

# CITY OF BEAVERTON



# COUNCIL AGENDA

## TELEVISED

### \*Revised - FINAL AGENDA

(\*Item Added to Agenda)

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

REGULAR MEETING  
SEPTEMBER 13, 2004  
6:30 p.m.

CALL TO ORDER:

ROLL CALL:

CITIZEN COMMUNICATIONS:

COUNCIL ITEMS:

STAFF ITEMS:

CONSENT AGENDA:

Minutes of the Regular Meeting of August 23, 2004

04181      Liquor License Application: Greater Privilege - Ickabods; New Outlet - Golden Fountain Restaurant & Lounge, and Dessert Noir Café and Bar

04182      Traffic Commission Issues No. TC 562-564

04183      Classification Changes

04184      A Resolution Approving the Transfer of a Franchise for Use of Public Right of Way from Portland General Broadband to OnFiber Communications, Incorporated (Resolution No. 3776)

04185      A Resolution Declaring Official Intent to Consider an Ordinance Supplementing Ordinance 4270 for the Issuance of Water Revenue and Refunding Bonds, Series 2004B; Authorizing the Submission of an Advance Refunding Plan to the Oregon State Treasurer; Authorizing Distribution of a Preliminary Official Statement; and Related Matters (Resolution No. 3777)

\*04192      Emergency Abatement of 4925 SW Angel Avenue

Contract Review Board:

- |       |   |
|-------|---|
| 04186 | Exemption from Competitive Bids and Authorizing a Sole Seller/Brand Name Purchase of a New TYMCO Model 600 Street Sweeper   |
| 04187 | Waiver of Sealed Bidding – Purchase Three 2005 Compact Extended Cab Pickups From the State of Oregon Price Agreement  |
| 04188 | Consulting Contract Award – Pavement Management Program Street Inspections  |
| 04189 | Appointment of Bond Counsel, Financial Advisor, and Bond Underwriting Services for a Proposed Current Refunding of the 1994 Water Revenue Bonds and an Advanced Refunding of the 1997 Water Revenue Bonds |

ORDINANCES:

First Reading:

- |       |   |
|-------|---|
| 04190 | An Ordinance Amending Beaverton Code Section 6.02.250 to Create an Offense for Vehicle Parking in a Fire Lane Located on Privately-owned Premises Open to the Public (Ordinance No. 4321)   |
| 04191 | An Ordinance Amending Ordinance No. 4270 Authorizing the Sale and Issuance of Water Revenue and Refunding Bonds for the Purpose of Refunding the City's Outstanding Water Revenue Bonds, Series 1994 and Series 1997, and Declaring an Emergency (Ordinance No. 4322) |

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.

ADJOURNMENT

This information is available in large print or audio tape upon request. In addition, assistive listening devices, sign language interpreters, or qualified bilingual interpreters will be made available at any public meeting or program with 72 hours advance notice. To request these services, please call 503-526-2222/voice TDD.

## **DRAFT**

BEAVERTON CITY COUNCIL  
REGULAR MEETING  
AUGUST 23, 2004

### CALL TO ORDER:

The Regular Meeting of the Beaverton City Council was called to order by Mayor Rob Drake in the Forrest C. Soth City Council Chamber, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday, August 23, 2004, at 6:35 p.m.

### ROLL CALL:

Present were Mayor Drake, Couns. Dennis Doyle, Fred Ruby, Forrest Soth and Cathy Stanton. Coun. Betty Bode was excused. Also present were City Attorney Alan Rappleyea, Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/ Maintenance Director Gary Brentano, Library Director Ed House, Human Resources Director Nancy Bates, Police Chief David Bishop, Building Official Brad Roast, Information Systems Manager David Hughes and City Recorder Sue Nelson.

### PRESENTATION:

#### 04172 Presentation of City's Records Management Program

City Recorder Sue Nelson presented an overview of the City of Beaverton's Records Management Program. She explained the program was formally implemented in 1992 and was administered in compliance with the State of Oregon's City Records Retention Schedule. She said the Records Management Policy was to *maintain, protect, and retain or dispose of City records in accordance with government regulations, legal requirements, and historical significance*. She said the City maintained different medias of records that included paper, maps, ledgers, newspapers, microfilm, video tape, compact disks, audio tapes, and historical books and pictures. She explained the City maintained two records storage facilities, with a current total of 2,093 boxes of paper records.

Nelson said the City implemented a records scanning system that City staff and citizens use for retrieving information. She said 80,000 records were currently available on the document imaging system; the records could be viewed, printed and e-mailed from the imaging system. She explained the Records Management Team worked closely with the Information Systems Manager David Hughes and the Information Systems Department in implementing and maintaining the scanning system.

Nelson explained the City recycled and shredded records twice yearly; 227 boxes had been recycled in 2004. She said the bi-annual destruction process saved the City \$1,170,600 in the past ten years.

Nelson noted the Public Records Request Form was accessible to citizens and staff from the City's Web site. She said records available to the public included resolutions, ordinances, City Council agendas and minutes, agreements/contracts, land use records, maps/plans and historical records. She said the City Council packets were available on the City's Web site prior to each meeting, which resulted in an annual savings of \$10,115 in printing and postage costs. She said 9,000 people visited the City Council Web page since March of this year.

Nelson reviewed the Historical Photo Archives Project available on the City's Web site. She said this project was a "work in progress" and she showed several historical photographs and explained their significance. She concluded by noting the Records Management had developed from storing boxes of paper records, to microfilming records, to scanning and importing electronic records that are available for viewing the very same day. She said as the City moves forward the goal of providing accurate and timely information to citizens was the commitment of the Records Management Team. She thanked Record's Team Members Debbie Baidenmann and Kyle Higgins for their input for the presentation.

Coun. Soth stated a great deal of credit and thanks was due to Nelson, who was recognized throughout the State as one of the leading authorities on archive retention. He expressed his appreciation for everything Nelson and her staff accomplished over the years. He said it was good to see how far the City had come and to know that many of the City's records were safe and available for citizens to use.

Nelson said she had to return the compliment to Coun. Soth for assisting the records staff by recycling city records when they exceeded their retention period.

Coun. Stanton thanked Nelson for copying materials on compact disks that were related to public hearing appeals. She said on past appeals, it was nice to be able to find what she wanted on the compact disk rather than filing through two boxes of paper. She said she was grateful the City had Nelson and the Department was adequately funded to ensure they had access to all records when needed. She said she appreciated the work Nelson had done.

Nelson explained she worked closely with the Information Services Department staff and they were vital in implementing the scanning system.

Mayor Drake thanked Nelson for the presentation.

#### CITIZEN COMMUNICATIONS:

Robert Youngman, Boy Scout Troop 297, Lincoln High School, introduced himself. He explained the scouts in his troop went to Lincoln High School, Five Oaks Middle School, Mountain View Middle School, West View High School, Aloha High School and Agape Christian School. He said the scouts were attending the meeting to work on their Citizenship and Communications Badges.

Pavel Goberman, Beaverton, said on May 11 he spoke to Council about Washington County Sheriff's Department having denied him a concealed weapons permit. He said the City made him guilty by providing inaccurate information to Washington County. He

stated he was now a contractor to the federal, state and local governments as a health fitness provider.

Goberman announced his nomination for State Representative for District 28, running against Jeff Barker. He said he was a write-in candidate for his name would not be on the ballot. He said if elected, he would work on health care, foreign policy and traffic. He suggested the Beaverton Police Department buy a helicopter to help with traffic and crime.

Henry Kane, Beaverton, said he distributed a letter to Council asking the City to make public the status report on The Round and the amount spent to date. He said he listed ten questions which he would like answered. He suggested the City was not hard nosed enough with the first developer. He said he hoped the liens were removed by now and the lender would provide financing to construct the remainder of the project. He said there was a problem regarding the condominiums in The Round; the site was in a Federally-identified flood plain and in 1996 the site flooded and Beaverton Creek was within six inches of the crossing for Tri-Met. He said he trusted the City would do everything reasonable to expedite the project and to ensure past problems with the first developer were not repeated.

#### COUNCIL ITEMS:

Coun. Soth said he hoped the Councilor's who planned to attend the National League of Cities Conference in Indianapolis in December were registered. He added the League of Oregon Cities Annual Conference in November was in Portland this year and the registration information would be sent in the next couple of weeks.

Coun. Soth announced the Picnic in the Park was scheduled for Thursday, August 26, 2004, and everyone was invited.

Coun. Stanton added the Picnic in the Park would be held at Autumn Ridge Park and it was for the Five Oaks, Triple Creek and West Beaverton Neighborhood Associations. She added the Council would tour the Barney Reservoir on Friday, August 27, 2004.

#### STAFF ITEMS:

There were none.

#### WORK SESSION:

Heard after Consent Agenda

#### CONSENT AGENDA:

Coun. Ruby MOVED, SECONDED by Coun. Soth, that the Consent Agenda be approved as follows:

Minutes of the Regular Meeting of August 9, 2004

04174 Liquor License Application: New Outlet - Plaid Pantry #214 (SW Canyon Road)

- 04175 Liquor License: New Outlet - King's Restaurant (SW Canyon Road)
- 04176 Approve Application for ODOT Transportation Enhancement Program and Adopt Resolution of Support (Resolution No. 3773)
- 04177 Final Order for Traffic Commission Issue No. TC 556 Regarding Parking Restrictions on SW 158<sup>th</sup> Place South of Rigert Road
- 04178 Authorizing Preparation of Request for Proposal for a Permit Tracking System to Replace the CRW Associates Permit System (Pulled for separate consideration)
- 04179 A Resolution of Intent to Condemn Real Property Located at 12750 SW Farmington Road for a Public Purpose (Resolution No. 3774)

Contract Review Board:

- 04180 Personal Services Contract with Bunton, Clifford & Associates

Coun. Stanton thanked staff for answering her questions.

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

WORK SESSION:

- 04173 Replacement of CRW Associates Permit Tracking System  
and  
04178 Authorizing Preparation of Request for Proposal for a Permit Tracking System to Replace the CRW Associates Permit System

Community Development Director Joe Grillo thanked the City Recorder for assisting his department with scanning the Community Development Department's records.

Grillo introduced Building Official Brad Roast and explained the purpose of this session was to present an overview of the City's CRW Permit Tracking System. He noted Finance Director Patrick O'Claire and Information Systems (IS) Manager David Hughes were present to answer technical questions about the system.

Roast explained the City had used the CRW Permit Tracking System since 1999 and had experienced continuing problems since that time. He said the problems with the System were high-lighted in Agenda Bill 04173 (in the record). He said CRW Associates was not able to produce a reliable product over the last five years, which resulted in staff seeking authorization to replace the CRW System.

Mayor Drake asked Roast to summarize what the City needed in a new permit system.

Roast explained the City was looking for a new software company with a proven track record for reliability. He said the new software system had to have flexibility and the ability to link with other software, such as GIS and document scanning. He said on-line permit application and payment capabilities were now being used throughout the

country. He said in the future, inspectors would have hand-held notepads where they could be on-site and enter their inspection notes into the permit system. He noted there were other items which were high-lighted in Agenda Bill 04173 (in the record). He stressed the most important need was a system that would work for everyone; site-development services, land-use, planning, zoning, and the building division.

Mayor Drake explained the Council authorized a management audit several years ago and one of the final major recommendations from the Citigate Company was that the City evaluate its permit tracking system and replace it. He said the City tried to utilize the CRW System for a reasonable period of time and it was time for a change.

Grillo responded that was correct. He said they went through a thoughtful, methodical approach to determine if there was a way to improve the system, working with the software company to get it to the point where it would work as intended. He said the more they worked on this, the more obvious it became that CRW did not have the long-term capability to fix the problems and move forward. He said they were in a confined environment with this System and the City spending a limited amount of money every year on a maintenance contract, since no new repairs or improvements were coming forward.

Coun. Doyle asked if the basic needs were not in the current software.

Roast replied that reliability was the problem. He said the electronic field equipment would be an add-on and he did not feel it was prudent to recommend adding it to the current system since it was uncertain it would work.

Coun. Doyle asked if staff talked to other municipalities similar to Beaverton in terms of size and need, to determine if software capable of meeting these needs was available.

Grillo responded Washington County had a system that accommodated these needs and he knew the software was available and reliable. He said the linkage to GIS and document scanning might not be available yet, but the rest of the needs were met.

Roast said he had viewed other systems that worked well.

Coun. Doyle said he hoped there was a way to encourage companies with the solution to these problems to respond to the request for proposal.

Grillo said if the Council authorized the request for proposal (RFP), the leading companies would be sent the RFP. He said they would also seek assistance from the League of Oregon Cities to ensure the RFP was sent to all companies. He said the field of expertise in this area was merging, so he did not anticipate receiving dozens of responses.

Coun. Doyle said he felt it was extremely important to ensure that the process included funding for site visits to the jurisdictions where these systems were used. He stressed it was important to be able to speak with the clients without the vendors present.

Coun. Stanton said she needed to know that the top three needs (reliability, expandability and system links) were part of the standard package the City purchased, rather than add-ons. She said she was concerned that most of the "needs" be built into the system the City purchased, and not be guaranteed as add-ons for a future date. She asked if Grillo could give her a level of assurance that the items on the needs list were part of standard packages available now.

Grillo said for the most part the needs could be met with current software. He added he needed to speak with the IS Department to be sure that what the City asked for in the basic package, along with the add-ons, was doable. He agreed it was prudent to ensure the basic needs were doable, and he wanted to be sure that there were options to bring back to Council in terms of total expenditures. He said because of that, he was not sure he wanted to put everything on the needs list in the basic package, because cost options were needed for Council to consider.

