



## FINAL AGENDA

FORREST C. SOTH CITY COUNCIL CHAMBER  
4755 SW GRIFFITH DRIVE  
BEAVERTON, OR 97005

REGULAR MEETING  
DECEMBER 20, 2004

### 6:30 p.m. 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 and in accordance with ORS 192.660 (1) (e) to deliberate with persons designated by the governing body to negotiate real property transactions and in accordance with ORS 192.660 (1) (d) to conduct deliberations with the persons designated by the governing body to carry on labor negotiations. Pursuant to ORS 192.660 (3), it is Council's wish that the items discussed not be disclosed by media representatives or others.

### CALL TO ORDER:

### ROLL CALL:

### CITIZEN COMMUNICATIONS:

### COUNCIL ITEMS:

### STAFF ITEMS:

### CONSENT AGENDA:

Minutes of the Regular Meeting of December 13, 2004

#### Contract Review Board:

04258 Waiver of Sealed Bidding – Purchase Herman Miller Systems Furniture from the State of Oregon Contract #3135.

### ORDINANCES:

#### Second Reading:

04246 An Ordinance Annexing Several Parcels Located in the Vicinity of Barnes Road and Cedar Hills Blvd. to the City of Beaverton: Annexation 2004-0013 (Ordinance No. 4334) (Carried over from meeting of 12/13/04)

## ADJOURNMENT

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## DRAFT

BEAVERTON CITY COUNCIL  
REGULAR MEETING  
DECEMBER 13, 2004

### CALL TO ORDER:

The Regular Meeting of the Beaverton City Council was called to order by Council President Forrest Soth in the Forrest C. Soth City Council Chamber, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday, December 13, 2004, at 6:35 p.m.

### ROLL CALL:

Present were Mayor Rob Drake, Couns. Betty Bode, Dennis Doyle, Fred Ruby, Forrest Soth and Cathy Stanton. Also present were City Attorney Alan Rappleyea, Chief of Staff Linda Adlard, Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/Maintenance Director Gary Brentano, Library Director Ed House, Human Resource Services Manager Nancy Bates, Police Chief David Bishop and City Recorder Sue Nelson.

### PROCLAMATION:

Forrest Soth Day: December 13, 2004

Mayor Drake announced that Council President Soth would be conducting the meeting in honor of his retiring from City Council. He said Coun. Soth had attended over 800 City Council meetings in the twenty four years he served as a City Councilor.

Mayor Drake read the proclamation declaring December 13, 2004, Forrest Soth Day and appointed Forrest C. Soth as the City's Honorary Historian. He thanked Coun. Soth for the many years of service he gave to the community.

Coun. Soth thanked Mayor Drake. He said his twenty four years on the City Council and four years on the Planning Commission went by very quickly. He said it was a great privilege to have served the City of Beaverton and its citizens on the City Council and other boards. He said one of Beaverton's greatest resources was the cooperation and well-liked relationships the City had built with Washington County and other agencies in all areas. He thanked all the City staff who contributed to the "customer-oriented" service.

### CITIZEN COMMUNICATIONS:

Henry Kane, Beaverton, recognized Coun. Soth as the institutional memory of the City Council. He said Coun. Soth had donated gallons of blood which also made him a lifesaver. He said Coun. Soth had testified at the State of Oregon's public hearing concerning reopening the Barnes Road on-ramp to west-bound Sunset Highway. He said everyone who drove in that area was a beneficiary of Coun. Soth's quiet, persuasive, effective and positive testimony.

COUNCIL ITEMS:

There were none.

STAFF ITEMS:

There were none.

CONSENT AGENDA:

Coun. Bode MOVED, SECONDED by Coun. Doyle, that the Consent Agenda be approved as follows:

Minutes of the Regular Meeting of December 6, 2004

04248 Classification Changes

04249 A Resolution Designating Territory in The Elmonica and Merlo Light Rail Station Areas, Millikan Way Station Area, Sunset Hwy./Cornell Road Area, and West Slope Area To Be Annexed To The City of Beaverton (Resolution No. 3794)

04250 Boards and Commissions Appointments

04251 Authorize the Mayor to Enter Into an Intergovernmental Agreement with Tualatin Valley Water District for Water Meter Reading Services

04252 Review and Approval of Regional Water Supply Plan (RWSP) Update; and Approval of Amendment to the 1996 Regional Water Providers Consortium Agreement

04253 A Resolution Stating the Official Results of the November 2, 2004 General Election (Resolution No. 3795)

04254 A Resolution Adopting Rules Governing A "Visitor Comment Period" for Formal Council Sessions (Resolution No. 3796)

04255 Development Services Fee Schedule Amendment (Resolution No. 3797)

Contract Review Board:

04256 Exemption from Competitive Bidding – Award Contract for Professional Services and Legislative Lobbying and Transfer Resolution (Resolution No. 3798)

04257 Exemption from Competitive Bids and Authorize a Sole Seller for the Purchase of Personal Protective Equipment (PPE) for Response to Chemical, Biological and Radiological Incidents

Coun. Stanton said she had revisions to the December 6, 2004 minutes which she gave to the City Recorder. She thanked staff for answering her questions.

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

ORDINANCES:

Second Reading:

04246 An Ordinance Annexing Several Parcels Located in the Vicinity of Barnes Road and Cedar Hills Blvd. to the City of Beaverton: Annexation 2004-0013 (Ordinance No. 4334)

Coun. Doyle MOVED, SECONDED by Coun. Ruby that the Council continue Agenda Bill 04246 (Ordinance No. 4334) until Monday, December 20, 2004, and to keep the record open on this agenda bill until Friday, December 17, 2004, at 5:00 p.m. Couns. Bode, Doyle, Ruby, Soth and Stanton voting AYE, the MOTION CARRIED unanimously. (5:0)

City Attorney Alan Rappleyea read the following ordinance for the second time by title only:

04247 An Ordinance Annexing Property Located at 3737 SW 117<sup>th</sup> Avenue and Commonly Known as the Mobile Home Corral to the City of Beaverton: Annexation 2004-0014 (Ordinance No. 4335)

Coun. Stanton MOVED, SECONDED by Coun. Doyle, that the ordinance embodied in Agenda Bill 04247, now pass. Roll call vote. Couns. Bode, Doyle, Ruby, Soth and Stanton voting AYE, the MOTION CARRIED unanimously. (5:0)

RECEPTION FOR COUN. SOTH

Mayor Drake explained the reception honoring Coun. Soth would follow the meeting.

Coun. Soth introduced his wife Connie, his son Brian and daughter-in-law Becky, and his son Phil and daughter-in-law Pam. He said without their support he would not have been able to serve on the City Council for so many years.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 6:55 p.m.

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Sue Nelson, City Recorder

APPROVAL:

Approved this     day of     , 2004.

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Rob Drake, Mayor

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

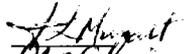
**SUBJECT:** Waiver of Sealed Bidding – Purchase  
Herman Miller Systems Furniture from  
the State of Oregon Contract #3135.

**FOR AGENDA OF:** 12-20-04 **BILL NO:** 04258

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Operations 

**DATE SUBMITTED:** 12/13/04

**CLEARANCES:** Purchasing   
Finance   
City Attorney 

**PROCEEDING:** Consent Agenda  
(Contract Review Board)

**EXHIBITS:** Quote

**BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$ 39,041	BUDGETED \$ 39,041*	REQUIRED \$ 0

\* Account Numbers: 001-85-0450-384 General Fund, Building Maintenance Services, Building Maintenance Projects of which \$30,000 was identified for Herman Miller or similar Systems Furniture. The balance will be paid from funds set aside in 001-85-0450-384 for unexpected projects in the amount of \$6,670, and 001-60-0621-303 General Fund, Police Department Support Services, Office Furniture and Equipment account in the amount of \$2,371.

**HISTORICAL PERSPECTIVE:**

Police Records is an active 24/7 customer service area that has been functioning under very cramped conditions. \$48,000 was budgeted to remodel Police Records (\$18,000 for construction; \$30,000 for furniture). The contractor and City Facilities staff completed the construction at \$5,827 under the construction budget. With the removal of walls and shelving, more room was available for the Police Records staff, which could have 18 individuals working at any given time. The current configuration is inefficient for many reasons: overhead storage bins can't open because the panels are too low; staff does not have ergonomic keyboard trays; and all staff share the crowded equipment workstation (radio & database). To correct these problems, Police Records and Facilities Management saw the need for more efficient workstations. New systems furniture was suggested to make this "window" to the Beaverton Police Department look more professional.

**INFORMATION FOR CONSIDERATION:**

The furnishing is available from Pacific Office Furnishings of Portland, Oregon under an existing Price Agreement with the State of Oregon. Oregon law and the City's Purchasing rules permit an exemption from competitive solicitation if the purchase is made from an existing price agreement with another governmental agency.

Using the State of Oregon Contract #3135 for Herman Miller Systems Furniture, Police Records received a quote from Pacific Office Furnishings to outfit the entire Police Records area, a total of 14 workstations.

**RECOMMENDED ACTION:**

Council, acting as Council Review Board, authorize the purchase of Herman Miller Systems Furniture for the Police Records area from Pacific Office Furnishings of Portland, Oregon, in the amount of \$39,041 under the existing price agreement with the State of Oregon.

Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
1	HMI	HMU	G6132.30MNQ LG	+Task Light, Utility, Std, Magnetic Ballast, No Dim, Q System, 30W +light grey	4	\$ 57.40	\$ 229.60
2	HMI	HMU	G6132.42MNQ LG	+Task Light, Utility, Std, Magnetic Ballast, No Dim, Q System, 42W +light grey	1	\$ 63.35	\$ 63.35
3	HMI	HMU	G6240.30PF MS	+Task Light, Linear, Pnl/Frm Attchd 30W +metallic silver	5	\$ 209.65	\$ 1,048.25
4	HMI	HQH	X3750.36SF KD QS LG 1V 01	+Flip Door Unit, C-Style, Std Mech, Fabric 36W +keyed differently +for Q™ System +light grey +violetta-Pr Cat 4 +violetta canilla	3	\$ 192.15	\$ 576.45
5	HMI	HQH	QBCP24N1 LG	+Access Cvr, Btltn, Painted, No Rcp Loc 24W +light grey	14	\$ 9.45	\$ 132.30
6	HMI	HQH	QBCP30N1 LG	+Access Cvr, Btltn, Painted, No Rcp Loc 30W +light grey	32	\$ 10.50	\$ 336.00
7	HMI	HQH	QBCP36N1 LG	+Access Cvr, Btltn, Painted, No Rcp Loc 36W +light grey	6	\$ 11.20	\$ 67.20
8	HMI	HQH	QBCP48N1 LG	+Access Cvr, Btltn, Painted, No Rcp Loc 48W +light grey	16	\$ 12.60	\$ 201.60

