

REGULAR MEETING  
December 10, 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, December 10, 2001, at 6:35 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 Patrick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/Maintenance Director Steve Baker, Police Chief David Bishop, Lieutenant Andrea Moore, Library Director Ed House, Project Manager John Engel, Program Manager Janet Young, Project Engineer Jim Brink, Principal Planner Hal Bergsma and City Recorder Sue Nelson.

CITIZEN COMMUNICATION:

There were none.

COUNCIL ITEMS:

Coun. Stanton announced the City's Holiday Open House would be Tuesday, December 11, 2001, at 5:00 p.m. She noted there would be music, refreshments, and a visit from Santa Claus.

Coun. Soth announced he attended the National League of Cities in Atlanta. He noted he was glad to see many young people in attendance. He reported there was a presentation on ethnic diversity.

STAFF ITEMS:

There were none.

PRESENTATIONS:

01369 Presentation of Shields and Swearing In of Newly Promoted Sergeants

David Bishop, Chief of Police, introduced Officer Daniel Kendall and Officer Michael Smith.

Chief Bishop swore in the newly promoted sergeants.

Mayor Drake presented the shields.

Bishop announced they would have a reception with their friends and families immediately following the ceremony.

01370 Pudding Creek Restoration Effort – The Pudding Creek Watershed Council & DEQ

Nina DeConcini, Oregon Department of Environmental Quality (DEQ), and Jerry Hinsvark, Vice President of the Pudding Creek Watershed Council presented a success story concerning cleaning up local streams.

Jerry Hinsvark reported the Pudding Creek area had been used for dumping garbage off the bridge down into the stream. He said over the years garbage had built up and it was very difficult to clean the river. He said the Watershed Council was asked to assess if the creek could be cleaned. He said with the help of biology classes from Kennedy High School, Marion County, and many others, they were able to clean up 95% of the garbage in the creek. He referred to pictures and explained how they were able to clean the site (in record). He added the Watershed Council was a good source of contact for these type of projects.

Mayor Drake noted that in years past Coun. Stanton had organized efforts to clean up Fanno Creek. He noted the Tualatin River Keepers were very active in the Beaverton area. He said he saw this as a good opportunity for school kids who were interested in giving back to their community. He added this idea worked well and was a good example of what could be accomplished. He expressed that Hinsvark's work was very impressive.

Coun. Doyle asked for contact information.

DeConcini said the phone number was 503-229-5696 and the web page [www.deq.state.or.us](http://www.deq.state.or.us).

Coun. Stanton thanked them and explained that one did not need to be part of a watershed to participate with tree plantings or cleanups. She noted the Neighborhood Association Committee (NAC) and the Park District were involved in the Fanno Creek project for a number of years. She stated they removed forty cubic tons of trash their first year. She

noted this was a wonderful opportunity with great benefits. She thanked Hinsvark.

Coun. Soth asked if there still were fresh water mussels in the water.

Hinsvark replied he was unsure about the mussels but there were salmon.

01371 Presentation Update for the Hall – Watson Beautification Project

Janet Young, Economic Development Program Manager, and John Engel, Redevelopment Project Manager, presented an overview of the project.

Young announced the Economic Development Strategic Plan was looking at the redevelopment needs and opportunities within the City; the downtown area was a particular area of interest. She said the Hall/Watson project had been budgeted and this was a project connecting key public improvement. She stated the project would connect the Library on the south side, the Round at Beaverton Central, and the Max Light Rail line on the north side. She noted after the first of the year they would return with a detailed plan and specific recommendations.

John Engel Economic Development Project Manager gave an overview of the project with a slide presentation (in record).

Coun. Soth asked if the project was in the present public right-of-way.

Engel answered the City improvements were in the right-of-way. He said a couple of businesses expressed they wanted to create a better downtown through a public/private partnership.

Young said they would be clear when they came back with an overall corridor plan on what things were within the public right-of-way and that was specifically where they were focusing their effort. She said they did not want to lose sight of the excitement that was being generated by adjacent property owners.