Coun. Stanton noted the last item on the needs list was the ability to be flexible in adding or customizing data fields. She said access was an advantage to everyone because it allowed the user to create the data fields, rather than having to bring in a programmer to do the work. She asked if that was a correct assumption.

Grillo said that was an important item to staff. He noted the access code allowed data fields to be customized and that would be in the RFP, since different companies have different philosophies on sharing their access code. He said the IS Manager had strong opinions about having access to the code.

Coun. Doyle said the ability to add customer data fields was prevalent in almost all software because of the data bases they employed. He said if a vendor was not able to provide that capability, that should be a red flag.

Coun. Soth said he was concerned about the reliability of the system to work appropriately within the required time frames. He said it was clear the present system was not reliable. He said this subject came up when he served on the Governor's Building Division on Permitting. He said one of the things they heard from building inspectors and officials was the frustration they felt when they could not, from a field site, get back to the central information point to answer a question about the project. He asked if the new system enabled staff in the field to communicate back and get answers to questions that arise on site, or would this be an add-on provision.

Roast replied the RFP would include questions to the vendor about the system capabilities, and this would be one of the questions. He said the last RFP had over 100 questions and there will probably be more questions this time.

Mayor Drake explained the current system was functioning at a low level of performance and it was time to move to a system that functioned more efficiently and reliably.

Coun. Doyle said wireless bandwidth capability for small laptops was outstanding and that might be an option.

Roast said those systems were available but they were not yet performing at the high level the City desired. He said it should improve as the technology progressed.



Coun. Doyle MOVED, SECONDED by Coun. Soth, that Council authorize staff to prepare a Request for Proposal and prepare an implementation plan for a permit tracking system to replace the current CRW Permit Tracking System as discussed in Agenda Bill 04178. All Councilors voting AYE, the motion carried unanimously. (4:0)

#### ORDINANCES:

##### Second Reading:

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

04171 An Ordinance Annexing Property Generally Known as a Portion of SW Barrows Road to the City of Beaverton: Expedited Annexation 2004-0006 (Ordinance No. 4320)

Coun. Soth MOVED, SECONDED by Coun. Ruby, that the ordinance embodied in Agenda Bill 04171 now pass. Roll call vote. Couns. Doyle, Ruby, Soth and Stanton voting AYE, the MOTION CARRIED unanimously. (4:0)

#### RECESS:

Mayor Drake called for a brief recess at 7:35 p.m.

#### RECONVENED:

Mayor Drake reconvened the meeting at 7:40 p.m.

#### OTHER BUSINESS:

Draft Resolution Opposing Ballot Measure 34 (Tillamook 50/50 Plan)

Mayor Drake said the Chair of the Tillamook County Commissioners asked the Council to consider a draft resolution opposing Ballot Measure 34. He said this measure dealt with the management of the Tillamook Forest and it seriously impacted four northwest counties (Tillamook, Clatsop, Washington and Columbia). He asked Coun. Soth to explain the history of the forests.

Coun. Soth explained that from 1933 through 1945, over 400,000 acres of forest land was consumed by fires known as the Tillamook Burns. He explained that following the fires a great deal of the forest land was in private ownership and no longer valuable for timber cutting and revenue, so it was given back to the counties for tax purposes. He said the counties then decided to manage the forests as a combined forest under the auspices of the State Forestry Department. He said part of that original agreement was that the forests were seen as a timber-producing/revenue-producing operation for the four counties involved. He explained the burned forests were replanted and were now merchantable timber that was being harvested.

Coun. Soth explained Ballot Measure 34 would adversely affect all the counties and forestry programs throughout the State. He said the measure violated the Forestry Plan that was adopted for the State, as part of the original negotiations that took place

between private companies, the counties, the State and the Federal government. He said the four northwest counties alone would lose in excess of one million dollars per year in unrealized revenue from the timber operations. He said this measure did not allow sufficient flexibility in how the State Board of Forestry could operate under its guidelines. He said he felt this needed to be left to the people who know how to manage these systems rather than trying to legislate something that needed a lot of intensive technical information and operation. He said he helped replant a good portion of the forest in the 1950's.

Coun. Doyle said the people who brought the ballot measure forward chose to ignore years of cooperative effort on the part of many people. He said what concerned him was the measure ignored the economic needs of the region and the counties. He said it was estimated that 15 million dollars in annual revenue would have to be diverted to support this plan change. He said going back to the way business was done in the past, was not the way to go. He noted past management practices led only to controversy and BM 34 would return to that controversy. He said the current State Forestry Management Plan went beyond the controversy and lead to stable management. He said he supported the resolution opposing BM 34.

Coun. Soth MOVED, SECONDED by Coun. Ruby, that the City Council approve the draft resolution opposing Ballot Measure 34, the Tillamook Forest Plan, in the November 2004 election. All Councilors voting AYE, the motion carried unanimously. (3:0) Coun. Stanton was not in the Chamber for the discussion and vote. (Resolution No. 3775)

#### ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 7:45 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: LIQUOR LICENSE APPLICATION:**

**FOR AGENDA OF:** 09/13/04 **BILL NO:** 04181

**GREATER PRIVILEGE**

Ickabods  
12475 SW 1<sup>st</sup>

**MAYOR'S APPROVAL:**



**DEPARTMENT OF ORIGIN:**

Police

**DATE SUBMITTED:**

08/31/04

**NEW OUTLET**

Golden Fountain Restaurant & Lounge  
12525 SW Canyon Rd.

Dessert Noir Café and Bar  
3205 SW Cedar Hills Blvd., Suite 22

**PROCEEDING:** Consent Agenda

**EXHIBITS:** None

### **BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$ 0	BUDGETED \$ 0	REQUIRED \$ 0

**HISTORICAL PERSPECTIVE:**

Background investigations have been completed, and the Chief of Police has found that the applicants meet the standards and criteria as set forth in B.C. 5.02.240. The City has published in a newspaper of general circulation a notice specifying the liquor license applications.

**INFORMATION FOR CONSIDERATION:**

Ickabods Tavern, formerly licensed by the OLCC to Bonita M. Aman, is undergoing a change of ownership. Ickabods, Inc. has made application for a Full On-Premises Sales License. The tavern operates seven days a week, Monday through Thursday from 11 a.m. to 10 p.m., and Friday through Sunday from 11 a.m. to 10:30 p.m. They offer Video Lottery Machines as entertainment. A Full On-Premises Sales License allows the sale of distilled spirits, malt beverages, wine and cider for consumption at the licensed business.

Dragon I, Inc. is opening a new establishment and has made application for a Full On-Premises Sales License under the trade name of Golden Fountain Restaurant and Lounge. The establishment will serve Chinese food. It will operate seven days a week, serving lunch from 11:00 a.m. to 4:00 p.m. and dinner from 4:00 p.m. to 2:30 a.m. Live music will be offered as entertainment. A Full On-Premises Sales License allows the sale of distilled spirits, malt beverages, wine and cider for consumption at the licensed business.

Nouveau Connoisseurs Corporation is opening a new establishment and has made application for a Full On-Premises Sales License under the trade name of Dessert Noir Café and Bar. The establishment will serve American food. It will operate seven days a week, Monday through Wednesday from 3:00 p.m. to 11:00 p.m., Thursday through Saturday from 3:00 p.m. to 12:00 a.m., and Sunday from 3:00 p.m. to 9:00 p.m. Live music will be offered as entertainment. A Full On-Premises Sales License allows the sale of distilled spirits, malt beverages, wine and cider for consumption at the licensed business.

**RECOMMENDED ACTION:**

The Chief of Police for the City of Beaverton recommends City Council approval of the OLCC license application.

## AGENDA BILL

Beaverton City Council  
Beaverton, Oregon

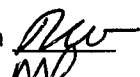

**SUBJECT:** Traffic Commission Issues No. TC 562-564

**FOR AGENDA OF:** 9-13-04 **BILL NO:** 04182

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Engineering 

**DATE SUBMITTED:** 8-31-04

**CLEARANCES:** Transportation   
City Attorney 

**PROCEEDING:** Consent

- EXHIBITS:**
1. City Traffic Engineer's reports on Issues TC 562-564
  2. Final Written Order on TC 564
  3. Written comments received at the Traffic Commission meeting
  4. Draft minutes of the meeting of August 5, 2004 (excerpt)
  5. Vicinity map

### BUDGET IMPACT

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

On August 5, 2004, the Traffic Commission considered the following issues:

- TC 562, Southbound Right Turn Lane on SW 155<sup>th</sup> Avenue at Nora Road;
- TC 563, Revisions to Stop Control at the Intersection of SW Discovery Street and SW Audubon Street;
- TC 564, Traffic Islands on SW Blackbird Drive at the Intersection with Loon Drive and Turnstone Avenue.

Staff reports for Issues TC 562 - 564 are attached as Exhibit 1.

### INFORMATION FOR CONSIDERATION:

The Commission approved the staff recommendation on Issue TC 562 on consent agenda without discussion.

The Commission approved the staff recommendation on Issue TC 563. The Commission also recommended that a stop sign or yield sign should be installed on the private street (requiring southbound traffic on the private street to stop for other traffic at the intersection).

A public hearing was held on Issue TC 564. Following the public hearing, the Commission approved the staff recommendation. In addition, the Commission recommended that the striping plan include a traffic island on Blackbird between Loon and Scholls Ferry to narrow the northbound lane of Blackbird to 16 feet, and the Commission recommended that the island markings include cross-hatching and raised markers to discourage driving in the islands.

### RECOMMENDED ACTION:

Approve the Traffic Commission recommendations on Issues TC 562 through TC 564.

**Agenda Bill No:** 04182

## **CITY TRAFFIC ENGINEER'S REPORT ISSUE NO. TC 562**

**(Southbound Right Turn Lane on SW 155<sup>th</sup> Avenue at Nora Road)**

**July 14, 2004**

### **Background Information**

The intersection of 155<sup>th</sup> Avenue with Nora Road and Beard Road currently has all-way stop control. North of the intersection, 155<sup>th</sup> has been widened to the standards for a 3-lane collector street with bike lanes; however, lane markings do not currently comply with this standard. South of the intersection, 155<sup>th</sup> is a two-lane street with no curbs or sidewalks.

When the subdivision on the northwest corner was completed, interim lane markings on 155<sup>th</sup> created two lanes on the southbound approach. The ultimate collector street lane markings could not be installed due to the need to match to the existing 2-lane street to the south.

At the June meeting of the Traffic Commission, a question was raised about the southbound lanes. It was suggested that additional controls are needed to clarify which of the two southbound lanes is to be used by through traffic. After review, staff agrees. Currently, most southbound drivers use the left lane to go straight but some drivers use the right lane to go straight, causing some confusion. The left lane best aligns with the existing southbound lane on the south side of the intersection.

To provide clarification, staff proposes to require that the southbound curb lane be designated as a "right turn only" lane. In the future, when 155<sup>th</sup> is widened to the south, standard lane markings can be installed (including bike lanes) and lane designations will need to be revised.

### **Applicable Criteria**

Applicable criteria from Beaverton Code 6.02.060A are:

- 1b (help ensure orderly and predictable movement of vehicles, bicycles and pedestrians)

### **Conclusions:**

Designation of the right lane as a "right turn only" lane will make it clear that the left lane is to be used by through traffic, reducing confusion and providing more orderly movement of southbound vehicles, thereby satisfying Criterion 1b.

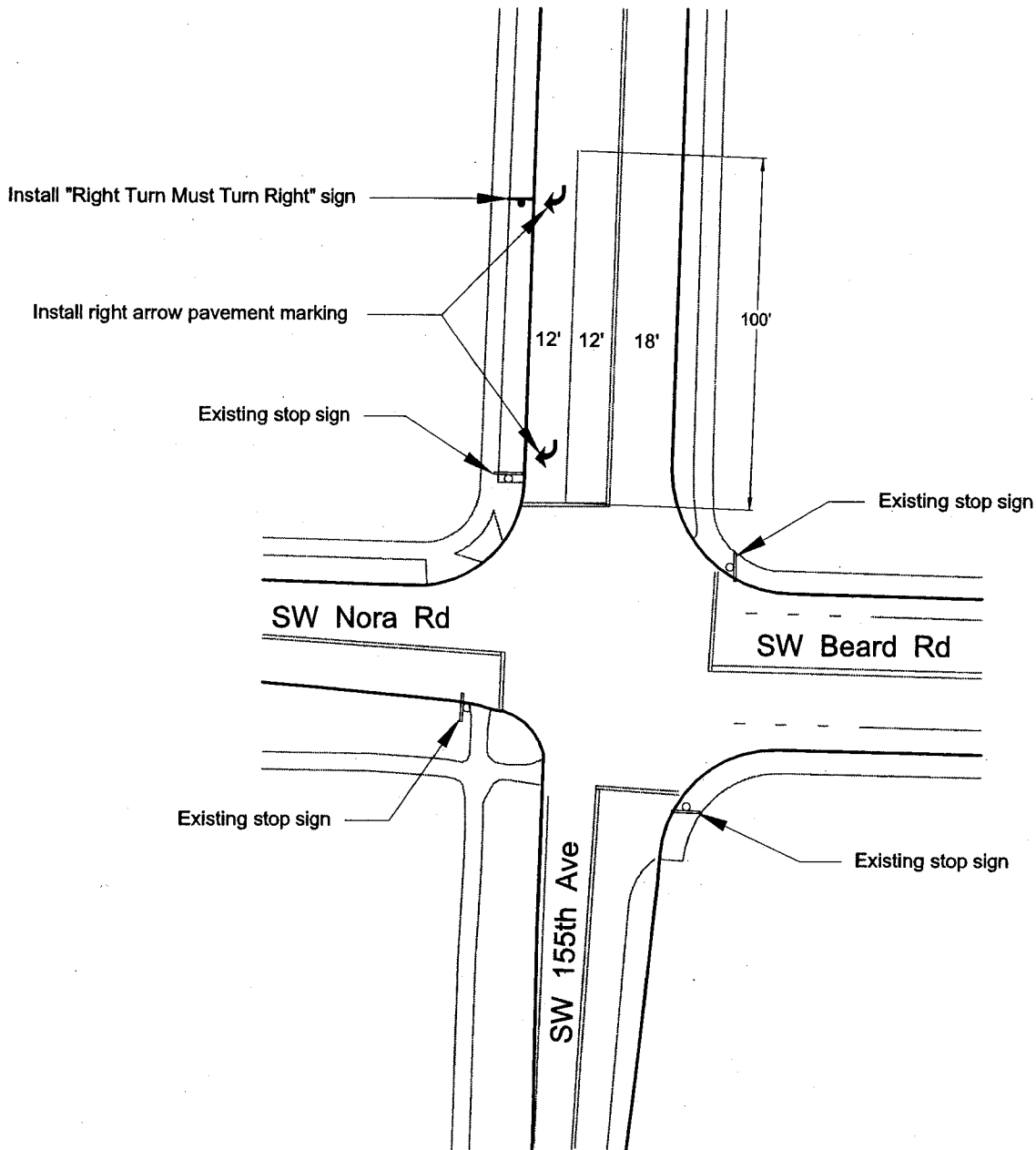
### **Recommendation:**

Require that all southbound traffic in the right lane on SW 155<sup>th</sup> Avenue on the approach to Nora Road must turn right.