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
9	HMI	HQH	QBF3924C1BN	+Panel,Stkg Base,Cbl Mgmt,BltIn Acc,No Pwr 39H 24W	4	\$ 187.60	\$ 750.40
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
10	HMI	HQH	QBF3924E4BN	+Panel,Stkg Base,Cbl Mgmt w/4-Circ Rcp,BltIn Acc,No Pwr 39H 24W	3	\$ 233.10	\$ 699.30
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
11	HMI	HQH	QBF3930C1BN	+Panel,Stkg Base,Cbl Mgmt,BltIn Acc,No Pwr 39H 30W	3	\$ 200.90	\$ 602.70
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
12	HMI	HQH	QBF3930E4BN	+Panel, Stkg Base, Cbl Mgmt w/4-Circ Rcp Bltin Acc, No Pwr 39H 30W MS CL 63 05 63 05 +metallic silver +cool grey neutral +sironetta-Pr Cat 4 +sironetta forte +sironetta-Pr Cat 4 +sironetta forte	13	\$ 242.90	\$ 3,157.70
13	HMI	HQH	QBF3936E4BN	+Panel, Stkg Base, Cbl Mgmt w/4-Circ Rcp, Bltin Acc, No Pwr 39H 36W MS CL 63 05 63 05 +metallic silver +cool grey neutral +sironetta-Pr Cat 4 +sironetta forte +sironetta-Pr Cat 4 +sironetta forte	3	\$ 252.70	\$ 758.10
14	HMI	HQH	QBF3948C1BN	+Panel, Stkg Base, Cbl Mgmt, Bltin Acc, No Pwr 39H 48W MS CL 63 05 63 05 +metallic silver +cool grey neutral +sironetta-Pr Cat 4 +sironetta forte +sironetta-Pr Cat 4 +sironetta forte	2	\$ 227.15	\$ 454.30

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
15	HMI	HQH	QBF3948E4BN	+Panel,Stkg Base,Cbl Mgmt w/4-Circ Rcp,Btln Acc,No Pwr 39H 48W	6	\$ 272.30	\$ 1,633.80
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
16	HMI	HQH	QCCV267P	+Conn Cover, 2-Way 90 Deg,67H Painted	8	\$ 21.35	\$ 170.80
			MS	+metallic silver			
17	HMI	HQH	QCCV367P	+Conn Cover, 3-Way 90 Deg,67H Painted	2	\$ 18.90	\$ 37.80
			MS	+metallic silver			
18	HMI	HQH	QCP267CB	+Conn Post,(57H,2-Way 90 Deg,39-, 2 14H Conn Post,Btln Acc	8	\$ 49.00	\$ 392.00
			MS	+metallic silver			
			CL	+cool grey neutral			
19	HMI	HQH	QCP367CB	+Conn Post,(57H,3-Way 90 Deg,39-, 2 14H Conn Post,Btln Acc	2	\$ 49.00	\$ 98.00
			MS	+metallic silver			
			CL	+cool grey neutral			
20	HMI	HQH	QCRNM7230	+Peninsula,Sq-Edge,No Mod Pnl 72W 30D	5	\$ 260.75	\$ 1,303.75
			MS	+metallic silver			
			LG	+light grey			

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
21	HMI	HQH	QCWS4824 LG	+Work Surf,Sq-Edge Cnr 48W 24D +light grey	1	\$ 188.30	\$ 188.30
22	HMI	HQH	QDROD14N	+Draw Rod,No BltIn Acc 14H	92	\$ 6.30	\$ 579.60
23	HMI	HQH	QDROD39B	+Draw Rod,BltIn Acc 39H	50	\$ 7.70	\$ 385.00
24	HMI	HQH	QDROD39N	+Draw Rod,No BltIn Acc 39H	3	\$ 7.70	\$ 23.10
25	HMI	HQH	QDRODCH14N	+Draw Rod,Ch of Ht,No BltIn Acc 14H	2	\$ 8.40	\$ 16.80
26	HMI	HQH	QDRODCH39B	+Draw Rod,Ch of Ht,BltIn Acc 39H	1	\$ 11.55	\$ 11.55
27	HMI	HQH	QEL1322.06E	+Base Power Entry,Direct Connect 6Ft L	3	\$ 51.10	\$ 153.30
28	HMI	HQH	QFEND39N MS	+Fin End,No Bettline Access 39H +metallic silver	3	\$ 17.85	\$ 53.55
29	HMI	HQH	QFEND67N MS	+Fin End,No Bettline Access 67H +metallic silver	6	\$ 20.65	\$ 123.90
30	HMI	HQH	QFENDCH28 MS	+Fin End,Ch of Ht 28H +metallic silver	3	\$ 16.10	\$ 48.30
31	HMI	HQH	QRLT1624 MS	+Rail Tile 24W +metallic silver	1	\$ 58.10	\$ 58.10

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
32	HMI	HQH	QRLT1630	+Rail Tile 30W	4	\$ 63.35	\$ 253.40
			MS	+metallic silver			
33	HMI	HQH	QRLT1636	+Rail Tile 36W	2	\$ 67.90	\$ 135.80
			MS	+metallic silver			
34	HMI	HQH	QRLT1648	+Rail Tile 48W	2	\$ 78.40	\$ 156.80
			MS	+metallic silver			
35	HMI	HQH	QSLF30	+Shelf 30W	2	\$ 41.65	\$ 83.30
			MS	+metallic silver +light grey			
36	HMI	HQH	QSLF48	+Shelf 48W	3	\$ 66.50	\$ 199.50
			MS	+metallic silver			
37	HMI	HQH	QSPR1424S1	+Panel,Stacking Rail,Rail Side 1,Fabric Side 2 24W	6	\$ 114.45	\$ 686.70
			MS	+metallic silver			
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
38	HMI	HQH	QSPR1430S1	+Panel,Stacking Rail,Rail Side 1,Fabric Side 2 30W	15	\$ 122.15	\$ 1,832.25
			MS	+metallic silver			
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			

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Beaverton Shannon 1st Q only Violetta, Sironetta

Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
39	HMI	HQH	QSPR1436S1	+Panel,Stacking Rail,Rail Side 1,Fabric Side 2 36W	2	\$ 126.70	\$ 253.40
			MS	+metallic silver			
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
40	HMI	HQH	QSPR1448S1	+Panel,Stacking Rail,Rail Side 1,Fabric Side 2 48W	8	\$ 136.15	\$ 1,089.20
			MS	+metallic silver			
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
41	HMI	HQH	QSPT1424	+Panel,Stacking Tackable 14H 24W	8	\$ 96.60	\$ 772.80
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
42	HMI	HQH	QSPT1430	+Panel,Stacking Tackable 14H 30W	17	\$ 101.85	\$ 1,731.45
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
43	HMI	HQH	QSPT1436	+Panel,Stacking Tackable 14H 36W	4	\$ 107.10	\$ 428.40
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			
			1V	+violetta-Pr Cat 4			
			01	+violetta carnilla			

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
44	HMI	HQH	QSPT1448	+Panel,Stacking Tackable 14H 48W	8	\$ 117.25	\$ 938.00
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
45	HMI	HQH	QTB1624	+Tackboard 16H 24W	1	\$ 88.20	\$ 88.20
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
46	HMI	HQH	QTB1630	+Tackboard 16H 30W	3	\$ 89.60	\$ 268.80
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
47	HMI	HQH	QTB1636	+Tackboard 16H 36W	1	\$ 92.40	\$ 92.40
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
48	HMI	HQH	QTB1648	+Tackboard 16H 48W	4	\$ 96.60	\$ 386.40
			1V	+violetta-Pr Cat 4			
			01	+violetta camilla			
49	HMI	HQH	QTDT36	+Table,Sq-Edge Teardrop	1	\$ 317.80	\$ 317.80
			MS	+metallic silver			
			LG	+light grey			

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Beaverton Shannon 1st Q only Violetta, Sironetta

Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
50	HMI	HQH	QTP3924C1	+Panel,Tackable,Cbl Mgmt 39H 24W	1	\$ 180.25	\$ 180.25
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
51	HMI	HQH	QTP3930C1	+Panel,Tackable,Cbl Mgmt 39H 30W	4	\$ 193.90	\$ 775.60
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
52	HMI	HQH	QTP3948C1	+Panel,Tackable,Cbl Mgmt 39H 48W	1	\$ 221.20	\$ 221.20
			MS	+metallic silver			
			CL	+cool grey neutral			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
			63	+sironetta-Pr Cat 4			
			05	+sironetta forte			
53	HMI	HQH	QWLST67	+Wall Strip 67H	21	\$ 22.05	\$ 463.05
			LG	+light grey			

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
54	HMI	HQH	QWPA24	+Supp Pnl, Work Surf, End 24D	2	\$ 87.85	\$ 175.70
			LG	+light grey			
55	HMI	HQH	QWPAM	+Supp Pnl, Work Surf, Mid-Run	5	\$ 84.00	\$ 420.00
			LG	+light grey			
56	HMI	HQH	QWS3024	+Work Surf, Sq-Edge Rect 30W 24D	1	\$ 97.65	\$ 97.65
			LG	+light grey			
57	HMI	HQH	QWS3630	+Work Surf, Sq-Edge Rect 36W 30D	3	\$ 134.75	\$ 404.25
			LG	+light grey			
58	HMI	HQH	QWS4824	+Work Surf, Sq-Edge Rect 48W 24D	10	\$ 122.85	\$ 1,228.50
			LG	+light grey			
59	HMI	HQH	QWS5124	+Work Surf, Sq-Edge Rect 51W 24D	1	\$ 138.60	\$ 138.60
			LG	+light grey			
60	HMI	HQH	QWS5424	+Work Surf, Sq-Edge Rect 54W 24D	3	\$ 141.05	\$ 423.15
			LG	+light grey			
61	HMI	HQH	QWS6024	+Work Surf, Sq-Edge Rect 60W 24D	3	\$ 155.40	\$ 466.20
			LG	+light grey			
62	HMI	HQH	QWS6624	+Work Surf, Sq-Edge Rect 66W 24D	2	\$ 171.50	\$ 343.00
			LG	+light grey			

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
63	HMI	HQH	QWS7230	+Work Surf, Sq-Edge Rect 72W 30D  LG +light grey	1	\$ 228.90	\$ 228.90
64	HMI	HCQ	ZQRLA	@Vary Easy Q System Sq-Edge Vinyl Frt Rect Wk Surf, Lam Top @24D @24D 84W @With Grommet, 3/8" Gap (Std Prospects™ Gap) @Light Grey @Light Grey Edge @Black Umbler Supt	1	\$ 211.40	\$ 211.40
65	HMI	HQH	QWSTRT67	+Wall Start 67H	1	\$ 19.60	\$ 19.60
66	HMI	MER	160-1520-B	+Freestanding Ped Std Pull 15W 20D 26-3/8H (FF)  TS +Textured Steel MS +silver metallic KA +Keyed Alike	22	\$ 194.22	\$ 4,272.84
67	HMI	MER	160-1520-F	+Freestanding Ped Std Pull 15W 20D 26-3/8H (BBF)  TS +Textured Steel MS +silver metallic KA +Keyed Alike	1	\$ 202.02	\$ 202.02

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
68	HMI	MER	26-4220-2N	+File,FS Lat Std Pull,2 Dwr	3	\$ 333.06	\$ 999.18
			TS	+textured steel			
			MS	+metallic silver			
			T2	+1 1/4"-high painted metal top with squared edge			
			KA	+keyed alike			
			B2	+1 1/2"-high base			
			CB	+counterweight (recommended)			
			9P	+front-to-back filing rail			
69	HMI	MER	26-4220-5D	+File,FS Lat Std Pull,1 FD/4 Dwr	1	\$ 730.86	\$ 730.86
			TS	+textured steel			
			MS	+metallic silver			
			T2	+1 1/4"-high painted metal top with squared edge			
			KA	+keyed alike			
			B2	+1 1/2"-high base			
			CB	+counterweight (recommended)			
			9P	+front-to-back filing rail			
70	HMI	MER	46-3020-69	+Storage Case Std Pull 30W 20D 68-3/8H	1	\$ 380.25	\$ 380.25
			TS	+Textured Steel			
			MS	+silver metallic			
			NS4	+Four Shelves			
			KA	+Keyed Alike - Black			
			T2	+Square Edge Metal Top 1-1/4			
			Y	+With Doors			
			B2	+1-1/2in Base			