Coun. Soth said he enjoyed the picture of the fountain area.

Coun. Doyle asked when they received the final report, would it indicate the number of citizens that had participated in the different meetings, sections, and workshops.

Engel replied that was correct.

Coun. Doyle said he was excited to hear the businesses coming on board and it would be a good for the downtown area.

Engel commented they had seen the excitement within the business community.

Washington Square Regional Center Presentation

Jim Hendryx, Regional Center Plan, Community Development Director for the City of Tigard, explained the plan encompassed three jurisdictions. He said it encompassed unincorporated Washington County, the City of Beaverton on the west side of Highway 217, and the City of Tigard, which centered on the Washington Square Mall. He noted Beaverton was actively involved with Coun. Soth on the task force. He stated the plan was adopted by the Tigard City Council in February, 2000. He said the Tigard Council delayed the implementation phase until the transportation, storm water, natural resources, and open space issues were addressed. He reported the second phase was completed in the summer of 2001. He said all issues were addressed and there were no fatal flaws associated with the implementation of the plan.

Hendryx said on August 26, 2000, the Tigard City Council requested staff to work with the regional partners. He referred to a handout (in record). He reported the plan had a residential housing component, which added approximately 2,500 residences to the regional center. He said the area had a residential component in the Beaverton section for the total of approximately 7,500 residents and approximately 3,800 houses. He said there were approximately 2,300 currently and that would add approximately 1,500 new housing units. He added there was a large increase in the area for employment. He noted currently there were 18,000 employees in the area. He said these were the second highest target numbers for the Metropolitan area. He noted the distinctive characteristics of the area were the residential communities, the Red Tail Golf Course, Fanno Creek, and the impact of Highway 217. He noted Beaverton and Washington County were working with Metro to find an ultimate improvement for the Highway 217 corridor. He reported the plan called for a 500-acre greenbelt that included the greenway along Fanno Creek and looped along Ashcreek to tie in the golf course with a pedestrian link. He added there would be an overpass across 217 Highway connecting to the Fanno Creek Bike Path.

Coun. Stanton asked where the overpass would be located.

Hendryx replied it would be next to Whitford Middle School. He stated their schedule was for the implementation of the plan to go before the Tigard City Council on January 22, 2002. He said the Metro planning committee was impressed with the plan. He related he would be giving a similar presentation to the Board of County Commissioners on December 18, 2001. He said the task force had twenty-seven members that included representatives from the jurisdictions as well as residents and business people from the area. He added there were subcommittees that worked on various components of the plan.

Hendryx stated the challenging aspect was funding. He said the plan called for approximately \$160 million dollars worth of capital improvements and funding was a critical aspect. He communicated it took all of the

partners, Washington County, Tigard, Beaverton, and Metro to develop solutions to the infrastructure needs. He mentioned the crossings were identified in the plan from Washington Square to the Nimbus area. He expressed they recognized that Beaverton had two centers and the downtown regional center was a high priority. He emphasized the funding issues would be a long process. He noted they were anticipating a finance summit in the spring with the three jurisdictions. He concluded that they appreciated the City of Beaverton's involvement.

Coun. Soth noted the northern overpass at Highway 217 was designed so that citizen's on the commuter line could cross over to Washington Square. He said with the input of the task force and subcommittees this plan would be a bright spot for the area. He added Metro and the three jurisdictions had their work cut out and he thanked Hendryx for his participation.

Coun. Stanton asked if the north overpass on Highway 217 was for automobile and pedestrian use.

Hendryx replied it could serve multi functions.

Coun. Stanton asked what was the status of the overpass.

Hendryx answered it was a *people mover* identified for transit. He added it could be built for a variety of different standards and could be built just for transit or vehicular traffic.

Coun. Stanton asked when he referred to *people mover* was he talking about an escalator.

Hendryx said it could be escalators, buses, rubber wheeled vehicles, or some other type of transportation that would move people.