TC 562



1" = 50'



Y:\Traffic\Drawings\2004\04-73 155th at Nora.dwg



City Of Beaverton

Southbound Right Turn Lane  
On SW 155th Avenue At SW Nora Road

**ENGINEERING DEPARTMENT**  
**TRANSPORTATION DIVISION**

Drawn By: MC Date: 7/13/04

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: 2

**CITY TRAFFIC ENGINEER'S REPORT**  
**ISSUE NO. TC563**  
**(Revision to Stop Control at the Intersection of SW Discovery Street and SW**  
**Audubon Street)**  
**July 12, 2004**

**Background Information**

At the request of the management company of the West Park Condominium Association, staff investigated the intersection of SW Discovery Street and SW Audubon Street. The existing stop control at Discovery Street creates confusion because there is not a stop sign on the private driveway even though Oregon Vehicle Code (811.280) requires the private drive to yield right of way. Staff proposed the removal of the stop control on Discovery Street and neither the management company nor the Condo Association raised any objections.

SW Discovery and Audubon Streets form a three-way intersection with a private driveway within the West Park condominium development. The only public vehicle access to this condominium development is via Millikan Blvd. across from the entrance to the Portland Clinic. Therefore, the entrance and exit volumes are expected to be equal with more trips exiting in the morning as residents leave for work and a similar split in the afternoon with more people returning home.

A traffic count on SW Discovery Street was taken on June 20, 2003. It showed that in a 24-hour period approximately 528 total vehicles entered the intersection from the north and south and 542 vehicles entered from the east. Staff observed numerous drivers disregard the stop sign because of the low volumes of traffic.

The Manual on Uniform Traffic Control Devices (MUTCD) guides the installation of stop controls as follows:

STOP signs should not be used unless engineering judgment indicates that one or more of the following conditions exist:

- A. Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable safe operation;
- B. Street entering a through highway or street;
- C. Unsignalized intersection in a signalized area; and/or
- D. High speeds, restricted view, or crash records indicate that a need for control by the STOP sign.

No accidents have been reported at this intersection in the past 3 years.

The sight distance is good at the intersection approaches; the street geometry requires drivers to reduce speeds to 15mph through the intersection.

**Applicable Criteria**

Applicable criteria from Beaverton Code 6.02.060A are:

- 1a (provide for safe vehicle, bicycle and pedestrian movements);



- 1b (help ensure orderly and predictable movement of vehicles, bicycles, and pedestrians);
- 1c (meet the overall circulation needs of the City);
- 1g (carry anticipated traffic volumes safely).
- 2 (all proposed new traffic control devices shall be based on the standards of the MUTCD).

**Conclusions:**

1. Based on the traffic volume, Oregon Vehicle Code, and engineering judgment, it appears that the removal of the existing stop sign would improve efficiency of the intersection, and maintain orderly movement of vehicles at the intersection satisfying criteria 1a, 1b, 1c, and 1g.
2. Removing the stop control is consistent with the criteria of the MUTCD satisfying criterion 2.

**Recommendation:**

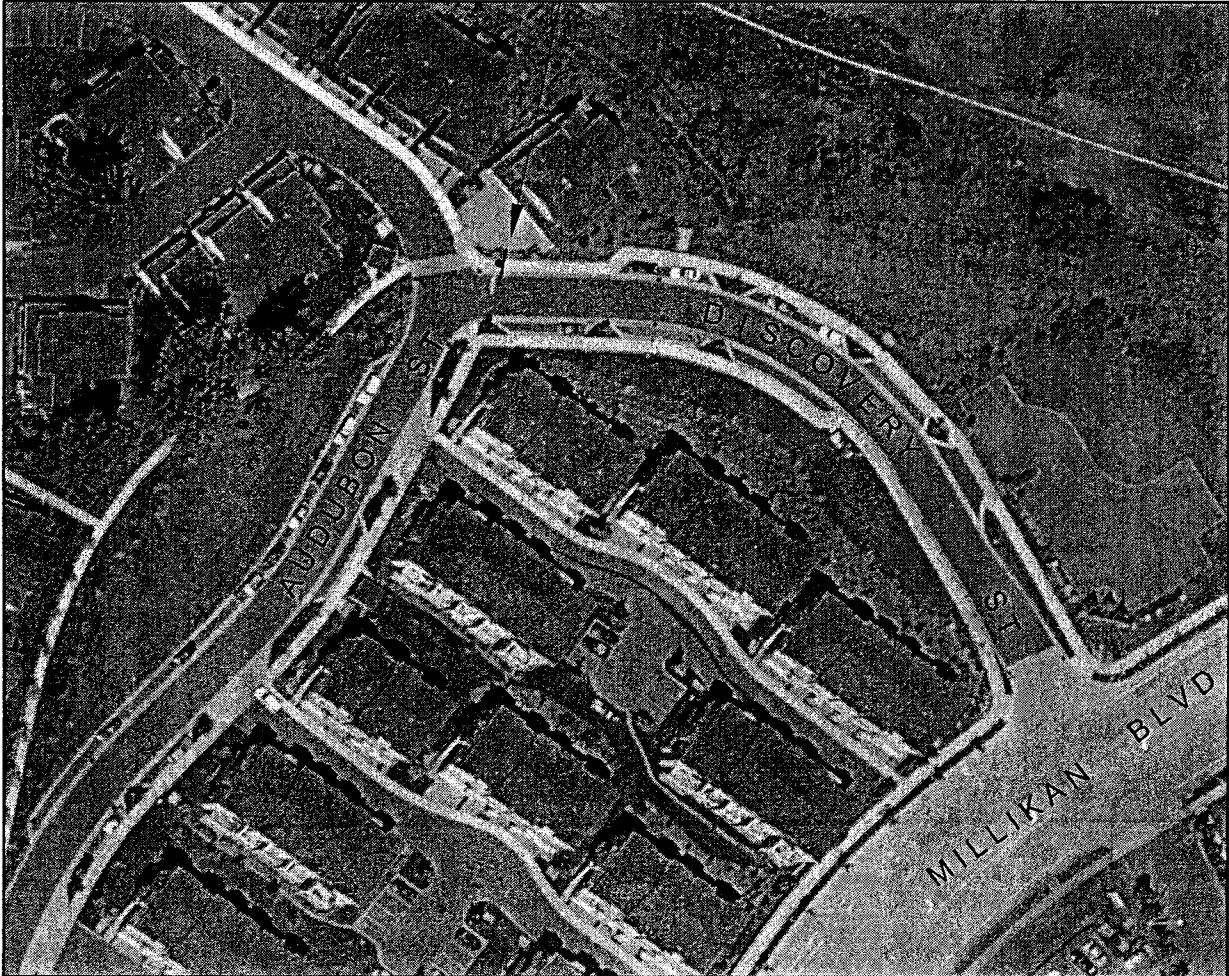
1. Remove the stop sign on SW Discovery Street at the intersection of SW Audubon Street and the private drive.

TC 563



1" = 100'

Proposed  
Stop Sign  
Removal



Y:\ Traffic \ Drawings \ 2002 \ 02-115 Discovery at Audubon STOP.dwg



City Of Beaverton

Revisions to STOP Control at the Intersection  
of SW Discovery St & SW Audubon St

**ENGINEERING DEPARTMENT**  
**TRANSPORTATION DIVISION**

Drawn By: JR Date: 7/09/03

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

5

# **CITY TRAFFIC ENGINEER'S REPORT**

## **ISSUE NO. TC 564**

### **(Traffic Islands on SW Blackbird Drive at the Intersection with Loon Drive and Turnstone Avenue)**

**July 14, 2004**

#### **Background Information**

Last fall, a request was received to review the intersection of Blackbird Drive, Loon Drive and Turnstone Avenue. There was concern about safety for pedestrians crossing Blackbird Drive.

In response, staff reviewed the site and collected traffic data. Counts taken in October 2003 showed the following volumes of traffic approaching the intersection: 360 vpd (vehicles per day) traveling southbound on Blackbird, 930 vpd traveling northbound on Blackbird, 460 vpd traveling eastbound on Loon and 230 vpd traveling westbound on Turnstone. The 85<sup>th</sup> percentile speeds on Blackbird were generally close to the posted speed limit of 25 mph, except on the hill north of the Loon intersection where the 85<sup>th</sup> percentile speed was 31 mph. No collisions have been reported at the intersection during the past three years.

Staff contacted the president of the homeowners association to explore the possibility of discussion of the intersection issues at a neighborhood meeting. The president asked that the issues be put in writing for review by the association board. Attachment A is the letter dated March 30, 2004, providing background and describing the potential for traffic islands.

In April the association board conducted a survey of the Sterling Park residents. Sterling Park extends from the Turnstone Avenue area to the area of Scholls Heights School. After receiving limited responses, the board decided that their survey was inadequate. In May they conducted a new survey. Attachment B is the survey form sent out by the board in May. Attachment C is the summary of survey results prepared by the board. In addition, the City received a survey response after the survey deadline set by the board; that response favored "no change". Attachment D shows the written comments on the returned surveys.

Expressed as a percentage of the total number of households surveyed and including the response received by the City, the results are as follows:

<u>Option</u>	<u>Number of Responses</u>	<u>Percentage</u>
Marked islands	3	1
Raised islands	10	4
Landscaped islands	36	14
No change	13	5
Other	5	2
No response	195	74

The cost for signing and striping changes would be approximately \$3,000. If raised islands are used, the estimated cost is approximately \$30,000 for either landscaped islands or islands with decorative concrete finish.

The engineering data suggests no significant safety concerns at the intersection at this time. Staff concludes that the comments received in the survey also indicate that most residents perceive no safety issues at the intersection. The support for landscaped islands appears to be based more on aesthetics than on safety. The Security Director for the Beaverton School District indicates that he has heard no concerns about the intersection.

Traffic islands would enhance pedestrian safety by providing a median refuge. Islands tend to encourage lower speeds. Therefore, staff has no objections to islands. However, based on the available information, staff cannot find justification for expenditure of City funds to install raised islands at this time. Marking of islands on the pavement is relatively inexpensive and would include some beneficial modification of the turn lane for the Scholls Ferry signal now under construction. Therefore, staff recommends that the City proceed with the painted island option.

### **Applicable Criteria**

Applicable criteria from Beaverton Code 6.02.060A are:

- 1a (provide for safe vehicle, bicycle and pedestrian movements);
- 1b (help ensure orderly and predictable movement of vehicles, bicycles and pedestrians);
- 1g (carry anticipated traffic volumes safely).