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Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
71	HMI	HQH	QELRA	+Recep, 15 Amp, 3- or 4-Circ, Circ A 6/Pkg	2	\$ 54.60	\$ 109.20
			CL	+cool grey neutral			
72	HMI	HQH	QELRB	+Recep, 15 Amp, 3- or 4-Circ, Circ B 6/Pkg	2	\$ 54.60	\$ 109.20
			CL	+cool grey neutral			
73	ACC	ACC	Labor	LABOR including refurb panels M-F 8-5	1	\$ 3,150.00	\$ 3,150.00
				<b>Grand Total</b>			<b>\$ 39,820.10</b>

*Labor in-house*  
*AV*

13

Beaverton Shannon 1st KBT's and surface stack

Item	Mfg	Cat	Part Number	Part Description	Buy	Sell \$	Ext Sell \$
1	HMI	HMU	SA167540	+Keybd Tray, Fully Adj, Std-Length Arm, Knob Adj	13	\$ 153.65	\$ 1,997.45
			BU	+black umber			
2	HMI	HQH	QWLST87	+Wall Strip 6'H	2	\$ 22.05	\$ 44.10
			LG	+light grey			
3	HMI	HQH	QWS3624	+Work Surf, Sq-Edge Rect 36W 24D	3	\$ 109.55	\$ 328.65
			LG	+light grey			
4	ACC	ACC	Labor	LABOR including refurb panels M-F 8-5	1	\$ 280.00	\$ 280.00
				<b>Grand Total</b>			<b>\$ 2,650.20</b>

keyboard trays 2153.45  
stacking surfaces 496.75

Labor in-house  
PJO

(11)

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

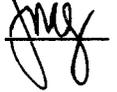
12/20/04

~~12/13/04~~

**SUBJECT:** An Ordinance Annexing Several Parcels  
Located in the Vicinity of Barnes Road and  
Cedar Hills Blvd. to the City of Beaverton:  
Annexation 2004-0013

**FOR AGENDA OF:** ~~12/06/04~~ **BILL NO:** 04246

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CDD 

**DATE SUBMITTED:** 11/22/04

**CLEARANCES:** City Attorney   
Planning Services 

**PROCEEDING:** ~~First Reading~~  
Second Reading & Passage

**EXHIBITS:** Ordinance  
Exhibit A - Map  
Exhibit B - Legal Description  
Exhibit C - Staff Report Dated 11/19/04

**BUDGET IMPACT**

EXPENDITURE REQUIRED \$0	AMOUNT BUDGETED \$0	APPROPRIATION REQUIRED \$0
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**HISTORICAL PERSPECTIVE:**

This request is to annex approximately 162 acres in the vicinity of Barnes Road and Cedar Hills Blvd. to the City of Beaverton. This is what is commonly referred to as an island annexation and may proceed without the consent of the property owners or residents after the City Council holds a public hearing. It is being processed under ORS 222.750 and Metro Code 3.09.

**INFORMATION FOR CONSIDERATION:**

This ordinance and the attached staff report address the criteria for annexation in Metro Code Section 3.09.

Beaverton Code Section 9.06.035A provides the City Council the option of adding this property to an appropriate Neighborhood Association Committee (NAC) at the time of annexation. The Neighborhood Office recommends not adding this property to a Neighborhood Association Committee (NAC) boundary at this time.

Staff recommends that the City Council adopt an ordinance annexing the referenced property, effective 30 days after Council approval and the Mayor's signature on this ordinance or the date the ordinance is filed with the Secretary of State, whichever is later.

**RECOMMENDED ACTION:**

~~First Reading~~  
Second Reading & Passage

ORDINANCE NO. 4334

AN ORDINANCE ANNEXING SEVERAL PARCELS LOCATED IN THE GENERAL VICINITY OF BARNES ROAD AND CEDAR HILLS BLVD. TO THE CITY OF BEAVERTON: ANNEXATION 2004-0013

- WHEREAS,** This annexation was initiated under authority of ORS 222.750, whereby the City may annex territory that is not within the City but that is surrounded by the corporate boundaries of the City, or by the corporate boundaries of the City and a stream, with or without the consent of property owners or residents; and
- WHEREAS,** This property is in Beaverton's Assumed Urban Services Area and Policy 5.3.1.d of the City's acknowledged Comprehensive Plan states: "The City shall seek to eventually incorporate its entire Urban Services Area."; and
- WHEREAS,** Council Resolution No. 3785 sets forth annexation policies for the City and this action implements those policies; now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

- Section 1.** The property shown on Exhibit A and more particularly described in Exhibit B is hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State, whichever is later.
- Section 2.** The Council accepts the staff report, dated November 19, 2004, attached hereto as Exhibit C, and finds that:
- a. There are no provisions in urban service provider agreements adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
  - b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services in that partial responsibility for sanitary and storm sewer facilities within the area annexed will transfer to the City subsequent to this annexation.
- Section 3.** The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:
- a. The part of the property that lies within the Washington County Urban Road Maintenance District will be withdrawn from the district; and
  - b. The part of the property that lies within the Washington County Street Lighting District #1, if any, will be withdrawn from the district; and
  - c. The part of the property that lies within the Washington County Enhanced Sheriff Patrol District will be withdrawn from the district; and
  - d. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the property to be annexed by this Ordinance shall remain within that district; and
  - e. The territory will remain within boundaries of the Tualatin Valley Water District.

**Section 4.** The Council finds that this annexation complies with all other applicable criteria set out in Metro Code Chapter 3.09 as demonstrated in the staff report attached as Exhibit C.

**Section 5.** The City Recorder shall place a certified copy of this Ordinance in the City's permanent records, and the Community Development Department shall forward a certified copy of this Ordinance to Metro and all necessary parties within five days of the effective date.

**Section 6.** The Community Development Department shall transmit copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities affected by this Ordinance in accordance with ORS 222.005.

First reading this 6th day of December, 2004.

Passed by the Council this \_\_\_ day of \_\_\_\_\_, 2004.

Approved by the Mayor this \_\_\_ day of \_\_\_\_\_, 2004.

ATTEST:

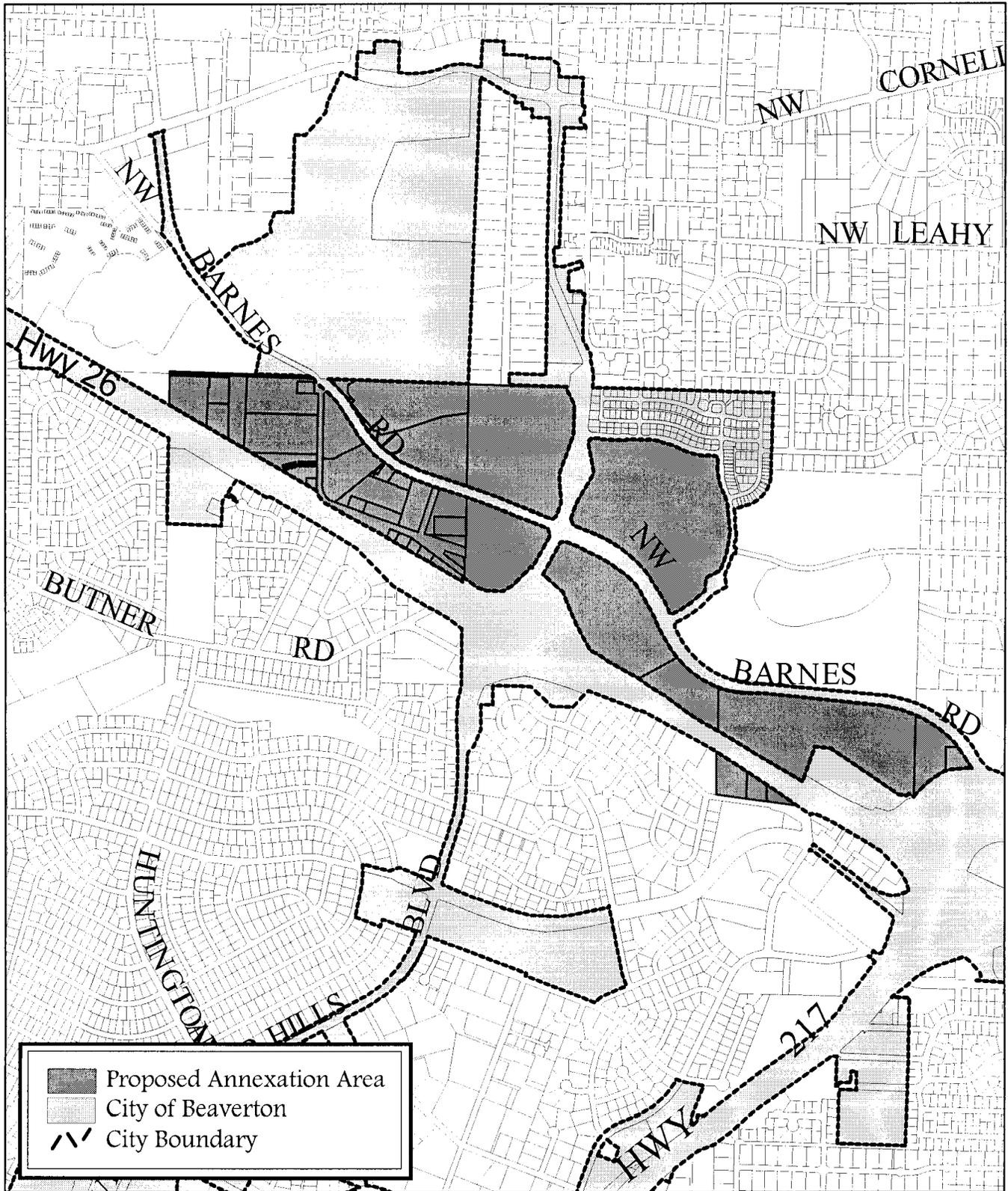
APPROVED:

\_\_\_\_\_  
SUE NELSON, City Recorder

\_\_\_\_\_  
ROB DRAKE, Mayor

# ANNEXATION MAP

Ordinance No. 4334  
**Exhibit A**



City of Beaverton

Barnes Road / Cedar Hills Blvd. Area Annexation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

12/06/04

Map #  
Various

**003**

Application #  
ANX2004-0013

**Barnes Road / Cedar Hills Boulevard Area Annexation**  
**ANX2004-0013**

**PARCEL 1**

Beginning at a point in the SW ¼ of the SW ¼ Section 34, Township 1 North, Range 1 West, Willamette Meridian, Washington County, Oregon, said point being North 19.9 feet from the Southwest Corner of said Section 34; thence running East parallel with the south line of said Section 34 to the westerly right of way line of SW Barnes Road; thence running southeasterly along the southwesterly right of way of SW Barnes Road to the point of intersection with the westerly right of way of SW Cedar Hills Boulevard; thence southerly along said right of way line of Cedar Hills Boulevard until it becomes the northerly right of way line of U.S. Highway 26 (Sunset Highway); thence northwesterly along the northerly right of way line of U.S. Highway 26 until said right of way line intersects the south line of the Josiah Hall D.L.C. No. 58; thence east along the south line of Josiah Hall D.L.C. No.58 to a point on the north right of way line of SW Corby Drive; thence northwesterly along the northerly right of way line of SW Corby Drive to the point where the right of way line of SW Corby Drive bears North said point also being on the northerly right of way line of U. S. Highway 26; thence northwesterly along the northerly right of way line of U.S. Highway 26 to the point where the northerly right of way line of U.S. Highway 26 intersects the west line of Section 3 Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon; thence North 265.9 feet to the Southwest corner of Section 34, Township 1 North, Range 1 South, Willamette Meridian, Washington County, Oregon; thence North along the west line of said Section 34, 19.9 feet to the point of beginning.