#### CONSENT AGENDA:

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

Minutes of the regular meeting of September 17, 2001, and the special meeting of November 29, 2001

- 01373 Final Order Allowing Appeal And Modifying The Board of Design Review's Condition No. 7 of the Approval of The Hall Blvd. Bike Lane Project; City of Beaverton, Applicant; Order No. BDR 2001-0079/APP 2001-0015
- 01374 Final Order Denying Appeal And Affirming The Decision of The Planning Commission Upholding The Planning Director's Decision Approving A Subdivision Modification Request (Sterling Park); Order No. SB 2001-0002/App 2001-0017 (MOVED TO 12/17/01)

01375 Authorize Intergovernmental Agreement with the Oregon Department of Transportation for Murray Boulevard Improvements at Safeway Entrance

01376 CUP 2000-0034 Ananda Church School Expansion Conditional Use Permit

01377 Bid Award – Replace One HVAC at City Hall and Installation of Additional HVAC Unit at Operations

Contract Review Board:

01378 Bid Award – Janitorial Services for City Buildings and Transfer Resolution (Resolution No. 3645)

01379 Exemption from Competitive Bids and Authorize a Sole Seller/Brand Name Purchase of Kwik-Case CD and DVD Security Cases

01380 Contract Change Order – Authorize Additional Work on the Upgrade to the City Hall Building's Fire Alarm System

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

RECESS:

Mayor Drake called for a recess at 7:30 p.m.

RECONVENED:

The meeting was reconvened at 7:40 p.m.

PUBLIC HEARING:

01381 Public Hearing on the Proposed Use of the Local Law Enforcement Block Grant

David Bishop, Police Chief, stated criminal investigations had changed significantly over the past fifteen to twenty years and there would be many more changes in the next five years. He said years ago most investigations were cleared by people to people contact, informants, and knocking on doors. He added today the world was high tech and the Police had to compete and that required high tech equipment. He said he felt the Police were on the right path if they continued pursuing federal money and continued budget support from the Council. He said one of the major changes in technology was deoxyribonucleic acid (DNA), which was absolutely critical to biotype investigations. He reported another change was computer generated mug shots that brought up mug shots in the Mobile Data Terminal (MDT's) and patrol cars. He added they currently had instant fingerprint identification. He explained the equipment that they were requesting was consistent with this technology. He noted

the infrared imaging device was a valuable tool for surveillance, finding suspects, and missing persons. He said the Video Forensic Unit allowed a high level of customer service to the citizens of Beaverton who had video surveillance cameras installed at their businesses. He reported one of the major crimes today was identity theft. He stated Hillsboro, Washington County, and the City of Beaverton were major players in the Metro area, involved in preventing this type of crime.

Bishop continued that identity theft today was the fastest growing crime in the United States second to computer type crimes. He indicated in the near future the Federal Bureau of Investigation (FBI) would not be investigating bank robberies and would be turning them over to the local jurisdictions. He explained the cameras being used to identify people were of poor quality. He explained film was taken to Portland to produce still shots. He noted Portland would no longer be available because they were focusing on their own crimes. He added that Washington County had this equipment but they had not trained any of their personnel to use it.

Coun. Soth asked if the equipment allowed the Police to interact with other agencies in other areas.

Bishop replied that was possible if other jurisdictions had the equipment. He said they were working with Washington County and other jurisdictions. He added the equipment enhanced the video's clarity.

Coun. Brzezinski asked what percent of surveillance tapes were black and white versus color?

Bishop replied approximately 90 percent.

Coun. Brzezinski asked if he had seen more color surveillance systems coming into practice.

Bishop said it was holding fairly steady. He said the larger stores were more likely to spend the money for color tapes. He said they were focusing on 7-11's, Plaid Pantries, and other convenience stores. He said that color was important with identifications and gave a better comparison, as with a driver's license or photo identification.

Coun. Brzezinski asked what would be the need for enhancing a driver's license photograph.

Bishop stated the video would be used for comparison in court.

Coun. Brzezinski asked the importance for identifying suspects from videotapes compared to still photos. She thanked Chief Bishop for answering all of her questions before the meeting and said she had experience with this type of equipment with her job.