### **Conclusions:**

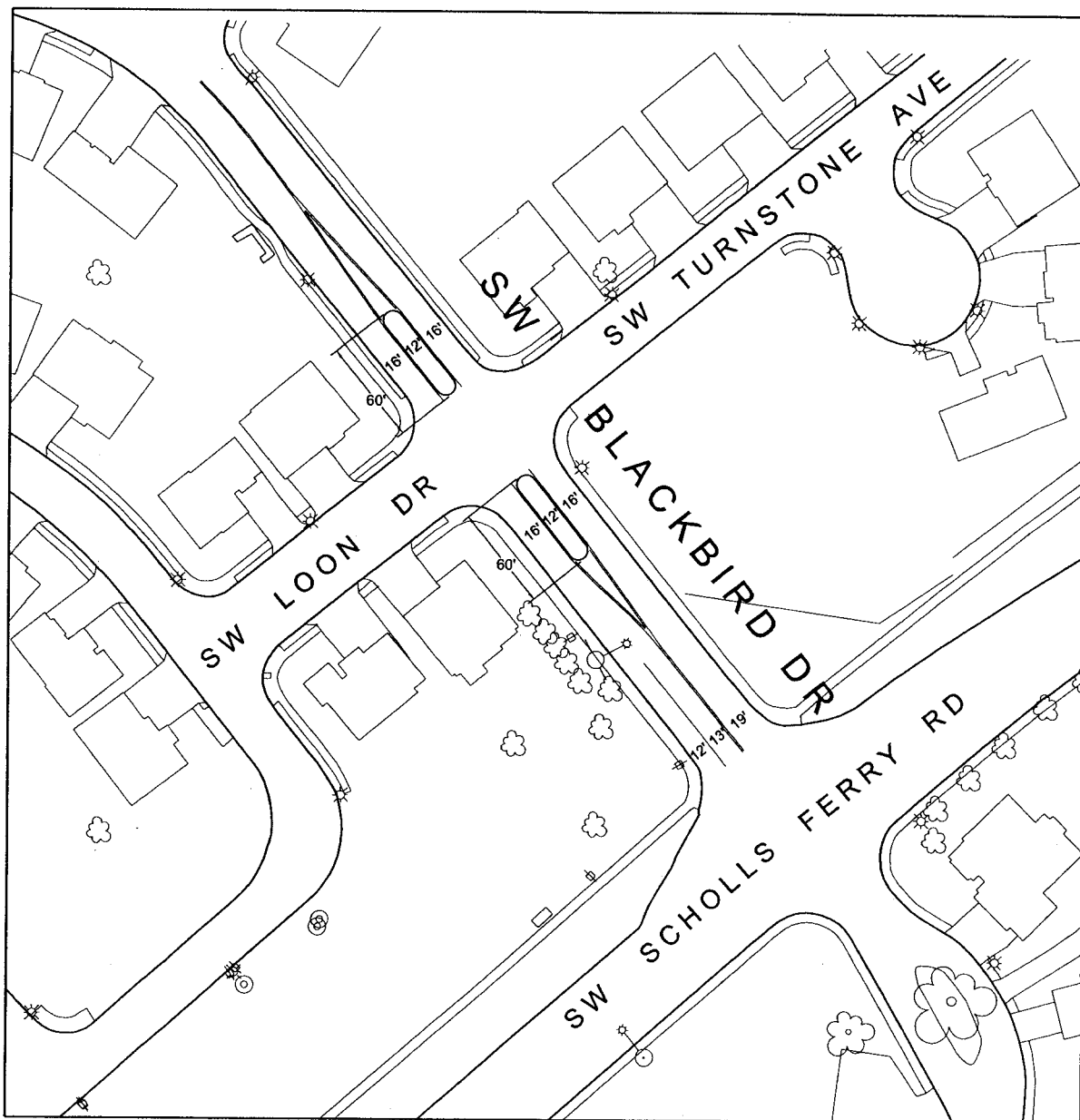
- Engineering data and neighborhood response indicate no unusual safety issues currently at the intersection. Installation of islands would further enhance intersection safety but there is no demonstrated need for safety improvements at the intersection. Therefore, any of the options considered, including the "do nothing" option, would satisfy Criteria 1a, 1b and 1g.
- The proposed changes to striping would increase the length of the left turn lane on the approach to Scholls Ferry Road, better separating southbound traffic on the approach to the traffic signal now under construction. This change would improve compliance with Criterion 1b and 1g.
- Raised traffic islands would be beneficial to the neighborhood by providing a more attractive gateway to the neighborhood. However, benefits to the general public are insufficient to justify the expenditure of City funds to construct raised traffic islands.

### **Recommendation:**

Revise pavement markings to create traffic islands in SW Blackbird Drive as shown conceptually in the drawing attached to the March 30, 2004, letter from the City Transportation Engineer to the Sterling Park Homeowners Association. The traffic islands shall consist of pavement markings only and include no raised traffic islands.



1" = 100'



City Of Beaverton

Proposed Traffic Islands  
on SW Blackbird Drive

**ENGINEERING DEPARTMENT**  
**TRANSPORTATION DIVISION**

Drawn By: JR Date: 3/24/04

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

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## CITY of BEAVERTON

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

March 30, 2004

Sterling Park Homeowners Association  
c/o Allen Pollens  
11955 SW Turnstone Avenue  
Beaverton, OR 97007

Re: Blackbird Drive at Loon/Turnstone

We would like to hear the opinions of Sterling Park residents on proposed changes to the Blackbird Drive entrance to the subdivision.

Several weeks ago, a resident of Sterling Park approached the Mayor with a concern about the intersection of Blackbird Drive with Loon Drive and Turnstone Avenue. He was concerned that Blackbird is rather wide at this location, making it a difficult crossing for pedestrians, especially school children. He was also concerned about traffic speed through the intersection.

We collected data on traffic volumes and speeds at the intersection and considered several ideas to address the intersection concerns. From this review, we are proposing the revision of lane striping on Blackbird and the addition of traffic islands as shown on the enclosed sketch.

We find that the traffic islands would have the following advantages:

- They would allow pedestrians to cross one direction of traffic at a time. One long crossing of two-way traffic would be changed to two short crossings of one-way traffic with a refuge area in the center of Blackbird where a pedestrian could wait if necessary. Pedestrian safety and comfort would be improved.
- The street would be substantially narrowed. A narrow street discourages speeding. The narrowed lanes would still meet design standards and would easily accommodate the occasional school bus or delivery truck.
- The length of the left-turn lane to Scholls Ferry Road would be increased. This will assure adequate vehicle storage length when the County installs a traffic signal at the intersection of Blackbird and Scholls Ferry (tentatively scheduled for later this year).

- The left-turn lane to Loon Drive would be removed. Review of traffic volumes indicates that this turn lane is not needed. In the future, when the property to the north of Sterling Park is subdivided, we still do not anticipate a need for a turn lane at Loon Drive. Elimination of the turn lane will give the intersection more of a neighborhood appearance and less of an arterial appearance, helping to discourage high speeds at this location.

The traffic islands could be created in one of three ways:

- Easiest and least expensive would be to mark the islands with traffic markings on the pavement. We could use cross-hatching or other markings to discourage driving in the island area. If the islands proved unsatisfactory for some reason, they could be easily removed.
- A raised island would be more effective as a speed deterrent and would further enhance pedestrian safety. The island would be formed by six-inch high curbs and paved between the curbs to reduce maintenance. If desired, some type of decorative pavement could be used.
- Instead of paving, we could use a raised island with landscaping. Landscaping could provide an attractive entrance to Sterling Park and would further deter speeding. Landscaping would be installed only if the Homeowners Association or some other group agreed to accept long-term maintenance of the landscaping.

Before we go any further with these ideas, we would like to hear the homeowners' response to the following questions:

- **Is there a need for revisions to the intersection of Blackbird, Loon and Turnstone?**
- **Would residents support the installation of traffic islands as described above?**
- **If so, which type of island is preferred (island striped on the existing pavement, raised island, raised island with decorative pavement, landscaped island)?**
- **Are there other options that the City should consider?**

Prior to recommending the islands, we did review some other options:

- We have previously reviewed a request for traffic calming on Blackbird. "Traffic calming" includes speed bumps and other measures to slow traffic. Review showed that Blackbird did not meet the City's eligibility criteria for traffic calming. Speed bumps are designed to slow traffic to the posted speed limit of 25 mph. Our measurements indicated that most drivers are already traveling near or below the speed limit; so, we would not expect traffic calming to produce any significant reductions in speeds. North of the Loon/Turnstone intersection, Blackbird is on a fairly steep grade which exceeds the normal limits for speed bump installation. Finally, traffic calming would not reduce the concern of the existing wide unprotected crossing for pedestrians.



- The intersection was also considered for an all-way stop. Traffic data showed that the intersection does not meet the all-way stop criteria of the national Manual on Uniform Traffic Control Devices. Traffic volumes are relatively low at the intersection and do not justify requiring all traffic to stop. Experience shows that use of an all-way stop in such situations leads to substantial violations of the stop signs; drivers slow but do not stop; safety is not necessarily improved. We were also concerned about use of stop signs on Blackbird so close to the proposed signal at Scholls Ferry.

We hope that the Association can discuss these ideas and we look forward to receiving your thoughts. If additional explanation is required, please let me know. If it would help, we would be pleased to attend a meeting to discuss these ideas and to answer any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Randall R. Wooley".

Randall R. Wooley  
City Transportation Engineer

EXPRESS YOUR BLACKBIRD/LOON/TURNSTONE INTERSECTION PREFERENCE

Dear Sterling Park Home Owner,

The SPOC board was contacted sometime ago by the City of Beaverton regarding possible modification to the Blackbird/Loon/Turnstone intersection. By way of this survey, you can now express your preference, which we will pass onto the City along with everyone else's.

The City was initially prompted to perform a study when a resident of Sterling Park approached the Mayor with a concern about the Blackbird/Loon/Turnstone intersection. The resident was concerned that Blackbird is rather wide at this location, making it a difficult crossing for pedestrians, especially school children and was also concerned about traffic speed through the intersection.

After collecting data on traffic volumes and speeds at the intersection and considering several ideas the City proposed the revision of lane striping on Blackbird and the addition of traffic islands as shown on the diagram on the back side of this sheet. They advised that the traffic islands would have the following advantages:

- They would allow pedestrians to cross one direction of traffic at a time. One long crossing of two-way traffic would be changed to two short crossings of one-way traffic with a refuge area in the center of Blackbird where a pedestrian could wait if necessary. Pedestrian safety and comfort would be improved.
- The substantially narrowed street would discourage speeding. Narrowed lanes would still meet design standards and would easily accommodate school buses and delivery trucks.
- The length of the left-turn lane to Scholls Ferry Road would be increased to assure adequate vehicle storage length when the County installs a traffic signal at the intersection of Blackbird and Scholls Ferry (tentatively scheduled for later this year).
- The left-turn lane to Loon Drive would be removed since the review of traffic volumes indicate that it is not needed. Also, future development of the property to the north of Sterling Park is still not anticipated to require a turn lane at Loon Drive. Elimination of the turn lane will give the intersection more of a neighborhood appearance and less of an arterial appearance, further helping to discourage high speeds at this location.

The traffic islands could be created in one of three ways:

- Islands as pavement markings. This is the easiest and least expensive for the City to do. Cross-hatching or other markings would be used to discourage driving in the island areas. (If the islands proved unsatisfactory, they could be easily removed.)
- Raised paved islands. This would be more effective as a speed deterrent and would further enhance pedestrian safety. Islands would be formed of six-inch high curbs and low maintenance paving between the curbs. Some type of decorative pavement could be used.
- Raised islands with landscaping could also be used. Landscaping could provide an attractive entrance to Sterling Park and would further deter speeding. The City would provide the landscaping including irrigation (at no cost to Sterling Park owners) but the SPOC would have to accept responsibility for the watering and maintenance of the landscaping thereafter.

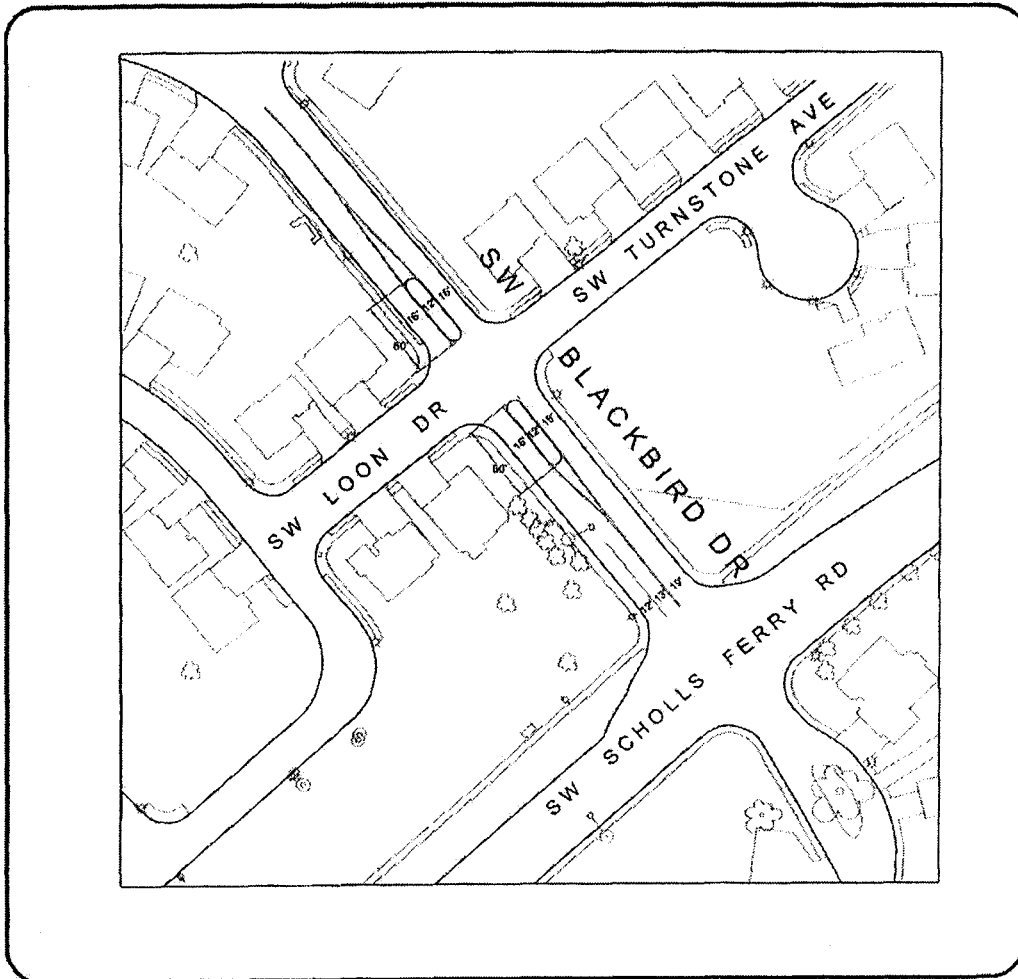
The City will also give consideration to preferences for no change and to other suggested solutions (use comments area on reverse side form or attach additional sheet). Please note that the City considered speed bumps and an all way stop but feels that these traffic-calming alternatives are not appropriate for this intersection.