**Barnes Road / Cedar Hills Area Annexation**  
**ANX2004-0013**

**Parcel 2**

Beginning at the Southeast corner of the Southwest ¼ of Section 34, Township 1 North, Range 1 West, of the Willamette Meridian, Washington County, Oregon, said point also being the Northeast Corner of the Josiah Hall D.L.C. No. 58; thence West along the south line of said Section 34 to a point where said Section line intersects the Northeasterly right of way line of SW Barnes Road; thence southeasterly along said right of way line to a point where said right of way line intersects with the westerly right of way line of SW Cedar Hills Boulevard; thence northerly along said right of way line to a point where said right of way line of SW Cedar Hills Boulevard intersects with the south line of Section 34, Township 1 North, Range 1 West of the Willamette Meridian, Washington County, Oregon; thence west along the south line of said Section 34 to the point of beginning.



Ordinance No. 4334

**Exhibit C**

# CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

## PETITION AND STAFF REPORT

**TO:** City Council **REPORT DATE:** November 19, 2004

**HEARING**

**DATE:** December 6, 2004

**FROM:** Community Development Department  
Hal Bergsma, Planning Services Manager  
Alan Whitworth, Senior Planner

**SUBJECT:** Barnes Road/Cedar Hills Blvd. Island Annexation (ANX 2004-0013)

**ACTIONS:** Annexation to the City of Beaverton of several parcels located in the vicinity of the Barnes Road and Cedar Hills Boulevard intersection. The territory is shown on the attached map and more particularly described by the attached legal description. The annexation of the territory is City initiated and is being processed under ORS 222.750 and Metro Code 3.09.050.

**NAC:** This property is not currently within a Neighborhood Association Committee (NAC). The Neighborhood Office is recommending that this territory not be added to a NAC. It is anticipated a new NAC will eventually be established in the area.

**AREA:** Approximately 163 acres

**TAXABLE BM 50 ASSESSED VALUE:** \$ 34,756,200

**ASSESSOR'S REAL MARKET BUILDING VALUE:** \$ 31,947,860

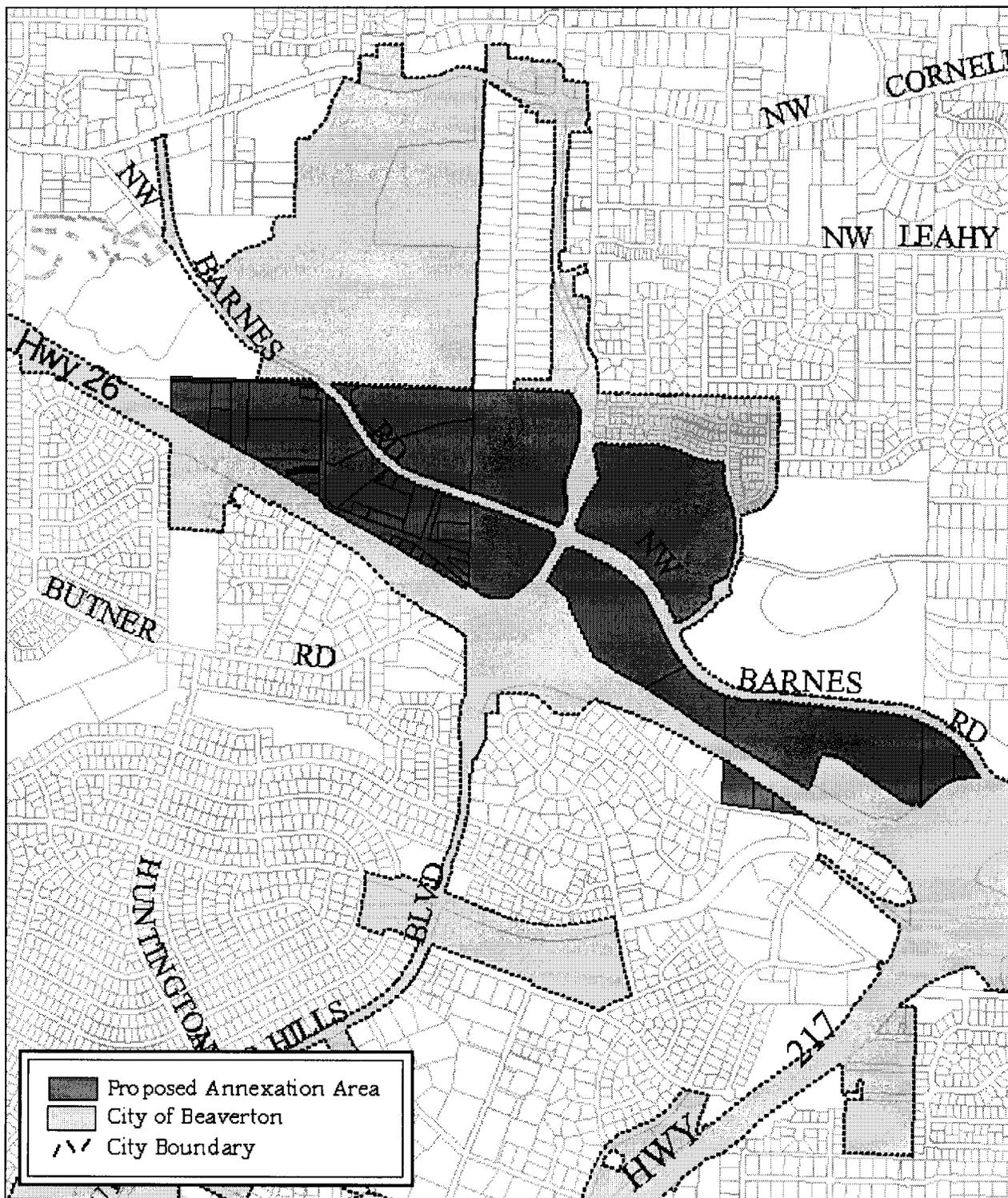
**ASSESSOR'S REAL MARKET TOTAL VALUE:** \$ 52,006,090

**NUMBER OF TAX PARCELS:** 60

## RECOMMENDATION

Staff recommends the City Council adopt an ordinance annexing the referenced territory, effective thirty days after the Mayor's signature or the date the ordinance is filed with the Secretary of State as specified by ORS 222.180, which ever is later.

# ANNEXATION MAP



City of Beaverton

Barnes Road / Cedar Hills Blvd. Area Annexation  
 COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

12/08/04

Map #  
 Various

007

Application #  
 ANX2004-0013

## BACKGROUND

This is commonly referred to as an Island Annexation that is being processed under Oregon Revised Statutes Section 222.750 and Metro Code Chapter 3.09.

**ORS 222.750 Annexation of unincorporated territory surrounded by city.** When territory not within a city is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the ocean shore or a stream, bay, lake or other body of water, it is within the power and authority of that city to annex such territory. However, this section does not apply when the territory not within a city is surrounded entirely by water. Unless otherwise required by its charter, annexation by a city under this section shall be by ordinance or resolution subject to referendum, with or without the consent of any owner of property within the territory or resident in the territory.

The subject properties are within islands primarily defined by the City's corporate limits, except at the area's western end where an island is partly defined by a stream, Cedar Mill Creek. Some of the properties that are the subject of this proposed annexation constitute only part of an island. The statutory provision cited above does not require annexation of an entire island. The City has chosen to annex the subject properties and not others based on guidance provided by the City Council provided through their adoption of Resolution No. 3785 (Exhibit A) on November 1, 2004.

ORS 222.120 requires a public hearing to allow the electors of the City to appear and be heard on the question. It requires notice to be published in a newspaper of general circulation for a period of two weeks and notice to be posted in four public places for a similar period.

Metro Code Section 3.09.030 does not require a public hearing but does require waterproof posting of the notice in the general vicinity of the site and publishing notice in a newspaper of general circulation. The required notice to necessary parties and the posting are to be done at least 45 days prior to the date of decision. 3.09.050(b) requires the staff report to be available at least 15 days prior to the date of decision.

The request is to annex sixty tax parcels located in the general vicinity of Barnes Road and Cedar Hills Blvd. The area proposed for annexation is approximately 163 acres and contains 24 dwelling units.

The Neighborhood Office is recommending that this territory not be added to a Neighborhood Association Committee at this time. It is anticipated a new NAC will eventually be established in the area.

## MINIMUM REQUIREMENTS FOR PETITIONS

The following is from Metro Code:

### 3.09.040 Minimum Requirements for Petitions

(a) A petition for a boundary change shall be deemed complete if it includes the following information:

(1) The jurisdiction of the approving entity to act on the petition;

*Finding: As defined by section 3.09.020(c) of the Metro Code, "Approving entity" means the governing body of a city, county, city-county or district authorized to make a decision on a boundary change, or its designee. ORS 222.111(2) states:*

*"A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by petition to the legislative body of the city by owners of real property in the territory to be annexed."*

*The Beaverton City Council directed the initiation of this annexation by its adoption of Resolution No. 3789 (Exhibit B). This annexation is allowed by ORS 222.750 without the consent of any owner of property within the territory or resident in the territory through ordinance adoption by the Council, subject to referendum.*

(2) A narrative, legal and graphical description of the affected territory in the form prescribed by Metro Chief Operating Officer;

*Finding: The Metro Chief Operating Officer has not prescribed a particular form for providing a narrative, legal and graphical description of a territory that would be affected by a proposed annexation. The practice has been to provide such information in a form prescribed by the State Department of Revenue. Consistent with Department of Revenue requirements, a map of the affected territory is included as page two of this petition/report, a narrative legal is attached to this petition/report (Exhibit C), and marked tax maps are in the project file. This complies with the requirements of Metro, the Oregon Department of Revenue, and the Oregon Secretary of State's Office.*

(3) For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected

territory as shown in the records of the tax assessors and county clerk;

***Finding: A list of the names and mailing addresses of all persons owning property and a list of all electors within the affected territory as shown in the records of the Washington County Assessment and Taxation Department are will be placed in the file.***

- (4) A listing of the present providers of urban services to the affected territory;

***Finding: Sanitary sewers and treatment are presently provided by and maintained by Clean Water Services. Potable water is presently provided by the Tualatin Valley Water District. Fire protection and emergency medical service is presently provided by Tualatin Valley Fire and Rescue. Parks, open space, and recreation services are presently provided by Tualatin Hills Park and Recreation District. Public streets and roads are presently maintained by Washington County. Mass transit is presently provided by TRI-MET.***

- (5) A listing of the proposed providers of urban services to the affected territory following the proposed boundary change;

***Finding: Pursuant to a July 1, 2004 intergovernmental agreement between the City of Beaverton and Clean Water Services, as of July 1, 2005 sanitary sewer pipes in the proposed annexation area that are smaller than 24-inches in diameter will be maintained by the City of Beaverton and pipes equal to or greater than 24-inches in diameter will be maintained by Clean Water Services. Clean Water Services will also provide sewage treatment. Potable water will be provided by Tualatin Valley Water District. Fire protection and emergency medical service will be provided by Tualatin Valley Fire and Rescue. Parks, open space, and recreation services will be provided by Tualatin Hills Park and Recreation District. Barnes Road and Cedar Hills Blvd. will be maintained by Washington County for the foreseeable future and maintenance of other Washington County maintained streets will transfer to the City of Beaverton through a different process. Mass transit will continue to be provided by TRI-MET.***

- (6) The current tax assessed value of the affected territory; and

***Findings: The current Ballot Measure 50 assessed value of the affected territory is \$34,756,200. A spreadsheet listing tax lot identification number, approximate acreage, Ballot Measure 50 value, real market building value and total real market value is attached as Exhibit D. This information is***

*based on information from the Washington County Assessment and Taxation Department.*

(7) Any other information required by state or local law.

