

Coun. Soth said the cost of what was first proposed and the cost today were different but the important thing was the project was moving forward.

Coun. Brzezinski said she was very impressed with the Project Advisory Committee's process and the quality of their discussions.

Coun. Stanton thanked the Project Advisory Committee.

Coun. Doyle also thanked them for their work.

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

ORDINANCES:
Suspend Rules:

Coun. Soth MOVED, SECONDED, by Coun. Brzezinski that the rules be suspended, and that the ordinances embodied in AB 01303, 01304, 01305, and 01306 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. Couns. Doyle, Soth, Stanton, Ruby, and Soth voting AYE, the motion CARRIED unanimously. (5:0)

Coun. Brzezinski asked for clarification to the response that Bill Scheidrich, Assistant City Attorney wrote in the second paragraph of the franchise agreement (AB 01303).

Coun. Stanton asked if the Council had a conversation before acting upon the franchise.

Coun. Brzezinski commented they had. She stated they had two items before them at the same time. She noted one was when AT&T Communications took over Tele-Communications Inc. (TCI) that was approved and at the same time they approved the fifteen-year franchise. She indicated that was where the current penalties for failing to meet the deadline were placed and approved about a year and a half ago. She explained they approved the most recent 15-year franchise and now they were amending the franchise that was previously approved. She noted if this was not approved, MAC customers would suffer more than if the Council approved it. She noted Beaverton had already been upgraded so they were not affected. She added by renegotiating what AT&T had to provide was a result of missing the deadline.

Coun. Doyle asked what was the possibility of AT&T meeting the next deadline.

Coun. Brzezinski stated she felt they were confident of having the PCN upgrade by the original due date of February. She stated she was optimistic if the conditions remain what they were when they negotiated. She added she did not know if the events of September 11, 2001, would change things so dramatically that dollars would not become available.

First Reading:

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

- 01303 An Ordinance Amending Ordinance No. 4031 Relating to the Grant of A Non-Exclusive Cable Television Services Franchise to TCI Cablevision of Tualatin Valley
- 01304 An Ordinance Amending Ordinance No. 1800, the Comprehensive Plan Map and Ordinance 2050, the Zoning Map for Property at 1960 NW 167th Place; CPA 2001-0015/RZ 2001-0016
- 01305 An Ordinance Annexing A Parcel of Land Lying Generally Outside of the Existing City Limits to the City of Beaverton; ANX 2001-0007 (1960 NW 167th Place)
- 01306 An Ordinance Annexing Approximately 15.7 Acres of Land Lying Generally Outside of the Existing City Limits to the City of Beaverton Consisting of Five Parcels And Associated Rights-of-Way (SW Hocken Ave./SW Jenkins Rd.); ANX 2001-0005

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 7:25 p.m.

Sue Nelson, City Recorder

APPROVAL:

Approved this 19th day of November, 2001

Rob Drake, Mayor