Please fill out the form on the reverse side of this sheet and mail it within ten days to the address provided. The SPOC Board will subsequently submit the owner responses to the City of Beaverton. It will be up to the City to evaluate the information. The Board's goal, with this survey, is to provide the City with the best possible owner preference data and will NOT be issuing a separate Board recommendation. However, if practical and time permits, the Board will attempt to quantify and summarize the results and then to post them, for your information, at the SPHO website. The City has advised that they may also want to hold a public meeting before making a final determination.

Thank you for your response and participation.

Sterling Park Owners Committee, July 7, 2004

*(For questions or further information please contact us via Denise Bower, Community Management Company at [deniseb@communitymgt.com](mailto:deniseb@communitymgt.com), 503-445-1202.)*



City Of Beaverton

Proposed Traffic Islands  
on SW Blackbird Drive

**ENGINEERING DEPARTMENT  
TRANSPORTATION DIVISION**

Drawn By: JR Date: 3/24/04

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

*Mail this form within ten days to: SPOC, c/o Pollens, 11955 SW Turnstone Avenue, Beaverton, OR 97007-8942*

Name:

Signature:

Date:

Street Address:

**Check Preference Below**

- ☒ Islands only as pavement markings.
- ☐ Raised paved islands.
- ☐ Raised landscaped islands.
- ☐ No changes to intersection
- ☐ Other option (*please comment below*).

**Tell Us, Below, How Your Family Uses the Intersection**

Type of Use	Frequency of Use
<input type="checkbox"/> Pedestrian only	<input type="checkbox"/> Daily
<input type="checkbox"/> Vehicular only	<input type="checkbox"/> Weekly
<input type="checkbox"/> Pedestrian and vehicular	<input checked="" type="checkbox"/> Seldom
<input type="checkbox"/> Neither pedestrian nor vehicular	<input type="checkbox"/> Never

Comments:

**Summary of Blackbird/Loon/Turnstone Intersection Survey Results**  
(Recorded June 12, 2004)

Type of Use	Frequency of Use	Preference Categories				
		Islands as Pavement Markings	Raised Paved Islands	Raised Landscaped Islands	No Intersection Changes	Other Option
Pedestrian Only	Daily					
	Weekly					
	Seldom					
	Never					
Vehicular Only	Daily		3	3	1	
	Weekly			1		
	Seldom			1		
	Never					
Pedestrian and Vehicular	Daily	3	6	30	11	5
	Weekly		1	1		
	Seldom					
	Never					
Neither Pedestrian nor Vehicular	Daily					
	Weekly					
	Seldom					
	Never					
Totals		3 (4.5%)	10 (15.2%)	36 (54.5%)	12 (18.2%)	5 (7.6%)

## Note:

- Individual survey forms were delivered to every home at Sterling Park (262).
- There were a total of 66 responses received (25%).
- The majority of respondents, 36 (54.5%), prefer Raised Landscaped Islands.
- 12 respondents (18.2%) prefer no changes.
- 10 respondents (15.2%) prefer Raised Paved Islands.
- 4 "Other Option" respondents (6%) expressed preference for adding pedestrian crosswalks.
- 46 respondents (69.7%) favor a Raised Island (Paved + Landscaped preferences).
- 54 respondents (81.8%) favor some change to the intersection.

**CHECKED: Islands only as pavement markings.**

- Looking forward to a signal at Blackbird/SF!

**CHECKED: Raised paved islands.**

- If the concern is mainly pedestrian, it seems like the paved island would be best. If the landscape version has a lot of plants, etc., not sure it would serve the purpose. A combination of a paved island with some landscaping might work well and look good.
- Of course, the landscaped islands would be preferable; however, visibility of pedestrians might be reduced.
- We believe that pavement markings will not make much of a difference as far as safety. We do not wish, however, to have to pay to maintain the landscape. We feel raised paved islands are the best choice.

**CHECKED: Raised landscaped islands.**

- If raised landscaped islands are not provided, we would prefer no change was made. The other changes would not be aesthetically pleasing. Thank you for asking.
- Speed bumps would help reduce speed in this intersection. Thanks.
- I never see pedestrian traffic but if this is necessary then we should make it as attractive as possible.
- Either one. (Checked boxes for both raised paved islands and raised landscaped islands.)
- A landscaped island is needed to offset the arterial appearance that will result from the future traffic light at Scholls & Blackbird. Landscape maintenance may not be overly expensive given proximity of current maintenance at the entrance 50 yards away.
- Raised landscape would be great since it would also be installed at no expense to us!
- Landscaped beds will also add to the beauty of the SP entrance.

Sterling Park Questionnaire  
**WRITTEN COMMENTS**

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- Great idea! This will improve the safety for our family. Thank you.
- I have to run across Scholls Ferry with a stroller every morning to get from Sterling Park to Windsor Estates. Also, will they continue the sidewalk up Barrows to the light at Scholls Ferry and Loon? Again, stroller dilemma.
- If speed is a problem at that intersection, would a 4-way stop help? Just a thought.
- As stated on the back, our neighborhood needs to have more of a "neighborhood" appearance rather than an "arterial" appearance. We can achieve this with a landscaped island rather than a "sterile" paved island to accomplish this problem. I would volunteer my time to keep the island weeded and planted!! (Smiley face symbol.)
- We are in favor of raised landscape islands as they are more attractive. However, if the cost to maintain them is too high, raised paved islands are acceptable as well.
- We would prefer speed bumps in this intersection AND along Loon Dr. on the way to the school. We live on Loon Dr. and have small children. The speed of traffic along Loon is a concern to us on a daily basis. How about posting more speed signs along Loon? Thank you.

**CHECKED: No changes to intersection.**

- There is no need to make changes to the intersection. I have never had an issue crossing Blackbird at this intersection when walking.
- Believe only problem is crossing Scholls and they are planning a light. Islands, etc. to me would be a negative addition to our entrance and this intersection. I vote NO CHANGE other than possibly a sign such as "Slow, Children at Play."
- It doesn't seem necessary to effect any changes.
- The problem of people speeding through this intersection happens throughout the neighborhood. Slowing them down at just this intersection doesn't make it any safer to cross the street everywhere else because they'll just speed back up. From what I've seen, it's always the same few people doing the speeding. I think these few getting speeding tickets would better solve the problem and help throughout our entire neighborhood.
- "If it ain't broke, don't fix it." We turn left at that intersection a lot!

Sterling Park Questionnaire  
**WRITTEN COMMENTS**

---

- I live on the corner. I see no problem with students. I drive a Beaverton school bus. Please keep this intersection bus friendly. Proposed islands will make one more hazard for our buses. This about a fancy entrance.

**CHECKED: Other option (please comment below).**

- Pedestrian crosswalk.
- Put in a crosswalk—painted—and teach pedestrians to look both ways before crossing. (Attached letter.) 1 June, 2004; TO: SPOC; RE: Comments regarding proposed changes to Blackbird/Loon/Turnstone Intersection. All of the options presented in the preference document are unacceptable. I run/walk/cycle and drive through this intersection several times each day at various hours and have NEVER noted any pedestrians having a problem crossing it. Expending scarce resources (time and money) to fix a problem that does not exist (except perhaps in one person's mind) is a gross overreaction. If the SPOC feels it must react to such a complaint, then, AT MOST, it should have a crosswalk painted on the street (with the installation of accompanying signs). There is no need for islands, paved or painted. If speeding is a problem, then get the city and/or county to station traffic enforcement police with radar IN the subdivision once or twice a week and ticket speeders. Traffic islands will not impede drivers who chronically speed in the subdivision. To think otherwise is folly. Let's not waste city and county tax dollars fixing things that are not broken.
- Crosswalk, marked and signed.
- 1) Put 'Children Present' boards at the intersection; 2) There is a 'dip' at the intersection, needs correction; and 3) Put traffic signal at Scholls/Blackbird intersection ASAP.
- (Respondent did not check a preference box, but added the following comment.) I am also concerned about the crossroad @ Ibis & Blackbird. Cars speed through that area & w/o a yield or stop sign it is unclear who should be slowing, especially as children frequently play & ride bikes on that corner. (Hand-drawn map showing intersection of Ibis and Blackbird.)

## RECORD COPY

## CITY OF BEAVERTON

## FINAL WRITTEN ORDER OF THE TRAFFIC COMMISSION

## REGARDING ISSUE NUMBER TC 564

(Traffic Islands on SW Blackbird Drive at the Intersection with  
Loon Drive and Turnstone Avenue)

1. A hearing on the issue was held by the Traffic Commission on August 5, 2004.
2. The following criteria were found by the City Traffic Engineer to be relevant to the issue:
  - 1a (provide for safe vehicle, bicycle and pedestrian movements);
  - 1b (help ensure orderly and predictable movement of vehicles, bicycles and pedestrians);
  - 1g (carry anticipated traffic volumes safely).
3. In making its decision, the Traffic Commission relied upon the following facts from the staff report and public testimony:
  - The City received a request to review pedestrian safety on Blackbird Drive at its intersection with Loon Drive and Turnstone Avenue.
  - Staff review showed that traffic volumes and speeds on Blackbird are typical of local residential streets. However, Blackbird is wider than most residential streets.
  - No collisions have been reported at the intersection during the past three years.
  - The City Traffic Engineer suggested that traffic islands on Blackbird would enhance pedestrian safety. He requested input from the homeowners association of Sterling Park as to whether a safety problem exists at the intersection and whether the residents would favor traffic islands.
  - The board of the homeowners association conducted a poll of residents. Approximately 26% of the households in Sterling Park responded to the poll. Of those responding, approximately 74% favored some type of traffic islands.
  - Many respondents to the poll provided written comments. The comments were provided to the Traffic Commission.
  - The traffic islands would eliminate an existing northbound left turn lane on Blackbird. The City Traffic Engineer reports that the turn lane is not needed to accommodate existing traffic volumes and anticipated future volumes. Elimination of the northbound turn lane would allow extension of the southbound turn lane on Blackbird at Scholls Ferry Road, providing additional storage area for vehicles waiting to enter Scholls Ferry Road.
  - Testimony suggested that the speed of traffic entering Blackbird from Scholls Ferry Road adds to the safety concern at the Loon intersection.
4. Following the public hearing, the Traffic Commission voted (7 aye, 0 nay) to recommend the following action:

Revise pavement markings to create traffic islands in SW Blackbird Drive as shown conceptually in the drawing attached to the March 30, 2004, letter from the City Transportation Engineer to the Sterling Park Homeowners Association. The traffic islands shall consist of pavement markings only and include no raised traffic islands. Narrow the northbound driving lane from 19 feet to 16 feet on Blackbird between Scholls Ferry and Loon Drive. Use reflectors and cross-hatching to emphasize the islands.

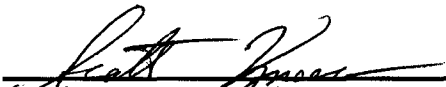


5. The Traffic Commission decision was based on the following findings:

- Engineering data and neighborhood response indicate no unusual safety issues currently at the intersection. Installation of islands would further enhance intersection safety but there is no demonstrated need for safety improvements at the intersection. Therefore, any of the options considered, including the "do nothing" option, would satisfy Criteria 1a, 1b and 1g.
- The proposed changes to striping would increase the length of the left turn lane on the approach to Scholls Ferry Road, better separating southbound traffic on the approach to the traffic signal now under construction. This change would improve compliance with Criteria 1b and 1g.
- Raised traffic islands would be beneficial to the neighborhood by providing a more attractive gateway to the neighborhood. However, benefits to the general public are insufficient to justify the expenditure of City funds to construct raised traffic islands.

6. The decision of the Traffic Commission shall become effective upon formal approval of the City Council.

SIGNED THIS 9 DAY OF AUGUST 2004

  
 Traffic Commission Chair

**Randy Wooley**

---

**From:** Marv Lindquist [lindyq@yahoo.com]  
**Sent:** Sunday, August 01, 2004 9:07 PM  
**To:** Randy Wooley  
**Subject:** Blackbird, Loon, Turnstone intersection meeting Aug. 5

**RECORD COPY**

The intersection is fine as it is. I live on that corner and see no problem. I do wonder why we do not have stripes to mark the crosswalk. Raised islands would make it harder to get up Turnstone in icy weather. Cars come down Blackbird to get a run at the Turnstone hill. Marv Lindquist 12070 SW turnstone Ave.

---

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<b>Draft</b>
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City of Beaverton

**TRAFFIC COMMISSION**

Minutes of the August 5, 2004, Meeting

**CALL TO ORDER**

Chairman Scott Knees called the meeting to order at 7:03 p.m. in the Forrest C. Soth City Council Chamber at Beaverton City Hall, Beaverton, Oregon.

**ROLL CALL**

Traffic Commissioners Scott Knees, Holly Isaak, Carl Teitelbaum, Louise Clark, Kim Overhage, Tom Clodfelter, and Ramona Crocker constituted a quorum.

The City of Beaverton was represented by Traffic Engineer Randy Wooley and Recording Secretary Debra Callender.

**— START EXCERPT —**

**CONSENT ITEMS**

Chairman Knees reviewed the consent agenda, including approval of the July 1, 2004, Traffic Commission minutes, TC 562, and TC 563.

Several Commissioners made corrections to the July minutes.

Commissioner Crocker requested that TC 563 be pulled for separate discussion.

Commissioner Clark **MOVED** and Commissioner Crocker **SECONDED** a **MOTION** to approve the consent items consisting of the Traffic Commission minutes for July 1, 2004, and Issue TC 562.

The **MOTION CARRIED** unanimously, 7:0.

On Issue TC 563, Commissioner Crocker asked why the private driveway does not already have a stop sign posted to establish right-of-way as required in the Oregon Vehicle Code.