*Findings: No other information is required by state or local law.*

(b) A City or county may charge a fee to recover its reasonable costs to carry out its duties and responsibility under this chapter.

*Findings: The City of Beaverton has chosen not to charge a fee for annexations.*

## EXISTING CONDITIONS

### SERVICE PROVISION:

The following analysis details the various services available to the properties to be annexed. Cooperative, urban service and intergovernmental agreements affecting provision of service to the subject properties are:

- The City has entered into ORS Chapter 195 cooperative agreements with Washington County, Tualatin Valley Fire and Rescue District, Tualatin Hills Park and Recreation District, Tualatin Valley Water District and Clean Water Services.
- The City has entered into an agreement with Tualatin Valley Water District that has been designated an ORS 195.065 Urban Service Agreement by the parties. (No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this decision.)
- The City has entered into an ORS Chapter 190 intergovernmental agreement with Clean Water Services.
- The City has been a party to a series of ORS Chapter 190 intergovernmental agreements “for Mutual Aid, Mutual Assistance, and Interagency Cooperation Among Law Enforcement Agencies Located in Washington County, Oregon”, the last of which was signed by Beaverton Mayor Rob Drake on August 9, 2004. This agreement specifies the terms under which a law enforcement agency may provide assistance in response to an emergency situation outside its jurisdiction when requested by another law enforcement agency.

This action is consistent with those agreements.

**POLICE:** The property to be annexed currently receives police protection from the Washington County Enhanced Sheriff's Patrol

District. Sheriff's protection will be withdrawn and the City will provide police service upon annexation. In practice whichever agency is able to respond first, to an emergency, does so in accordance with the mutual aid agreement described above.

**FIRE:** Tualatin Valley Fire & Rescue (TVF&R) provides fire and ambulance service to this area. The City annexed its own fire services to TVF&R in 1995. TVF&R is designated as the long-term service provider to this area.

**SEWER:** The area is adequately served by sanitary sewer at this time. As the area redevelops at higher density the issue of sanitary sewer will be dealt with through the development review process. If the area is annexed the City of Beaverton will take over maintenance of sanitary sewer pipes smaller than 24-inches in diameter and Clean Water Services will continue to maintain the larger pipes and provide sewage treatment. Upon annexation the City will be responsible for billing.

**WATER:** Tualatin Valley Water District (TVWD) provides water service to the area. ORS 222.520 allows cities to assume water service responsibilities when annexing less than an entire district. However, the City entered into an intergovernmental agreement with TVWD in 2002 that the City would not withdraw property from the District upon annexation. TVWD will continue to provide service, maintenance and perform billing.

**STORM WATER DRAINAGE:** The area is adequately served by storm sewers and drainage at this time. As the area redevelops at higher density the issue of storm drainage will be dealt with through the development review process. Upon annexation billing responsibility will transfer to the City.

**STREETS and ROADS:** This area is served by an east/west arterial (Barnes Road) and a north/south arterial (Cedar Hills Blvd.). Both of these roads are maintained by Washington County and will be for the foreseeable future. The Sunset Highway (US 26) runs along the southern edge of the subject territory with an entrance/exit at Cedar Hills Blvd. and is a State maintained Freeway. The subject property abuts the light rail station on the southeast corner and the station is also served by five bus lines. SW Stark Street and the entrance to Tri-met parking garage are private streets. SW Shilo Lane and SW Choban Lane are public roads and may become the City of Beaverton's

responsibility pursuant to an understanding between City and County road operations managers. SW Corby Drive and SW 117th Avenue are County maintained roads and will be formally transferred after annexation to City maintenance under a separate process pursuant to the same understanding.

**PARKS and  
SCHOOLS:**

The proposed annexation is within both the Beaverton School District and the Tualatin Hills Park and Recreation District. Neither services nor district boundaries associated with these districts will be affected by the proposed annexation.

**PLANNING,  
ZONING and  
BUILDING:**

Washington County currently provides long-range planning, development review and building inspection for the property. Upon annexation, the City will provide those services. Pursuant to the Urban Planning Area Agreement (UPAA) between the City and County, City Comprehensive Plan and Zoning Designations will be applied to this parcel in a separate action within six months of annexation.

## **PUBLIC INVOLVEMENT**

Consistent with Metro Code Section 3.09.030, the City has sent notice of the proposed annexation on or before October 22, 2004 (45 days prior to the hearing date) to all necessary parties including Washington County, Metro, affected special districts and County service districts. Additionally, eight weatherproof signs with the notice mailed to the necessary parties attached were posted in the general vicinity of the affected territory. Affidavits of mailing and posting, including information on the locations where the weatherproof signs were posted, are in the casefile for this proposed application.

In compliance with ORS 222.120, notice of the hearing will be published once each week for two successive weeks prior to the day of the hearing in the Beaverton Valley Times newspaper; and notices of the proposed annexation will be posted in four public places in the city (at the Beaverton Post Office, the Beaverton City Library, the Beaverton City Hall, and in the lobby of the administrative offices of the Tualatin Hills Park and Recreation District) for a like period. Evidence that this notification was provided will be available at the public hearing.

Although not required by Metro Code or State statute, the City also sent the notice mailed to the necessary parties to the following parties at least 45 days in advance of the anticipated date of decision, December 13, 2004:

- the property owners of record in the subject area as shown on the most recent

property tax assessment roll of the Washington County Department of Assessment and Taxation; and

- The Central Beaverton and West Slope Neighborhood Association Committees and the Cedar Hills/Cedar Mill Citizen Participation Organization; interested parties as set forth in City Code Section 9.06.035.

The mailed notice and a copy of this petition/staff report will be posted on the City's web page.

## CRITERIA FOR APPROVAL

### REGIONAL ANNEXATION CRITERIA:

In December 1998 the Metro Council adopted Metro Code Section 3.09 (Local Government Boundary Changes). Metro Code Section 3.09.050 includes the following minimum criteria for annexation decisions of this type:

#### **3.09.050 Uniform Hearing and Decision Requirements for Final Decisions Other Than Expedited Decisions**

(a) The following minimum requirements for hearings on decisions operate in addition to all procedural requirements for boundary changes provided for under ORS chapters 198, 221 and 222. Nothing in this chapter allows an approving entity to dispense with a public hearing on a proposed boundary change when the public hearing is required by applicable state statutes or is required by the approving entity's charter, ordinances or resolutions.

*Findings: A public hearing has been scheduled and noticed for December 6, 2004.*

**3.09.050 (b)** Not later than 15 days prior to the date set for a decision, the approving entity addresses the criteria in subsections (d) and (g) below, and that includes at a minimum the following:

- (1) The extent to which urban services presently are available to serve the affected territory including any extra territorial extensions of service;

*Findings: Urban Services are defined by Metro Code Section 3.09.020(m) as "...sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit." The area is currently served by sanitary sewers. As of July 1, 2005, the City of Beaverton will take over maintenance of all pipes less than 24-inches in diameter pursuant to an "Intergovernmental Agreement Between City of Beaverton and Clean Water Services" entered into as of July 1, 2004. The area is served by Tualatin*

*Valley Water and they have the capacity to continue serving the area. Fire protection is provided by Tualatin Valley Fire and Rescue which is the provider for the entire City of Beaverton and they have the capacity to serve the area. Parks, open space and recreation are provided by the Tualatin Hills Park and Recreation District which will continue to provide those services. This area is served by an east/west arterial (Barnes Road) and a north/south arterial (Cedar Hills Blvd.). SW Butner Road, a collector, provides access to two properties south of the Sunset Highway that are included in the proposed annexation area. These roads are maintained by Washington County and will be for the foreseeable future. The Sunset Highway (US 26) runs along the southern edge of the subject territory (except for the two properties) with an entrance/exit at Cedar Hills Blvd. and is a State maintained Freeway. TRI-MET provides mass transit to the area with a transit center abutting the subject territory on its southeast corner, which is served by light rail and five bus lines.*

(2) A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;

*Findings: The City has entered into ORS Chapter 195 cooperative agreements with Washington County, Tualatin Valley Fire and Rescue District, Tualatin Hills Parks and Recreation District, Tualatin Valley Water District and Clean Water Services. These agreements follow a standard format, and prescribe coordination of the planning and development activities of the parties through notification to provide each with the opportunity to participate, review and comment on proposed comprehensive plan and land use regulation amendments and development actions requiring individual notice to property owners, as well as other specified activities. Annexations are not listed as actions that require notification of the other parties to the cooperative agreements. In fact, annexations are defined as not being development actions or land use regulation amendments. Therefore, the ORS Chapter 195 cooperative agreements listed above do not appear to be relevant to this proposed annexation.*

*The City has entered into an agreement with Tualatin Valley Water District that has been designated an ORS 195.065 Urban Service Agreement by the parties. The agreement defines long-term service areas for each party, independent of whether the area is in or outside the City. The subject area is defined as being within TVWD's long-term service area, and the proposed annexation would not change that. No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this proposed annexation.*

*The City has entered into an ORS Chapter 190 intergovernmental agreement with Clean Water Services, which was updated as of July 1, 2004. The new agreement defines the subject area as being within the "Beaverton Area of Future Maintenance Responsibility" where, subsequent to annexation, specified maintenance responsibilities for sanitary sewer lines under 24 inches in diameter and for certain storm drainage facilities and surface water management functions would transfer to the City of July 1 of any year if so requested by the City by January 1 of that year. If the proposed annexation is approved, it is the City's intent to notify Clean Water Services by January 1, 2005 that the City will assume the maintenance responsibilities for the area as previously described as of July 1, 2005.*

(3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;

***Findings:***

***Comprehensive Plans:*** *The only relevant policy of the City of Beaverton's Comprehensive Plan is Policy 5.3.1.d, which states "The City shall seek to eventually incorporate its entire Urban Services Area." The subject territory is within Beaverton's Assumed Urban Services Area, which is Figure V-1 of the City of Beaverton's Acknowledged Comprehensive Plan.*

*After reviewing the Washington County Comprehensive Framework Plan for the Urban Area on the County's web site (reflecting changes through County Ordinance No. 598) as well as ordinances adopted subsequently up to the date of this staff report that amended the Comprehensive Framework Plan, staff finds that the following provisions may be applicable to this proposed annexation:*

- ***A paragraph in the "County-Wide Development Concept" at the beginning of the Comprehensive Framework Plan which states:***

*As development occurs in accordance with this development concept, issues of annexation or incorporation may arise. Annexation or incorporation issues will necessarily relate to various other planning issues such as community identity, fiscal impacts of growth and service provision, coordination between service providers to achieve efficiencies and ensure availability, etc. As such issues arise, the County should evaluate community identity as an issue of equal importance*

*with public service provision issues when developing policy positions on specific annexation or incorporation proposals.*

***Staff views this statement as direction to the County itself in how to evaluate annexation proposals, and not guidance to the City regarding this specific proposal. As a necessary party, the County has an opportunity to comment on and appeal this proposed boundary change if it appears at the scheduled December 6, 2004 hearing on the proposal and states reasons why they believe the boundary change is inconsistent with the approval criteria (see Metro Code section 3.09).***

- ***Policy 15 of the Comprehensive Framework Plan, relating to Roles and Responsibilities for Serving Growth, says:***

*It is the policy of Washington County to work with service providers, including cities and special service districts, and Metro, to ensure that facilities and services required for growth will be provided when needed by the agency or agencies best able to do so in a cost effective and efficient manner.*