Andrea Moore, Police Lieutenant, explained the equipment did both. She stated they would have the still photographs generated to distribute to media and other law enforcement agencies. She said if it was an ongoing crime they would want to be able to play the evidence in detail for a jury. She noted Avid/Ocean Systems had a luggable system and a stationary rack system. She said once the analog videotape was converted to a digitized format in an uncompressed manner it could put it on a CD and played in a courtroom. She said Washington County had the rackable mount but Beaverton was requesting the luggable system to take to a crime scene or to court.

Coun. Brzezinski noted the surveillance VHS tape had 240 lines of data, which would go into a 480 or 486 system. She added she did not understand the importance of having 486 lines versus 480 lines.

Moore said her understanding was that there were 486 lines per field and each field was divided into odd and even fields. She said the odd portion of the frame and the even frame were not the exact same moment in time. She said the odd frame could be taken for example at 5:00 p.m. and the even field could be 2/5<sup>th</sup> of a second later. She said when it was digitalized in a non-compressed format, it separated the odd and even fields and cleaned it up and presented it as a clear image.

Coun. Brzezinski stated the input only had 240 lines and not 480 or 486. She said her issue was that the system was basically a video editing system. She said they would be spending \$2,100 to get the detective kit. She said she felt it was overkill and the purpose was to input from video surveillance, produce a better image, and then use the image for media or the court. She said this seemed like a major piece of equipment for that process. She asked why the City was not partnering with Washington County to see how much this would be used. She said it was a potential policy issue, and would be good for training videos, but for surveillance there may be other programs out there that would be adequate.

Bishop clarified that their intent was for investigations only. He added they had researched the equipment and this one was the only one that would be certified in court.

Couns. Brzezinski asked how Chief Bishop felt about partnering with Washington County.

Bishop replied he was open to partnering with others. He said the benefit of owning the equipment was that the City would have control of the tapes. He noted he did not feel they could ask for the grant just for training; for even if the Council approved to apply for the grant, the deadline was close.

Mayor Drake stated it was okay for Coun. Brzezinski to disagree and that was her right as a policy maker. He said she was supportive of Police and her opinion was not taken personally.

Coun. Brzezinski said she made her speech to let it be known that she did not agree with it; but it was not to convince her colleagues. She noted she did not have a problem with the infrared thermal imaging device.

Coun. Soth said he understood that this equipment was recognized as producing certifiable evidence in a court situation, whereas other units may not.

Bishop said the equipment had been approved, used, and accepted in court.

Moore said it was much more than just a video enhancement tool. She reported it had the ability to capture any video source whether it was VHS, digitalized closed circuit television, or high-resolution television news tapes. She said it also had the ability to create a database for search purposes. She stated it would also turn time-lapse video into real time. She said most VH security surveillance systems used a standard two-hour videotape for 24/7 coverage. She said it also had the ability to demultiplex.

Moore reported there could be 16 shots and running real time would show 16 shots that were all over the place. She said this had the ability to pick them out and place them in the camera situation. She said it had the ability to highlight and enlarge images; it also had the ability to stabilize shaky video and to layer multiple camera angles for accurate analysis for chronological sequence of events. She explained it could organize images together in real time so it could be shown in a comprehensive and logical manner to a jury. She concluded it could also add case notes, so in the presentation to the jury it would be logical. She noted the e-mail capabilities and the luggability of this unit.

Coun. Doyle asked about the yearly operating costs for police personnel.

Moore replied they planned to train two detectives. She noted the hardware had a five-year warranty and there would be \$200 for each upgrade.

Coun. Doyle asked how much time would the Police use the equipment.

Moore answered it depended on the number of cases.

Coun. Doyle asked what would be the cost and amount of time used on the equipment.

Bishop replied the savings would be fewer police officers having to knock on doors and in the long run would prove to be cost effective.

Coun. Doyle asked if the infrared thermal imaging device was the first unit.