Mr. Wooley did not know the history of the original signing decision. Staff has talked with the condominium association involved and let them know that, if the Commission approves this issue, the City would expect them to install a stop sign on their private driveway.

Commissioner Crocker said that while driving west on Discovery Street, she encountered a vehicle at the private driveway. She stopped at the stop sign on Discovery; however, if that sign is removed as proposed, she sees the potential for a collision. She suspects that drivers entering Discovery from the private driveway might not understand that they have a legal obligation to yield at the end of the driveway. She finds it puzzling that a stop sign was installed at this location in the first place.

Commissioner Teitelbaum agreed. It seems to him that Audubon and Discovery Streets work as a single roadway—with a driveway entering at the streets' curve. The stop sign's current location seems out of place, especially based on each roadway's traffic volume.

Chairman Knees asked what else could be done, beyond approving this motion, to coordinate the removal of the misplaced stop sign and its replacement with a similar sign on the driveway.

Mr. Wooley said the Commission could add information to the motion stating that the correctly placed sign must be installed when the current stop sign is removed. He said this is how staff had already planned to coordinate the switch, but it might be helpful to document their intention in the motion.

Commissioner Crocker **MOVED** and Commissioner Clark **SECONDED** a **MOTION** stating that the existing stop sign on SW Discovery Street should be removed and, at the same time, a stop or yield sign should be installed on the driveway so that drivers are aware of the expected, safe, and proper flow of traffic.

On discussion, Commissioner Clark asked if the City can tell the condominium association to install a sign on their private driveway.

Mr. Wooley said the City cannot require an owner to install a traffic sign on private property; however, staff and the condominium management have established a good working relationship. Mr. Wooley anticipates cooperation.

Discussion established that "Traffic Control Change Ahead" signs would be placed on the roadways for about 30 days to inform drivers that the stop sign had been removed and a new sign installed on the driveway.

The **MOTION CARRIED** unanimously, 7:0.

**PUBLIC HEARING****ISSUE TC 564: TRAFFIC ISLANDS ON SW BLACKBIRD DRIVE AT THE INTERSECTION WITH LOON DRIVE AND TURNSTONE AVENUE**

*Chairman Knees opened the public hearing on TC 564.*

**Staff Report**

Because TC 564 could potentially involve a funding request, Mr. Wooley addressed the issue of how Traffic Commission recommended projects are funded. Several options are described in the staff report. If the Commission selects the option of striped traffic islands, the small cost could be paid out of the City's street maintenance fund.

The raised traffic islands option would cost approximately \$30,000. The Commission might want to take this money from the Traffic Enhancement Fund, which is the account now used to pay for traffic signal improvements and neighborhood traffic calming projects. Mr. Wooley said this fund is being depleted at a fast rate, but there might still be enough money to cover this project if the Commission believes it is appropriate. That request for funding would need to come back to the Commission later. Another route would be to recommend the raised islands under next year's citywide capital improvement program.

Mr. Wooley said this issue originated through a citizen's discussion with Mayor Drake. The citizen was concerned about safety when pedestrians, especially school children, cross Blackbird. This street is 44 feet wide with three traffic lanes. After investigation, staff determined traffic islands used as a pedestrian refuge was a possible answer. Staff contacted the Sterling Park Owner's Committee (the subdivision's oversight group) and suggested attending a meeting with the neighborhood to informally survey the residents' level of concern about safety at this intersection and to discuss options. The owner's committee chair rejected this suggestion and requested that staff instead send a letter for their review.

The owner's committee board conducted two, subdivision-wide surveys on this issue. Mr. Wooley is now concerned that the impression created was, "Just vote and the City will give us whatever you want." He noted that in his original letter to the committee, the first question addressed was whether or not residents believed there was a traffic problem on Blackbird that required the City's intervention.

Mr. Wooley said the proposed solution includes a short traffic island that would replace the left-turn lane on the south end of the intersection. The revision would extend the left-turn lane on the Blackbird approach to Scholls Ferry Road. He

said the County will soon install a traffic signal on Scholls Ferry at Blackbird. On the north leg of the Blackbird intersection, the through lanes would be narrowed to include a traffic island. Traffic islands would provide a pedestrian refuge and narrow the width of the driving lanes, thus discouraging speeding.

Mr. Wooley said staff reviewed both the survey statistics and the written comments. Staff are convinced the safety could be improved without spending \$30,000 for landscaped islands. The survey did show a desire for landscaped islands; however, the written comments revealed this interest to be based mainly on aesthetics, not pedestrian safety. Mr. Wooley believes painted islands would provide similar safety benefits for much less money. He invited Commission questions.

Commissioner Clark asked if the owner's committee collected fees to pay for landscape maintenance.

Mr. Wooley said he understood they currently collect fees to maintain the landscaping at the subdivision's entrance on Scholls Ferry Road.

Commissioner Clark asked if the County planned to change the current striping pattern on Blackbird when they complete the traffic signal on Scholls Ferry.

Mr. Wooley said the signal would not change the striping on Blackbird.

Commissioner Teitelbaum asked if Loon Drive provides direct access to the local elementary school.

Mr. Wooley said it does. Loon Drive proceeds west from Blackbird, paralleling Scholls Ferry. It crosses in front of Scholls Heights Elementary School and goes on to connect with Scholls Ferry near Barrows Road. Loon is a popular route for children to use when walking to school.

Commissioner Clodfelter asked if the intersection's left turn lane would be shortened if traffic islands were installed.

Mr. Wooley explained that the left turn lane from Blackbird onto Loon would be eliminated, while the left turn lane from Blackbird onto Scholls Ferry would be lengthened. This would provide more vehicle storage at the new traffic signal.

Commissioner Overhage referred to a survey respondent's concern that the intersection of Ibis and Blackbird also has safety problems.

Mr. Wooley said staff intends to review this intersection.

Commissioner Clark said it appears to her that the left queuing lane on Blackbird, turning to Scholls Ferry, holds only one vehicle.

Mr. Wooley clarified that the turn lane now holds several vehicles. With the proposed change, it would hold at least one more.

Commissioner Clark asked if both school-age pedestrians and parents driving children to the school use Loon.

Mr. Wooley said Loon is used to access the school for people living in this neighborhood and also for school buses delivering students to the school. It is unlikely people from outside the immediate neighborhood would use Loon as a cut-through route. On the intersection's east leg, Turnstone Avenue is a dead end that will likely be connected in the future as development continues.

Commissioner Isaak noted that one survey comment asked for more speed signs on Loon.

Mr. Wooley said speed signs on residential streets are typically posted near where drivers exit a higher speed street to enter a residential street. Since residential speed is statutory, not every street needs to have the speed posted. He'll have staff check to be sure that Loon has appropriately placed signs.

Commissioner Teitelbaum asked how much it would cost to just paint crosswalks at this intersection.

Mr. Wooley answered that crosswalks would cost about the same as the proposed painted islands. Therefore, adding crosswalks to the plan would roughly double the total cost of striping. He explained why transportation engineers nowadays seldom recommend installing pedestrian crosswalks. Studies show crosswalks do not cause drivers to reduce their speed; in addition, pedestrians might falsely believe they are safe when using a crosswalk. Traffic islands, with their center refuge, have demonstrated they can improve pedestrian safety.

As a point of information, Mr. Wooley clarified that not enough school children use this route for the school district to recognize it as a regular school crossing.

### **Public Testimony**

Prior to the hearing, the Commission received and reviewed written testimony on this issue from Marv Lindquist. (*Written testimony is on file.*)

Brian Dodson, Beaverton, Oregon, lives on Turnstone and regularly uses this intersection when walking his child to school. Mr. Dodson said the Blackbird/Loon intersection is located close to the intersection of Blackbird and Scholls Ferry. Cars exit Scholls Ferry very fast because the corner is rounded, instead of being a more typical 45 degree angle. Turnstone Avenue slopes downhill as it crosses the Blackbird intersection and reaches Loon Drive. Children coming down Turnstone on bikes approach this intersection very fast. Mr. Dodson stressed that this is the only route to the elementary school for

children living on Turnstone. He confirmed Mr. Wooley's earlier statement that several school buses also use this intersection.

Mr. Dodson said that in Texas, where he once lived, school zones have automated flashing signs that say "Slow Down, School is in Session" during certain hours of the school day. He suggested flashing signs for the Blackbird/Loon/Turnstone intersection.

Mr. Dodson also thinks traffic islands would be an effective way to slow intersection traffic, which is his primary concern.

The Commission had several questions for Mr. Dodson.

Commissioner Overhage asked if Mr. Dodson believes a painted median island would be enough to slow drivers and make them aware of pedestrians.

Mr. Dodson does not believe a painted island would sufficiently help. He said drivers need to see a "visual reference" to remind them that they are entering a residential area and must reduce their speed. A raised island with landscaping would work better than striping.

Mr. Dodson noted that, directly across Scholls Ferry from Blackbird Drive, 158th Avenue has a treed landscaped island only a few feet from the intersection. This attractive island communicates to drivers that they have entered a residential area and must now drive slowly. He reflected that Blackbird is so wide it feels more like a boulevard than a residential street.

Commissioner Overhage expressed concern that 74 percent of the neighborhood did not bother to respond to the poll.

Mr. Dodson speculated that pedestrian safety at the Blackbird/Loon/Turnstone intersection only affects residents who live in close proximity to it. Turnstone residents are the only ones whose children walk through this intersection on their way to school and these residents comprise only a fraction of the residents in Sterling Park development.

Commissioner Crocker asked Mr. Dodson to estimate how many children walk through this intersection on their way to school each day.

Mr. Dodson estimated 15 elementary-age children live on Turnstone and attend Scholls Heights School. If this intersection was safer, he believes more of these children would walk or ride a bicycle to school—instead of being driven to school by their parents.

Commissioner Crocker asked for the school's opening and dismissal hours.



Mr. Dodson answered that school opens at 8 a.m. and dismisses at 2 p.m. He added that the Blackbird intersection has heavier traffic in the morning as people leave their homes for work.

Commissioner Isaak asked if he would allow his child to walk to school alone if painted traffic islands were added to Blackbird.

Mr. Dodson clarified that his child is seven years old. No matter what improvements are made to Blackbird he will walk his child to school for the next few years, until he is sure his child is mature enough to walk alone. However, Mr. Dodson has observed children age seven and younger crossing the intersection alone. He supposed that most third, fourth, and fifth graders are mature enough to walk a few blocks to school alone.

Commissioner Clark listed the various methods discussed to improve this intersection: raised landscaped traffic islands, painted traffic islands, or painted crosswalks. She asked Mr. Dodson to prioritize these beginning with his first choice.

Mr. Dodson said a raised, landscaped island would be the safest. He does not care about the aesthetics associated with landscaping, his only concern is pedestrian safety. Landscaping would introduce a "better visual object" for drivers to recognize.

Commissioner Clark asked, with cost being a factor that the Commission must consider, what would be his second choice.

Mr. Dodson said a raised, paved island would also work as a second choice. A pedestrian crossing sign, perhaps with flashers, would be an economical third choice.

Commissioner Clark asked how he felt about painted traffic islands.

Mr. Dodson answered that painted islands, as they are flat, are unlikely to provide enough visual warning to get drivers to slow down.

Commissioner Clark asked how he felt about painted crosswalks.

Mr. Dodson said the Traffic Engineer's earlier argument against the use of crosswalks made sense to him. He can see why crosswalks could provide a false sense of security. He can also imagine that some young children might run across a crosswalk without looking for oncoming cars.

Commissioner Clark asked Mr. Dodson for further clarification. Is he saying that he would rather do nothing than have painted traffic islands?

Mr. Dodson answered no. He supports any method that will add even a small amount of pedestrian safety. He ranked painted traffic islands as "the absolute minimum" safety improvements that could be made.

Commissioner Teitelbaum observed that the intersection at Scholls Ferry and Blackbird has unusually rounded corners. Combined with the broad width of Blackbird, he estimated that cars enter the neighborhood from Scholls Ferry driving 30-35 mph. He suggested narrowing the width of the northbound lane to less than its current 19 feet as a way to slow entry traffic.

Mr. Dodson agreed this was a good idea.

### **Staff Comments**

Mr. Wooley addressed several issues brought forward in testimony. Mr. Dodson had suggested signs with flashing lights as a pedestrian safety option. Mr. Wooley said pedestrian warning signs are unlikely to have much impact on neighborhood drivers who cross this intersection day after day. As for flashing lights, under the new state speed law flashing lights are being removed from lower speed zones because the law is difficult to understand and apply. If what Mr. Dodson is suggesting is to make this intersection a school zone, then the speed limit would be 20 mph at all times.

As for the landscaped traffic island located on 158<sup>th</sup> Avenue, Mr. Wooley said that island was installed when that subdivision was constructed. The subdivision paid for this island as a neighborhood amenity, no public funds were involved. If the Sterling Park subdivision wants to pay for and install landscaped traffic islands, staff would support that choice; however, Mr. Wooley feels uncomfortable spending public money on such a project.

As for Commissioner Teitelbaum's suggestion that speed could be reduced by narrowing the Scholls Ferry exit at Blackbird, Mr. Wooley agreed. He said staff had already proposed narrowing the 19 foot lane to 16 feet on the Loon/Turnstone intersection area. He explained that the Blackbird entry from Scholls Ferry was left wide and rounded in order to accommodate a proposed Scholls Ferry widening project.

Chairman Knees observed that the staff report does not explain what the proposed painted traffic islands would look like. Is it correct to assume the islands would be painted with a crosshatch or diagonal design, instead of just a simple painted outline?

Mr. Wooley said the staff report drawing shows the proposed shape of the islands and the tapers. Inside that painted boundary, crosshatching could be applied to make it clear that driving is not allowed in that area.