***Two implementing strategies under Policy 15 that relate to annexation state:***

*The County will:*

- f. *If appropriate in the future, enter into agreements with service providers which address one or more of the following:*
  - 3. *Service district or city annexation*
- g. *Not oppose proposed annexations to a city that are consistent with an urban service agreement or a voter approved annexation plan.*

***The City of Beaverton, Washington County and the other urban service providers for the subject area have been working off and on for several years to arrive at an urban service area agreement for the Beaverton area pursuant to ORS 195.065 that would be consistent with Policy 15 and the cited implementing strategies. Unfortunately, although most issues have been resolved, a few issues remain between the County and the City that have prevented completion of the agreement. These issues do not relate to who provides services or whether they can be provided when needed in an efficient and cost effective manner so much as how the transfer of service provision responsibility occurs, particularly the potential transfer of employees and equipment from the County to the City. In staff's view, this can be resolved subsequent to annexation of the subject area and need not delay this proposed annexation.***

*Staff has reviewed other elements of the County Comprehensive Plan, particularly the Cedar Hills – Cedar Mill Community Plan that includes the subject area, and was unable to identify any provision relating to this proposed annexation.*

*Public Facilities Plans: The City's public facilities plan consists of the Public Facilities and Services Element of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewerage conveyance and processing, parks and recreation, schools and transportation. Where a service is provided by a jurisdiction other than the City, by adopting the master plan for that jurisdiction as part of its public facilities plan, the City has essentially agreed to abide by any provisions of that master plan. The only relevant urban services defined by Metro Code Section 3.09.020(m) that will change subsequent to annexation are the maintenance of sanitary sewer lines under 24" in diameter and the maintenance of local and collector roads.*

*The change in sanitary sewer line maintenance is consistent with the aforementioned IGA between the City and Clean Water Services, which in turn is consistent with facilities master plans of both agencies.*

*The change in local and collector road maintenance is not specifically prescribed by any element of the Beaverton Comprehensive Plan or the Washington County Comprehensive Plan, but an understanding in 2002 between the Manager of the Washington County Operations Division, which currently maintains local and collector roads through the County's Urban Road Maintenance District, and the Director of the City's Operations Department, generally defines the conditions under which the City would assume maintenance responsibility subsequent to annexation. The proposed annexation should not adversely affect the Urban Road Maintenance District. Although revenues received by the District may be reduced slightly as a result of the annexation, the District's maintenance costs will also be reduced by the City assuming local and collector road maintenance in the area. Policy 6.2.7(g) of the City's Comprehensive Plan is to "Provide adequate funding for maintenance of the capital investment in transportation facilities." According to the Transportation Element of the Comprehensive Plan (page VI-62), the majority of the City's gas tax revenues are used for maintenance. "The City's pavement management program tracks pavement condition so that repairs can be made at an optimum time in pavement life. Pavement management projects are scheduled and funded through the City's capital improvement plan."*

*Staff is could not identify any provisions in the Washington County Public Facilities Plan relevant to this proposed annexation.*

*The regional framework plan, functional plan, and regional urban growth goals and objectives: These Metro documents do not specifically address minor boundary changes of this type.*

*The Washington County – Beaverton Urban Planning Area Agreement: Adopted in 1989, this agreement does not contain provisions relating to annexations, other than (1) calling for execution of a memorandum of understanding outlining the methodology for transferring County records regarding land use activities to the City after annexation; (2) calling for execution of a memorandum of understanding outlining responsibilities for collection of fees, inspections and drainage districts on platted subdivisions annexed to the City; and (3) prescribing that when the City applies plan and zoning designations subsequent to annexation that a table in the agreement be followed in determining which to apply based on existing County designations, or that the most similar designation be applied. The City is presently drafting a memorandum of understanding on records transfer for County consideration, and the City will also enter into a memorandum of understanding regarding fees collection and inspections if necessary (drainage maintenance districts are no longer used by Washington County). It has been the City's practice in the past to comply with the provision relating to the application of City plan and zone designations, through a subsequent process that will be done in this case if the area is annexed.*

*As discussed previously in this report, this annexation is consistent with all other agreements that the City is party to relating to annexations.*

- (4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

*Findings: The affected territory will be withdrawn from the Enhanced Sheriff's Patrol District (ESPD) and the Urban Road Maintenance District (URMD). The subject territory will not be withdrawn from the legal boundary of any other necessary party by this action.*

- (5) The proposed effective date of the decision.

*Findings: The effective date for this annexation is thirty (30) days after the Mayor's signature on the ordinance or the date the records of the*

*annexation are filed with the Secretary of State (ORS 222.180), which ever is later.*

**3.09.050 (c)** In order to have standing to appeal a boundary change to Section 3.09.070 a necessary party must appear at the hearing in person or in writing and state reasons why the necessary party believes the boundary change is inconsistent with the approval criteria. A necessary party may not contest a boundary change where the boundary change is explicitly authorized by an urban services agreement adopted pursuant to ORS 195.065. At any public hearing, the persons or entities proposing the boundary change shall have the burden to prove that the petition meets the criteria for a boundary change.

*Findings: This section of Metro Code is included in this report for information only. It is not a criterion for decision. The City of Beaverton is the entity proposing this boundary change, and acknowledges that it has the burden to prove that the petition meets relevant criteria. The purpose of this petition/staff report is to prove that the relevant criteria for a boundary change under Metro Code have been met.*

**3.09.050 (d)** An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

- (1) Consistency with directly applicable provisions in an urban services provider agreement or annexation plan adopted pursuant to ORS 195.065;

*Findings: Existing agreements relevant to this annexation are discussed in findings above addressing Section 3.09.050(b)(2) of the Metro Code. The City has not yet entered into an urban services provider agreement under ORS 195.065 that relates to all potential urban service providers in and around the city, although discussion with other urban services providers on the content of an agreement have occurred sporadically over the last several years, and the City has proposed an agreement that is acceptable to most of the parties. Because a comprehensive urban service agreement has not been completed, it is not possible to consider adoption of an annexation plan. The City has entered into one agreement that has been designated an ORS 195.065 Urban Service Agreement with Tualatin Valley Water District and this proposed action is consistent with that agreement, as explained in the findings above addressing Metro Code Section 3.09.050(b)(2) .*

- (2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

*Findings: The acknowledged Washington County - Beaverton Urban*

*Planning Area Agreement (UPAA) does not contain provisions directly applicable to City decisions regarding annexation. As explained previously in this report, in findings addressing Metro Code Section 3.09.050(b)(3), the UPAA does address actions to be taken by the City after annexation, including annexation related Comprehensive Plan Land Use Map amendments and rezones. These actions will occur through a separate process. Findings discussing other relevant agreements, and demonstrating that the proposed annexation is consistent with those agreements, are located in the findings of this report addressing Metro Code Section 3.09.050(b)(2).*

(3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans;

*Findings: The City of Beaverton Comprehensive Plan Policy 5.3.1.d states: "The City shall seek to eventually incorporate its entire Urban Services Area." The subject property is within Beaverton's Assumed Urban Services Area and annexing it furthers this policy. There are no other specific directly applicable standards or criteria for boundary changes in Beaverton's Comprehensive Plan, Washington County's Comprehensive Plan, or the Public Facilities Plans of either jurisdiction and, therefore, this criterion is met.*

(4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;

*Findings: The Regional Framework Plan (which includes the RUGGOs and the Urban Growth Management Functional Plan) does not contain policies or criteria directly applicable to annexation decisions of this type.*

(5) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

*Findings: The Existing Conditions section of this petition/staff report contains information addressing how the provision of public facilities and services to the subject area would be affected by this annexation. As noted previously in this report, only two legally relevant urban services would change as a result of the proposed annexation, the maintenance of sanitary sewer pipes under 24" in diameter, and the maintenance of local and collector roads in the area. The City would also assume primary responsibility for police protection, maintenance of storm drainage facilities, maintenance of street lights, and planning, development review*

*and building permit issuance. The provision of public facilities to the area will not change.*

*The City has sufficient staff and budgetary resources to accommodate the provision of the public facilities and services, for which it would be responsible, to the subject area. The City's 2004-2005 Fiscal Year (FY) tax rate is approximately \$4.10 per thousand dollars of assessed property value, including the tax rate for bonded debt. The FY 2004-2005 tax rate, excluding bonded debt, is \$3.68 which is less than the City's authorized tax rate of \$4.62 authorized under State Ballot Measure 50 in 1997. This allows the City to generate more property tax revenues if needed to provide public facilities and services in a timely and orderly manner. The Beaverton City Council, however, is careful to balance the need to provide city facilities and services at an adequate level with the need to be good stewards of the taxpayers' money. The City Council has set eight goals for the City. Three of those goals that are relevant to this discussion are:*

- Use City resources efficiently to ensure long-term financial stability;*
- Continue to plan for, improve and maintain the City's infrastructure; and*
- Provide responsive, cost effective service to the community.*

*One service that the City is especially concerned about providing at a high level is police protection. As a result of the passage of City Ballot Measure 34-52 in 1996, the City has maintained a ratio of approximately 1.5 police officers per thousand population. This contrasts with a ratio of approximately 0.9 officers per thousand population in the County's Enhanced Sheriff's Patrol District (ESPD), which presently encompasses the subject area. Partly because of this higher number of police officers per thousand population, in addition to other factors such as the present location of several high value industrial and commercial properties just outside the city but in the ESPD and the Urban Road Maintenance District (URMD), the City's tax rate is higher than the rate presently paid to those special districts. After annexation, area property owners would pay approximately \$2.72 more per thousand dollars in assessed valuation than they presently do, based on FY 2004-2005 tax rates. A decrease in the differential is possible in future years if higher value properties are annexed to the City and removed from the ESPD and URMD.*

*Based on the above information, staff concludes that the proposed annexation will not interfere with the timely, orderly and economic provision of public facilities and services, and that the City is financially able to provide the urban services that it will take over from CWS and the County. Staff is not aware of any evidence that such a takeover will*

*interfere with County's ability to continue to provide those services to areas remaining within the jurisdiction of the County's Urban Road Maintenance District or Enhanced Sheriff's Patrol District.*

(6) The territory lies within the Urban Growth Boundary; and

***Findings: The property lies within the Urban Growth Boundary.***

(7) Consistency with other applicable criteria for the boundary change in question under state and local law.

***Findings: OAR 660-001-0310 states "A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) shall be considered by Land Conservation and Development Commission to have been made in accordance with the goals..." Compliance with the Comprehensive Plan was addressed under criterion number (3) above. The applicable Comprehensive Plan policy cited under criterion number (3) above was acknowledged pursuant to Department of Land Conservation and Development Order 001581 on December 31, 2003, meaning it became unnecessary for the City to address the Statewide Planning Goals after that date in considering proposed annexations. There are no other criteria applicable to this boundary change in State Law or local ordinances. The City of Beaverton does have Annexation Policies (Exhibit A to this Petition/Staff Report) adopted by resolution and this proposed annexation is consistent with those policies. Staff finds this annexation with no associated development or land use approvals is consistent with State and local laws for the reasons stated above.***

**3.09.050 (e)** When there is no urban service agreement adopted pursuant 195.065 that is applicable, and a boundary change decision is contested by a necessary party, the approving entity shall also address and consider, information on the following factors in determining whether the proposed boundary change meets the criteria of Sections 3.09.050(d) and (g). The findings and conclusions adopted by the approving entity shall explain how these factors have been considered.