Moore answered that was correct.

Coun. Doyle asked if they anticipated adding more units.

Bishop said this was the beginning and if it was as successful as they hoped, they would be coming back to ask for additional equipment.

Coun. Doyle noted he felt it could be significant and would like to hear if it was successful in the field.

Bishop added it would be in the police performance measurements in the budget.

Coun. Brzezinski referred to the Agenda Bill and asked why it stated the expenditure required was zero when there needed to be a matching fund amount.

Patrick O'Claire, Finance Director answered those numbers would show up on the next agenda bill. He said it would be forthcoming when they actually spent the funds.

Coun. Brzezinski said then by approving it tonight would the Council approve an expenditure of \$4,900.

O'Claire said that was not the case. He clarified the approval allowed the police department to apply for the grant. He said if they did receive it then they would bring forward an agenda bill to Council saying that the grant was accepted by the Department of Justice and these were the recommended appropriation levels; at that time the Council would establish the appropriation levels.

Coun. Brzezinski said she recognized the window to apply for the grant was closing. She noted she was glad that the \$7,300 for training was added. She said she didn't want the City to be in the same boat as Washington County, having the equipment but not the money for training.

Mayor Drake opened the public hearing.

There was no testimony

Mayor Drake closed the public hearing.

Coun. Stanton MOVED, SECONDED by Coun. Soth, for approval of AB 01381 authorizing should the City submit and accept a Law Enforcement Block Grant that the City would find matching funds from the forfeiture fund and direct staff to bring forward an agenda bill detailing the specific needs and the special purpose grant budget adjustment Resolution authorizing the expenditure appropriations.

Coun. Stanton stated she would support the City of Beaverton applying for this grant for the same reasons she supports state revenue sharing. She

said she supports the City's position that they do not use state revenue sharing for the general fund. She reported it was used for programs in the City that were not core services, so at some future date, state revenue sharing died or was rescinded by the state legislators the core services in the City would not be impacted. She said she felt comfortable supporting this grant because the Police Department said that these were tools that can be used within the City to provide better service. She added because this was a grant, it was not free money. She said she was willing to support the Police Department in what they need but she felt one unit was appropriate.

Coun. Soth stated he supported the motion because he was in favor of giving the Police the capability and the expertise to be one step ahead rather than trying to catch up all of the time.

Coun. Doyle stated he supported the motion, and the training in the budget made it much more sensible.

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

ORDINANCE:  
Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Doyle, that the rules be suspended, and that the ordinance embodied in AB 01382 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, Doyle, Ruby, Soth, and Stanton voting AYE, the motion CARRIED unanimously. (5:0)

First Reading:

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

01382 An Ordinance Relating to Parking Violations, Amending Beaverton Code Section 6.02.310(F) (Ordinance No. 4185)

Coun. Ruby MOVED, SECONDED by Doyle that the appellants (Mr. & Mrs. Prentice) for the Sterling Park Subdivision Modification be granted their request and to waive the required fee of \$600.00 upon the grounds there were unusual features in the case that lead the appellants to believe they had meritorious appeal.

Coun Brzezinski and Coun. Stanton abstained stating they were not present at the meeting.

Coun. Soth stated he would not support the motion because the appellant was outside the urban growth boundary and outside the City of Beaverton

and did not present a good case. He added he did not feel a refund was justified.

Question called on the motion Counc. Doyle and Ruby voting AYE, Coun. Soth voting NAY, motion CARRIED. (2:1)

EXECUTIVE SESSION:

Coun. Stanton MOVED, SECONDED by Coun. Doyle, that the Council move into executive session in accordance with ORS 192.660 (1) (e) to deliberate with persons designated by the governing body to negotiate real property transactions. Counc. Brzezinski, Doyle, Soth, Ruby, and Stanton voting AYE, the motion CARRIED unanimously. (5:0)

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 8:25 p.m.

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Sue Nelson, City Recorder

APPROVAL:

Approved this 4<sup>th</sup> day of March, 2002

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Rob Drake, Mayor