Commissioner Clodfelter asked if the crosshatching could be slightly elevated.

Mr. Wooley suggested using reflector markers or raised pavement markers. The striping is typically highlighted with raised reflector markers that are about 4-inches square by one-half inch in height. These markers make a noise when touched by a car tire. The noise encourages drivers to stay away from the islands.

Mr. Wooley suggested painting the Blackbird centerline 16 feet from the east curb as a way to narrow the entry from Scholls Ferry. He clarified that although he has referred to "painted" islands, the product actually used is Thermoplastic. This material is a thick plastic ribbon that is raised about one-eighth of an inch above the road surface.

Commissioner Overhage asked if school buses or trucks could destroy the raised pavement markers or reflectors.

Mr. Wooley said these products are very durable. The lanes will still be wide enough that a bus or truck should be able to turn without driving over the islands.

Commissioner Overhage asked if most of the Sterling Park owners who responded to the survey lived near this intersection.

Mr. Wooley said he did not tally the responses by location; however, he generally noticed that responses came from all parts of the subdivision.

Commissioner Overhage asked how this type of project would rank when compared to the traffic calming projects that the Commission annually reviews and funds. More specifically, how would it rank based on speed and number of vehicles using the streets.

Mr. Wooley said staff had a request from this neighborhood several years ago for traffic calming, so they followed through with standard speed and vehicle counts. It barely reached the qualification borderline for traffic calming. Only one short section of Blackbird just north of the intersection had high enough speeds to qualify. This is a sloped street with no houses fronting it. The project was dropped before going through the petition and ranking process.

Mr. Wooley said a number of the survey respondents wanted the City to install raised, landscaped islands. On the other hand, the survey comments showed little worry about safety at this intersection and there was no strong call for change.

When he visited the area, Commissioner Teitelbaum noticed there was a barrier at the end of Turnstone. He asked when Turnstone will be extended or connected.

Mr. Wooley said the north end of Turnstone borders undeveloped land located outside the Beaverton City limits. To the best of his knowledge, there are no current development plans. When it eventually is developed, Turnstone will become a through street and a moderate traffic increase could be expected.

Chairman Knees noted that the traffic counts in the staff report were gathered in October during the school year. This is helpful since this issue involves school traffic. He asked what staff thought about adding stop control to this intersection.

Mr. Wooley said Loon and Turnstone currently have stop signs posted at the intersection with Blackbird. Staff investigated creating an all-way stop. This is not practical for several reasons. The intersection does not meet the all-way stop criteria in the federal Manual on Uniform Traffic Control Devices (MUTCD). Intersection traffic volumes are too low, sight distance is already adequate, and there is no collision history. In addition, traffic volumes vary widely on the four intersection approaches. All-way stops are most effective when the traffic volume is well balanced.

Mr. Wooley is also wary because this intersection is located close to Scholls Ferry where a new traffic signal is being installed. He is concerned that the traffic signal on Scholls Ferry would distract drivers as they descend the hill (driving southbound) on Blackbird, especially when the signal turns green. These drivers could completely miss seeing the stop sign on Blackbird or they might see the sign, but elect not to make a full stop as they rush to make the green signal at Scholls Ferry.

*Chairman Knees closed the public hearing on TC 564.*

### **Commission Deliberation**

Commissioner Overhage agrees with Mr. Dodson that some enhancement is needed to improve safety at this intersection; however, the Commissioner believes a good solution can be achieved for less than the \$30,000 required for landscaped traffic islands. She suggested modifying the center line to 16 feet on Blackbird from Scholls Ferry through the intersection. In addition, she supports crosshatching the islands and installing raised reflectors.

Commissioner Teitelbaum agreed. He believes nearly the same level of safety can be realized without spending \$30,000 on landscaped islands. Commissioner Teitelbaum advocates adding raised markers or reflectors to emphasize the traffic islands' painted stripes and narrowing the northbound lane on Blackbird.

Commissioner Clodfelter concurs with Commissioners Overhage and Teitelbaum. He supports painted traffic islands with raised reflectors and narrowing the northbound lane on Blackbird Drive. In the future, if traffic volumes increase significantly, raised traffic islands could again be reviewed as a solution.

Commissioner Crocker said this neighborhood is in a period of change. It is hard to predict how much the traffic pattern will alter when the Scholls Ferry traffic signal is installed or when more homes are built on adjoining streets. As drivers exit Scholls Ferry, striped islands with raised reflectors will communicate that "this is not a boulevard, it is a neighborhood." Commissioner Crocker said the

neighborhood can ask staff to review this issue once the traffic signal is installed and the new traffic patterns are established.

Commissioner Isaak noted in the staff report that 195 neighbors did not bother to respond to the survey and 13 who did respond marked the "no change" option. Mr. Dodson's testimony made it clear to Commissioner Isaak that a real safety concern exists at this intersection. She supports the staff recommendation. In addition, she suggested that the Turnstone residents should approach the Sterling Park Owners Committee and request that the Committee engage in neighborhood education. Neighborhood speeders must learn that they are endangering their neighbors' lives and they must change their behavior. Commissioner Isaak believes it is right and fair for the City to pay for basic safety modifications at this intersection; however, if the residents want the aesthetic appeal of landscaped islands, they will need to raise the funds themselves.

Commissioner Clark concurs. Narrowing Blackbird's 19-foot northbound lane to just 16 feet will automatically slow traffic coming off Scholls Ferry. In addition, striped traffic islands will visually narrow the intersection.

Chairman Knees concurs with the Commission's reasoning. He suggested that the motion include any design modifications desired that go beyond those described in the draft final written order.

Commissioner Overhage **MOVED** to approve the City Traffic Engineer's report on TC 564 to install traffic islands on SW Blackbird Drive with design details to include: 1) narrowing the driving lane from 19 feet to 16 feet on Blackbird between Scholls Ferry and Loon Drive, and 2) use of reflectors and crosshatches to emphasize the islands.

On discussion, Commissioner Crocker asked why Commissioner Overhage did not specify painted islands.

Commissioner Overhage clarified that she did not specify painted in the motion because it is already noted in the staff report recommendation.

Commissioner Teitelbaum **SECONDED** the **MOTION**.

The **MOTION CARRIED** unanimously, 7:0.

*The meeting recessed at 8:22 p.m. and reconvened at 8:29 p.m.*

Mr. Wooley said staff would revise Section 4 of the draft final written order to include extending the traffic island to Scholls Ferry Road and adding raised markers and crosshatching to the island. He noted that the findings section would remain the same. Mr. Wooley recommended adding an additional bullet point in Section 3 that would read: Testimony suggested that the speed of traffic entering Blackbird from Scholls Ferry adds to the safety concerns at the Loon Drive

intersection. These words explain why the Commission added to the original recommendation.

Commissioner Clark **MOVED** and Commissioner Isaak **SECONDED** a **MOTION** to approve the draft final written order on Issue TC 564 as revised. There was no discussion. The **MOTION CARRIED** unanimously, 7:0.

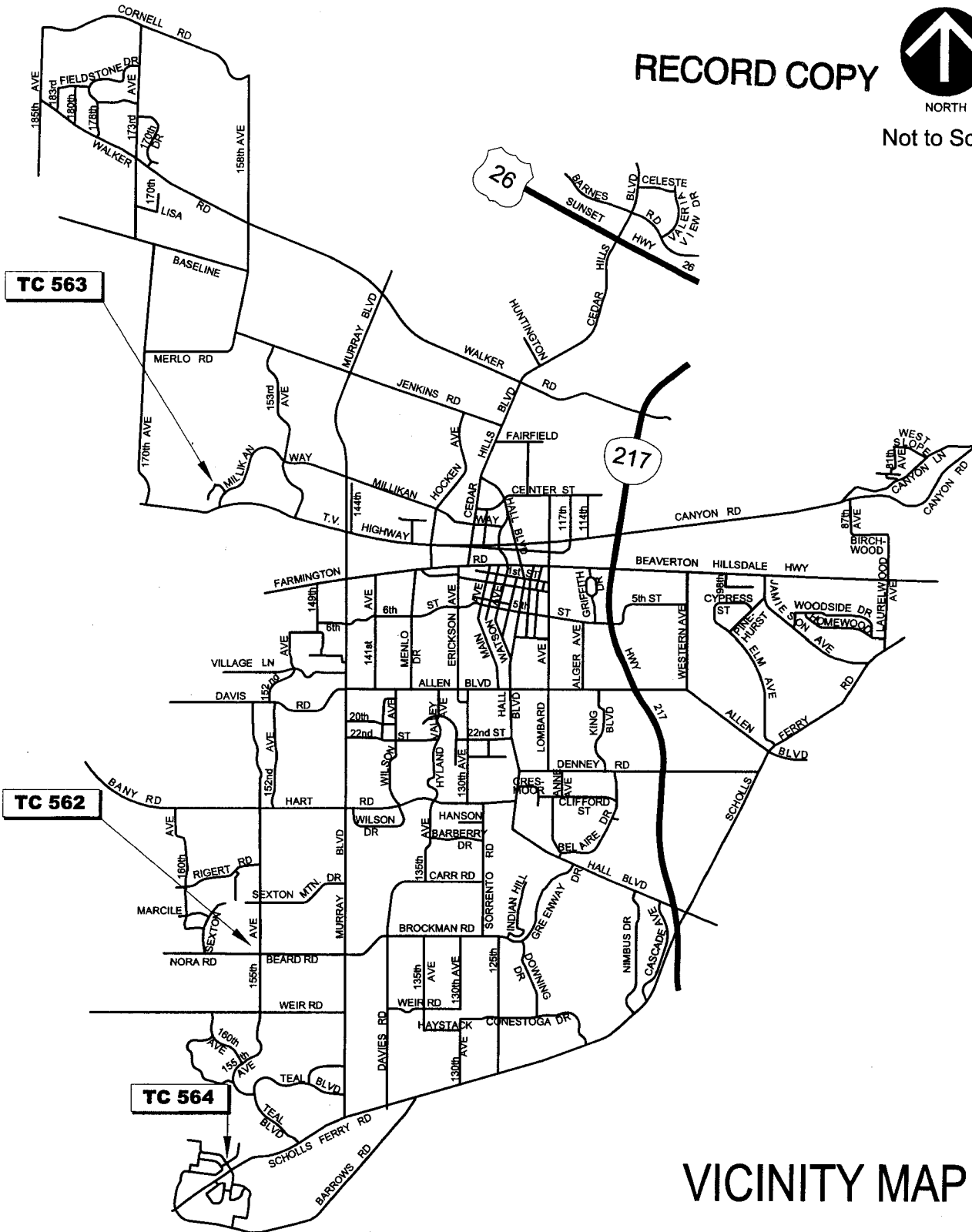
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VICINITY MAP

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City Of Beaverton

VICINITY MAP for August TC ISSUES:  
562 through 564

**ENGINEERING DEPARTMENT**  
**TRANSPORTATION DIVISION**

Drawn By: JR Date: 7/20/04

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: 3

## AGENDA BILL

Beaverton City Council  
Beaverton, Oregon

**SUBJECT:** Classification Changes

**FOR AGENDA OF:** 9-13-04 **BILL NO:** 04183

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Human Resources 

**DATE SUBMITTED:** 8-17-04

**CLEARANCES:** Finance  
Operations  
Police



**PROCEEDING:** Consent Agenda

**EXHIBITS:** Exhibit I – Market Data-Operations  
and Maintenance Director  
Exhibit II – Market Data-Police  
Records Supervisor

### **BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$15,276 (approx.)	BUDGETED: \$2,035 (approx.)	REQUIRED: \$13,241 (approx.)

### **HISTORICAL PERSPECTIVE:**

#### Operations Department – Operations and Maintenance Director

Over the past two years the scope and breadth of responsibility of the Operations and Maintenance Director position has significantly increased. Previously this department provided strictly maintenance and repair services. It has migrated to providing construction services as well. Additionally, as result of the 2003 reorganization, the Department performs services in house that were contracted out in the past. The Operations and Maintenance Director represents the City in the development of projects and Operating Agreements with other agencies and jurisdictions including Washington County, Clean Water Services, the Oregon Department of Transportation and the Oregon Department of Environmental Quality. This position negotiates the terms and conditions of agreements and establishes funding obligations.

#### Operations Department – Sign and Marking Technician

As noted above, since its reorganization in January 2003, the Operations Department has taken on projects that were previously performed by external contractors. As a result, the Sign and Marking Technician position has been assigned and will continue to be given right of way striping tasks which were previously contracted out. This position has also been assigned to function as work site leader in many assignments. This position is a direct contact with both contractors and developers on sign and striping projects conducting inspections for their projects. Additionally, this position is using more technical machinery to perform the striping function. Because of these increased responsibilities, the Operations Department has requested the creation of a new classification titled Sign and Marking Technician 2.

#### Police Department

The Police Department proposes a reorganization of the Police Records and Property and Evidence

**Agenda Bill No:** 04183



section. The reorganization will provide additional supervision thereby improving program efficiencies and effectiveness. Currently, this section is managed by a Police Records Supervisor in salary level 10 (\$3,541 – \$4,746). When fully staffed, this section includes 20 FTE positions in a 24/7 operation. Under the existing structure, the Police Records Supervisor is assisted by two Senior Police Records Specialists who function as lead workers. This organization structure has been in place since November 1999. The Department has determined that with the breadth of supervisory responsibility and the 24/7 operation, the current structure with two lead workers supporting the Police Records Supervisor does not provide the necessary depth of managerial and supervisory skills and accountability. The Department proposes changing the title of the current Police Records Supervisor position to Police Records Manager. Additionally, the reorganization converts one of the Sr. Police Records Specialist positions to a newly defined Police Records Supervisor classification reporting to the Police Records Manager.