***Findings: There is no urban service agreement adopted pursuant to ORS 195.065 that is applicable to this area. At the time this staff report was completed, however, no necessary party had contested the proposed annexation. Nevertheless, staff has chosen to briefly address each of the applicable factors below, reserving the right to supplement the findings for each factor if the boundary change decision is contested by a necessary party.***

(1) The relative financial, operational and managerial capacities of alternative providers of the disputed urban services to the affected area;

***Findings: Metro Code [3.09.020(m)] and Oregon Revised Statutes 195.065(4) defines "Urban Services" as meaning sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. The providers of these urban services are not in dispute for the area proposed for annexation if the annexation is approved, and there is no evidence that their financial, operational and managerial capacities to serve the area are inadequate.***

(2) The quality and quantity of the urban services at issue with alternative providers of the urban services, including differences in cost and allocations of costs of the services and accountability of the alternative providers;

***Findings: The only providers of legally relevant urban services that will change as a result of this proposed annexation are maintenance of sanitary sewers and local roads. Sanitary sewer maintenance responsibility for pipes smaller than 24 inches in diameter will shift from Clean Water Services to the City's Operations Department. Maintenance of local roads in the area will be transferred, by separate action, from the Washington County Department of Land Use and Transportation to the City's Operations Department. There is no evidence that the quality or quantity of either of these services will be reduced as a result of the proposed annexation, or that there will be significant differences in their cost, allocation of costs or the accountability of the alternative providers.***

(3) Physical factors related to the provision of urban services by alternative providers;

***Findings: As noted above, the only providers of legally relevant urban services that will change as a result of this proposed annexation are maintenance of sanitary sewers and local roads. There is no evidence of physical factors that would adversely affect the City's ability to provide these services as compared to the present providers.***

(4) For proposals to create a new entity the feasibility of creating the new entity.

***Findings: No new entity is proposed and this criterion is not applicable.***

(5) The elimination or avoidance of unnecessary duplication of facilities;

*Findings: The City of Beaverton has previously taken action to eliminate and avoid the unnecessary duplication of facilities. Beaverton has annexed itself to the Tualatin Valley Fire and Rescue District because it was determined that the District could provide services and operate its facilities at a higher economy of scale. For the same reason, virtually all of Beaverton is in the Tualatin Hills Park and Recreation District. Beaverton is part of Washington County Cooperative Library System, allowing use of the City's highly rated library by all county residents, and use of other library facilities in the county by City residents. As previously discussed, pursuant to an intergovernmental agreement the City works cooperatively with Clean Water Services to maintain sanitary sewer pipes less than 24" in diameter within the City limits as well as to maintain certain stormwater management facilities. The City of Beaverton is a member of the Joint Water Commission (JWC), an intergovernmental group whose members also include Hillsboro, Forest Grove, and the Tualatin Valley Water District, which has jointly developed and operates water reservoirs and transmission lines. This proposed annexation will not create any duplication of facilities.*

(6) Economic, demographic and sociological trends and projections relevant to the provision of the urban services;

*Findings: Washington County has designated most of this area as part of the Sunset Transit Center Station Community, except for the western part which is part of the Cedar Mill Town Center. Both designations have resulted in County zoning that calls for more intense urban development, allowing higher density office, retail and residential land uses. The City has previously cooperated with the County and other affected local governments in planning for this area's projected growth and development. There is no evidence that the City of Beaverton will be unable to provide the services to this area for which it will be responsible given its economic, demographic and sociological trends and projections.*

(7) Matching the recipients of tax supported urban services with the payers of the tax;

*Findings: The Beaverton Police Department responds to emergency calls outside of the City limits. Beaverton provides approximately 1.5 police officers per 1,000 population compared to Washington County's Enhanced Sheriff Patrol District which provides approximately 0.9 deputies per 1,000 population. As this area develops at higher density it is anticipated that emergency responses will increase. The City is providing police protection to this unincorporated island and receiving no revenues in return. This annexation will provide tax revenues to support this service.*

(8) The equitable allocation of costs to alternative urban service providers between new development and prior development; and

***Findings: As explained above, as a result of the proposed annexation the City will take over maintenance of local and collector roads and sanitary sewer pipes under 24-inches in diameter. No other relevant urban service providers will change. Washington County will have to bring County maintained local and collector roads up to an agreed to standard, if they are not currently, before the City will accept maintenance responsibility. There is no evidence that the changes in service provision that would result from the proposed annexation will result in an inequitable allocation of costs to the previous service providers of the specified services and the City between new development and prior development.***

(9) Economies of scale.

***Findings: The City of Beaverton's current boundaries create an inefficient situation for provision of urban services. The City of Beaverton believes it is the logical provider of services for its assumed urban service area, including the area that is the subject of this proposed annexation. There is no evidence that the City cannot offer the services for which it will be responsible in the area after annexation at an economy of scale that meets or exceeds that which is available to present service providers.***

(10) Where a proposed decision is inconsistent with an adopted intergovernmental agreement, that the decision better fulfills the criteria of Section 3.09.050(d) considering Factors (1) through (9) above.

***Findings: There is no evidence that the proposed annexation of the subject territory is inconsistent with the various intergovernmental agreements relating to annexation that the City of Beaverton is party to.***

**3.09.050 (f)** A final boundary change decision by an approving entity shall state the effective date, which date shall be no earlier than 10 days following the date that the decision is reduced to writing, and mailed to all necessary parties. However, a decision that has not been contested by any necessary party may become effective upon adoption.

***Findings: The effective date for this annexation is recommended to be 30 days after the mayor signs an ordinance adopted by the City Council approving the annexation or the date the ordinance is submitted to the Secretary of State, by Metro, as provided in ORS 222.180 and Metro Code 3.09.030(e), which ever is later.***

**3.09.050 (g)** Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to a city or included in territory proposed for incorporation into a new city. However, cities may annex individual tax lots partially within and without the Urban Growth Boundary.

*Findings: This criterion is not applicable to this proposed annexation because the territory in question has been inside of the Portland Metro Urban Growth Boundary since the boundary was created.*

## CONCLUSION

Based on the information and findings in this petition and staff report, staff concludes that the proposed annexation should be approved by the Council through adoption of a City ordinance.

**Exhibits:** A. Resolution No. 3785  
B. Resolution No. 3789  
C. Legal Description  
D. A spreadsheet listing tax lot identification numbers, approximate acreage, Ballot Measure 50 value, real market building value and total real market value

**EXHIBIT A**

RESOLUTION NO. 3785

**A RESOLUTION ESTABLISHING CITY OF BEAVERTON URBAN SERVICE AREA AND CORPORATE LIMITS ANNEXATION POLICIES**

**WHEREAS**, the City of Beaverton presently has no defined policies regarding annexation of adjacent urban unincorporated areas, including unincorporated islands; and

**WHEREAS**, the City's progress toward annexing its assumed urban services area has been slow; and

**WHEREAS**, previous incremental annexations have resulted in City limits that are odd and create confusion about their location, with many unincorporated "islands" surrounded by properties within the City; and

**WHEREAS**, the City desires to create more logical boundaries and create complete incorporated neighborhoods; and

**WHEREAS**, a more assertive policy toward annexation of certain types of properties could improve the City's ability to provide services to its residents efficiently and at a reasonable cost; and

**WHEREAS**, a more assertive annexation policy could result in more City control of development in adjacent unincorporated areas that could affect the City; and

**WHEREAS**, the Washington County 2000 policy is to have all urban unincorporated areas annexed by cities over time; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERTON, OREGON**

Council directs the Mayor to pursue the annexation of properties in adjacent urban unincorporated areas in accordance with the policies in Attachment A to this resolution.

Adopted by the Council this 1st day of November, 2004.

Approved by the Mayor this 2ND day of NOVEMBER 2004.

Ayes: 4

Nays: 0

ATTEST:

  
\_\_\_\_\_  
SUE NELSON, City Recorder

APPROVED:

  
\_\_\_\_\_  
ROB DRAKE, Mayor

## **City of Beaverton Urban Service Area and Corporate Limits Annexation Policies**

### **A. City of Beaverton Urban Service Area Policy**

The City remains committed to annexing its urban services area over time, but the City will be selective regarding the methods of annexation it chooses to use. The City of Beaverton prefers to avoid use of annexation methods that may force annexation against the will of a majority of voters in larger unincorporated residential neighborhoods. The City is, however, open to annexation of these areas by other means where support for annexation is expressed, pursuant to a process specified by State law, by a majority of area voters and/or property owners. The City is open to pursuing infrastructure/service planning for the purposes of determining the current and future needs of such areas and how such areas might best fit into the City of Beaverton provided such unincorporated residents pursue an interest of annexing into the City.

### **B. City of Beaverton Corporate Limits Policy**

The City of Beaverton is committed to annexing those unincorporated areas that generally exist inside the City's corporate limits. Most of these areas, known as "islands", generally receive either direct or indirect benefit from City services. The Washington County 2000 Policy, adopted in the mid-1980s, recognizes that the County should not be a long-term provider of municipal services and that urban unincorporated areas including unincorporated islands should eventually be annexed to cities. As such, primarily through the use of the 'island annexation method', the City's objectives in annexing such areas are to:

- Minimize the confusion about the location of City boundaries for the provision of services;
- Improve the efficiency of city service provision, particularly police patrols;
- Control the development/redevelopment of properties that will eventually be within the City's boundaries;
- Create complete neighborhoods and thereby eliminate small pockets of unincorporated land; and
- Increase the City's tax base and minimize increasing the City's mill rate.

In order to achieve these stated objectives, the City chooses to generally pursue the following areas for 'island annexation' into the City of Beaverton:

- Undeveloped property zoned for industrial, commercial uses or mixed uses;
- Developed or redevelopable property zoned for industrial, commercial or mixed uses;
- Undeveloped or redevelopable property zoned for residential use;
- Smaller developed property zoned residential (within a neighborhood that is largely incorporated within the City of Beaverton).

**EXHIBIT B**

RESOLUTION NO. 3789

**A RESOLUTION DIRECTING CITY INITIATION OF  
ANNEXATION OF TERRITORY**

**WHEREAS**, the City of Beaverton has adopted Urban Service Area and Corporate Limits Annexation Policies; and

**WHEREAS**, the City's progress toward annexing its assumed urban services area has been slow; and

**WHEREAS**, previous incremental annexations have resulted in City limits that are odd and create confusion about their location, with many unincorporated "islands" surrounded by properties within the City; and

**WHEREAS**, the City desires to create more logical boundaries and create complete incorporated neighborhoods; and

**WHEREAS**, a more assertive policy toward annexation of certain types of properties could improve the City's ability to provide services to its residents efficiently and at a reasonable cost; and

**WHEREAS**, a more assertive annexation policy could result in more City control of development in adjacent unincorporated areas that could affect the City; and

**WHEREAS**, the Washington County 2000 policy is to have all urban unincorporated areas annexed by cities over time; and

**WHEREAS**, the City now needs to identify particular areas to begin implementing the adopted Annexation Policies; therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
BEAVERTON, OREGON**

Council directs the Mayor to pursue the annexation of territory identified on the map attached hereto as Exhibit A to this resolution.

Adopted by the Council this 15th day of November, 2004.

Approved by the Mayor this 16<sup>th</sup> day of NOVEMBER, 2004.

Ayes: 5

Nays: 0

ATTEST:

  
\_\_\_\_\_  
SUE NELSON, City Recorder

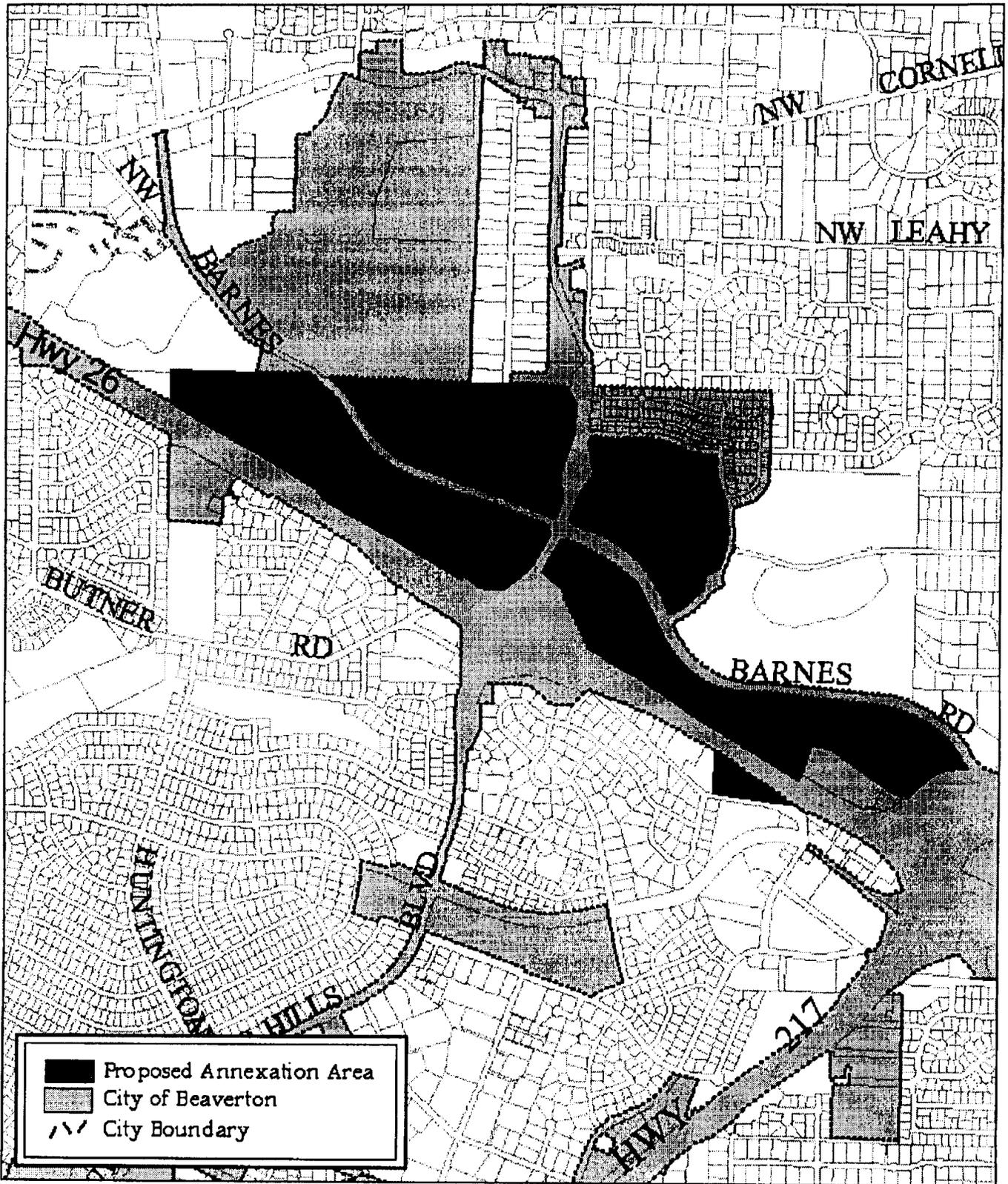
APPROVED:

  
\_\_\_\_\_  
ROB DRAKE, Mayor

# ANNEXATION MAP

Resolution  
No. 3789

# Exhibit A



	Proposed Annexation Area
	City of Beaverton
	City Boundary



City of Beaverton

Barnes Road / Cedar Hills Blvd. Area Annexation  
COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Services Division

12/06/04  
Map of  
Various

Application #  
ANX2004-0013

**EXHIBIT C**

**Barnes Road / Cedar Hills Boulevard Area Annexation**  
**ANX2004-0013**

**PARCEL 1**

Beginning at a point in the SW ¼ of the SW ¼ Section 34, Township 1 North, Range 1 West, Willamette Meridian, Washington County, Oregon, said point being North 19.9 feet from the Southwest Corner of said Section 34; thence running East parallel with the south line of said Section 34 to the westerly right of way line of SW Barnes Road; thence running southeasterly along the southwesterly right of way of SW Barnes Road to the point of intersection with the westerly right of way of SW Cedar Hills Boulevard; thence southerly along said right of way line of Cedar Hills Boulevard until it becomes the northerly right of way line of U.S. Highway 26 (Sunset Highway); thence northwesterly along the northerly right of way line of U.S. Highway 26 until said right of way line intersects the south line of the Josiah Hall D.L.C. No. 58; thence east along the south line of Josiah Hall D.L.C. No.58 to a point on the north right of way line of SW Corby Drive; thence northwesterly along the northerly right of way line of SW Corby Drive to the point where the right of way line of SW Corby Drive bears North said point also being on the northerly right of way line of U. S. Highway 26; thence northwesterly along the northerly right of way line of U.S. Highway 26 to the point where the northerly right of way line of U.S. Highway 26 intersects the west line of Section 3 Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon; thence North 265.9 feet to the Southwest corner of Section 34, Township 1 North, Range 1 South, Willamette Meridian, Washington County, Oregon; thence North along the west line of said Section 34, 19.9 feet to the point of beginning.

**Barnes Road / Cedar Hills Area Annexation**  
**ANX2004-0013**

**Parcel 2**

Beginning at the Southeast corner of the Southwest  $\frac{1}{4}$  of Section 34, Township 1 North, Range 1 West, of the Willamette Meridian, Washington County, Oregon, said point also being the Northeast Corner of the Josiah Hall D.L.C. No. 58; thence West along the south line of said Section 34 to a point where said Section line intersects the Northeasterly right of way line of SW Barnes Road; thence southeasterly along said right of way line to a point where said right of way line intersects with the westerly right of way line of SW Cedar Hills Boulevard; thence northerly along said right of way line to a point where said right of way line of SW Cedar Hills Boulevard intersects with the south line of Section 34, Township 1 North, Range 1 West of the Willamette Meridian, Washington County, Oregon; thence west along the south line of said Section 34 to the point of beginning.

**EXHIBIT D**

**BASED ON INFORMATION FROM THE WASHINGTON COUNTY  
DEPARTMENT OF ASSESSMENT AND TAXATION**

	<b>Tax Lot Number</b>	<b>Acreage</b>	<b>Measure 50</b>	<b>Building Value</b>	<b>Total Value</b>
1	1S102CA00600	0.8	\$450	\$0	\$600
2	1S102CA00500	3.3	\$2,070	\$0	\$2,760
3	1S102CB00100	22.1	\$161,340	\$158,700	\$176,790
4	1S103AD00500	4.7	\$0	\$0	\$0
5	1S103A001600	15.6	\$16,641,550	\$16,633,280	\$24,825,760
6	1S102CB00600	1.9	\$519,630	\$116,200	\$1,008,090
7	1S102CB00500	0.8	\$227,240	\$18,120	\$355,100
8	1S102CB00400	0.4	\$222,780	\$89,290	\$415,460
9	1S103A001700	9.5	\$416,180	\$0	\$416,180
10	1S102CB00300	0.1	\$3,060	\$0	\$5,660
11	1S103A001900	30.8	\$11,890	\$0	\$15,990
12	1S103AB00100	20.4	\$1,337,660	\$1,700,500	\$2,127,390
13	1S103BA01100	7.8	\$634,960	\$0	\$1,003,020
14	1S103BA01000	8.2	\$0	\$0	\$183,000
15	1S103BA01200	1.6	\$472,300	\$0	\$747,280
16	1S103BA01300	1.0	\$537,810	\$502,080	\$855,300
17	1S103BA01400	0.4	\$92,740	\$10,250	\$189,760
18	1S103BA02100	0.3	\$305,140	\$310,170	\$429,050
19	1S103BA02000	0.5	\$1,029,490	\$1,271,580	\$1,518,510
20	1S103BA01900	0.3	\$157,610	\$93,410	\$223,930
21	1S103BA01800	0.2	\$95,530	\$107,740	\$211,260
22	1S103BA01700	0.3	\$85,370	\$12,160	\$133,680
23	1S103BA01600	0.2	\$21,830	\$0	\$35,520
24	1S103BA01500	1.8	\$4,246,970	\$3,385,680	\$4,435,780
25	1S103BA00400	0.8	\$285,480	\$0	\$461,940
26	1S103BA00600	0.3	\$798,660	\$1,042,410	\$1,247,270
27	1S103BA00300	2.4	\$831,160	\$0	\$1,344,940
28	1S103BA00200	0.5	\$178,970	\$0	\$289,600
29	1S103BA00100	0.4	\$158,140	\$0	\$255,890
30	1S103BA00700	0.1	\$0	\$0	\$0
31	1S103BA00800	3.5	\$2,763,730	\$3,780,820	\$4,716,040
32	1S103BA00900	2.8	\$0	\$0	\$27,000
33	1S103BB00200	0.3	\$170,160	\$88,640	\$261,490
34	1S103BB00500	4.1	\$476,230	\$110,890	\$749,290
35	1S103BB00600	5.0	\$0	\$0	\$97,800
36	1S103BB00900	0.2	\$98,920	\$51,410	\$149,550
37	1S103BB90000	1.7	\$0	\$0	\$0

	<b>Tax Lot Number</b>	<b>Acreage</b>	<b>Measure 50</b>	<b>Building Value</b>	<b>Total Value</b>
38	1S103BB90171	0	\$71,530	\$122,080	\$122,080
39	1S103BB90151	0	\$71,530	\$122,080	\$122,080
40	1S103BB90131	0	\$71,530	\$122,080	\$122,080
41	1S103BB90111	0	\$71,530	\$122,080	\$122,080
42	1S103BB90122	0	\$71,530	\$122,080	\$122,080
43	1S103BB90142	0	\$71,530	\$122,080	\$122,080
44	1S103BB90162	0	\$71,530	\$122,080	\$122,080
45	1S103BB90182	0	\$71,530	\$122,080	\$122,080
46	1S103BB90091	0	\$71,530	\$122,080	\$122,080
47	1S103BB90071	0	\$71,530	\$122,080	\$122,080
48	1S103BB90051	0	\$71,530	\$122,080	\$122,080
49	1S103BB90031	0	\$71,530	\$122,080	\$122,080
50	1S103BB90011	0	\$71,530	\$122,280	\$122,280
51	1S103BB90022	0	\$71,530	\$122,080	\$122,080
52	1S103BB90042	0	\$71,530	\$122,080	\$122,080
53	1S103BB90062	0	\$71,530	\$122,080	\$122,080
54	1S103BB90082	0	\$71,530	\$122,080	\$122,080
55	1S103BB90102	0	\$71,530	\$122,080	\$122,080
56	1S103BB01100	2.2	\$86,620	\$0	\$159,380
57	1S103BB01200	0.9	\$108,010	\$139,190	\$224,690
58	1S103BB01300	1.1	\$48,330	\$0	\$85,500
59	1S103BB01400	2.7	\$228,430	\$127,700	\$392,270
60	1N133DD00500	0.6	\$12,220	\$0	\$29,930

	<b>Tax Lot Number</b>	<b>Acreage</b>	<b>Measure 50</b>	<b>Building Value</b>	<b>Total Value</b>
	<b>TOTALS</b>	<b>162.6</b>	<b>\$34,756,200</b>	<b>\$31,947,860</b>	<b>\$52,006,090</b>