### **INFORMATION FOR CONSIDERATION:**

#### **Operations Department – Operations and Maintenance Director**

Department Head classifications are not included in the point factor analysis plan. Human Resources staff conducted a market factor study and did not find comparisons to this position in the labor market. Either the positions had significantly smaller staffs, did not include the same functions or reported to a higher level, non CEO position. (Many jurisdictions have the Operations function under the Public Works umbrella which includes the Engineering function.) Because of its additional responsibility, staff recommends placing the Beaverton position above the market data for Operations positions in other jurisdictions. Market data is included in Exhibit I. There is an approximate 18% difference between the Operations and Maintenance Director classification's current salary level E21 (\$7,956) and salary level E22 (\$9,379). Staff recommends inserting a new salary level midway between E21 and E22 with a minimum of \$6,469 and a maximum of \$8,668. This would result in an approximate 9% increase for the incumbent. The cost to implement this recommendation is \$11,200 including salary and fringes. The title would become Operations Director. The new salary level would not impact the other Executive salary ranges. (That is, the minimum and maximum of the ranges will remain the same.)

#### **Operations Department – Sign and Marking Technician**

The Human Resources Department conducted a market factor study and did not find comparisons to this position in the labor market. Internally, this position is very similar to the Equipment Operator classification in the level of knowledge/skills and abilities required and level of responsibilities assigned. Staff conducted an internal point factor analysis and the results indicate that salary level 7 (\$16.42 – \$22.00) is appropriate. This is the same salary level as the Equipment Operator.

Creation of this classification would not necessitate an additional position. The new Sign and Marking Technician 2 position would be filled by the current incumbent in the Sign and Marking Technician position (\$15.31 -- \$20.52). The current Sign and Marking Technician classification title will be changed to Sign and Marking Technician 1. That position will remain vacant for the foreseeable future. The cost for the creation of this new classification is \$4,076 including salary and fringes and would result in an approximate 7.2% increase for the incumbent.

#### **Police Department**

Staff conducted a market study for the new Police Records Supervisor classification. The results of that classification place this classification between salary levels 7 and 8. The internal point factor evaluation places this position in salary grade 8. Since the City's compensation philosophy is to pay between the 50<sup>th</sup> and 75<sup>th</sup> percentiles, salary level 8 is an appropriate placement. The Department currently has a Sr. Police Records Specialist (lead worker) vacancy. This position will be used to fund the new Police Records Supervisor. Due to the vacancy, even with the reclassification to a higher salary level, the net cost is a savings of \$2,035.

**RECOMMENDED ACTION:**

Council approve the following:

- Effective July 1, 2004 creation of a new salary range for the Operations Director classification with a maximum of \$8,668;
- Effective July 1, 2004 creation of the non exempt, represented Sign and Marking Technician 2 classification in salary level 7;
- Effective August 23, 2004, creation of the non exempt, management classification Police Records Supervisor in salary level 8;

Council authorize the Human Resources Director to negotiate the salary range of the Sign and Marking Technician 2 with SEIU-OPEU. Council authorize the Finance Director to appropriate the required funds in the first supplemental budget of FY 04-05.

**Market Data -- Operations and Maintenance Director**  
**July 2004**

Exhibit I

The data below was not matched to the Beaverton Operations and Maintenance Director position but was used for comparative analysis.

Jurisdiction	Title	Min	Max	Reports To	# Spv	Functions	Comments
Eugene	Maintenance Director	6126	7634	Exec. Dir. PW.	179	Doesn't have Traffic Signals, Signs/Markings. Has Parks.	Receives 2% deferred comp.
Lake Oswego	Maintenance Svcs Director	6256	7604	Asst. City Mgr.			
Tigard	PW Director	5528	7407	City Mgr.	60	No Traffic Signals or Signs/Markings	Has 3% match on deferred comp.
Clark County*	Operations Manager	5240	7403	PW Dir.	114	Roads and Grounds Maintenance.	
Salem	PW Opns. Services Dir.	5666	7248	PW Dir.	230		
Albany	Operations Manager	5249	6455	PW Dir.			
Tualatin*	Operations Director	5167	6545	City Mgr.	25		

**Average 5605 7185**

\* Adjusted for retirement plan.

Clackamas County and Portland -- Functions are spread across several Bureaus or Departments.

**Beaverton Data**

Operations and Maintenance Director (E21)	5937	7956
E22	6999	9379

**Proposed New Range**

**6469 8668**

**Market Data -- Police Records Supervisor  
July 2004**

<b>Jurisdiction</b>	<b>Title</b>	<b>Min</b>	<b>Max</b>	<b>Reports To</b>	<b>Comments</b>
Clackamas County	Office Manager for Records	3252	4355	Admin Services Mgr	
Eugene	Records Supervisor	3460	4309	Police Data and Records Mgr.	4 Supervisors. Approx. 19 employees total.
Hillsboro	Police Records Supervisor	3355	4282	Police Support Srvs Manger	About 14 employees.
Gresham	Police Records Specialist II	3005	3834	Police Records Manager	
Tualatin	Police Records Supervisor	3051	3753	Support Services Lieutenant	Non exempt employee. About 4 employees including parking attendant.
Washington County	Support Unit Supervisor	3087	3751		
Salem	Police Records Shift Supervisor	2912	3683	Police Records Supervisor	
Clark County	Sheriff's Support Spec Supv.	2670	3406	Program Manager 1	Supervises 5-7 employees.
Multnomah County	MCSO Records Supervisor	2901	3362	Program Supervisor	

<b>Average</b>	3859
<b>50th Percentile</b>	3753
<b>75th Percentile</b>	4282

<b>Beaverton Salary Range 8</b>	3058	4098
<b>Beaverton Salary Range 7</b>	2846	3813

## AGENDA BILL

Beaverton City Council  
Beaverton, Oregon

**SUBJECT:** A Resolution Approving the Transfer of a Franchise for Use of Public Right of Way from Portland General Broadband to OnFiber Communications, Incorporated.

**FOR AGENDA OF:** 09-13-04 **BILL NO:** 04184

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** City Attorney 

**DATE SUBMITTED:** 09-03-04

**CLEARANCES:** Finance 

**PROCEEDING:** Consent.

**EXHIBITS:** Resolution

### **BUDGET IMPACT**

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

The Council by Resolution 3596 enacted in December 2000 granted to Portland General Distribution, LLC, doing business as Portland General Broadband (PGB), a franchise to use public right of way to provide telecommunications services to the public. Portland General Broadband's business model was/is somewhat unique in that it has utilized the public utility easements that surround most platted lots in Beaverton, as elsewhere, to place its facilities, thus the franchise fee charged PGB for use of public right of way for the most part related to the street crossings along PGB's route. PGB now has structured a sale of its assets to OnFiber Communications, Inc. and those entities seek this transfer. City Ordinance 4044 allows transfers of franchises only with City's prior consent and subject to City's inquiries as to the transferee's ability to comply with the franchise terms. OnFiber has submitted a financial statement and insurance certificates that appear to meet City's concerns in that regard.

### **INFORMATION FOR CONSIDERATION:**

The Resolution requires OnFiber's formal acceptance of the franchise. In that OnFiber apparently intends to offer telecom services that will not connect to local addresses but will instead carry signals from elsewhere through the city to distant locations, the Resolution notes that use of right of way for that (other) purpose is subject to a franchise fee with a different basis of computation than the fee that is computed for local service.

### **RECOMMENDED ACTION:**

Pass Resolution.

RESOLUTION NO. 3776

A RESOLUTION APPROVING THE TRANSFER  
OF A FRANCHISE FOR USE OF PUBLIC RIGHT OF WAY  
FROM PORTLAND GENERAL BROADBAND  
TO ONFIBER COMMUNICATIONS, INCORPORATED

**Whereas,** The Council by its Resolution No. 3596 granted to Portland General Distribution Company dba Portland General Broadband, a franchise to use public right of way to provide telecommunications services to the public; and

**Whereas,** Portland General Broadband now requests that the City approve a transfer of that franchise to OnFiber Communications, Inc., a Delaware corporation, as allowed by Section 4.20.090 of City Ordinance 4044, and City staff have, on inquiry, found that OnFiber Communications, Inc. appears to have the legal and financial ability to conduct operations in the city as a provider of telecommunications services using public right of way, now, therefore,

**Be It Resolved by the City Council of Beaverton, Oregon:**

**Section 1.** The Council approves the transfer of that certain franchise for use of public right of way to provide telecommunications services as was granted to Portland General Distribution dba Portland General Broadband by Resolution 3596 in December 2000, to OnFiber Communications, Inc., a Delaware corporation, subject to OnFiber's written acceptance of the terms of that franchise and its agreement to comply with all provisions of City Ordinance 4044 and all other relevant provisions of City code.

**Section 2.** The franchise fee payable to the City for OnFiber's use of public right of way for its facilities shall be as stated in Resolution 3596. In addition, OnFiber shall pay a fee of \$3.12 per calendar year per lineal foot of public right of way occupied by any facilities placed or maintained by OnFiber which do not provide local exchange access services, that fee per lineal foot to increase in each calendar year by the formula set out in Ordinance 4044.

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

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

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
SUE NELSON, CITY RECORDER

\_\_\_\_\_  
ROB DRAKE, MAYOR

## AGENDA BILL

Beaverton City Council  
Beaverton, Oregon

**SUBJECT:** A Resolution Declaring Official Intent to Consider an Ordinance Supplementing Ordinance 4270 for the Issuance of Water Revenue and Refunding Bonds, Series 2004B; Authorizing the Submission of an Advance Refunding Plan to the Oregon State Treasurer; Authorizing Distribution of a Preliminary Official Statement; and Related Matters.

**FOR AGENDA OF:** 09/13/04 **BILL NO:** 04185

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Finance 

**DATE SUBMITTED:** 09/07/04

**CLEARANCES:** City Attorney 

**PROCEEDING:** Consent Agenda

**EXHIBITS:** Resolution

### **BUDGET IMPACT**

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

Council may recall that this past January, the City refunded all of the outstanding 1992 and a portion of the outstanding 1994 water revenue bonds, which provided interest savings of \$686,872. The City now has a short window of opportunity to refund the remaining outstanding 1994 water bonds totaling \$3,585,000 and \$6,185,000 (the callable portion) of the \$6,800,000 in outstanding 1997 water bonds. The new bond sale would need to take place on or before October 5, 2004, which is the expiration date of the redemption securities that the City's bond underwriter has procured. The refunding process is estimated to provide \$518,950 in interest cost savings.

### **INFORMATION FOR CONSIDERATION:**

In order to refund the outstanding bonds, a resolution must be enacted authorizing the refunding bond issue, authorizing the City to submit the refunding plan to the State Treasurer's office for approval, and authorizing the City to issue a Preliminary Official Statement.

Attached is a resolution prepared by the City's Bond Counsel to provide the necessary authorizations. The proposed new water revenue bonds are not general obligations of the City, and they are not a charge upon the property tax revenues of the City. The principal and interest on the Water Bonds are payable solely from the un-obligated net revenues of the City's Water System.

### **RECOMMENDED ACTION:**

Council approve the attached resolution.

RESOLUTION NO. 3777

**A RESOLUTION DECLARING OFFICIAL INTENT TO CONSIDER AN ORDINANCE SUPPLEMENTING ORDINANCE NO. 4270 FOR THE ISSUANCE OF WATER REVENUE AND REFUNDING BONDS, SERIES 2004B; AUTHORIZING THE SUBMISSION OF AN ADVANCE REFUNDING PLAN TO THE OREGON STATE TREASURER; AUTHORIZING DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; AND RELATED MATTERS.**

**WHEREAS**, the Council desires to consider an Ordinance supplementing Ordinance No. 4270 to authorize the issuance, sale, execution and delivery of its Water Revenue and Refunding Bonds, Series 2004B (the "2004B Bonds") to take advantage of current interest rate savings that would accrue by refunding all or any portion of the City's outstanding Water Revenue Bonds, Series 1994 (the "1994 Bonds") and its outstanding Water Revenue Bonds, Series 1997 (the "1997 Bonds," and together with the 1994 Bonds, the "Refundable Bonds") that were not previously refunded by the City's Water Revenue and Refunding Bonds, Series 2004; and

**WHEREAS**, consideration of such an Ordinance and issuance of the Refundable Bonds first requires the submission of an advance refunding plan to the Oregon State Treasurer's office to be prepared by the City's financial advisor, Regional Financial Advisors, Inc. (the "Financial Advisor") and/or Banc of America Securities LLC (the "Underwriter") in connection with the advance refunding of the 1997 Bonds and the distribution of a preliminary official statement in connection with the issuance of the 2004B Bonds by the Mayor acting by the City's Finance Director (the "Director"); now, therefore,

**Be It Resolved by the City Council of Beaverton, Oregon:**

**SECTION 1: SUBMISSION OF ADVANCE REFUNDING PLAN TO OREGON STATE TREASURER.** The Council authorizes the Mayor to employ the City's Financial Advisor and/or the Underwriter to submit to the Oregon State Treasurer for review and approval, an advance refunding plan to be prepared by the Financial Advisor, the City and the Underwriter.

**SECTION 2: DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT.** The Council authorizes the Mayor acting by the Director to review, approve and deem final a preliminary official statement for distribution in connection with the issuance of the 2004B Bonds.

**SECTION 3: EFFECTIVE DATE OF RESOLUTION.** This Resolution shall take effect immediately upon its adoption by the City Council and execution by the Mayor.

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

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

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
SUSAN A. NELSON, CITY RECORDER

\_\_\_\_\_  
ROB DRAKE, MAYOR



# MEMORANDUM

**City of Beaverton  
Sue Nelson, CMC  
City Recorder**

**To:** Mayor Drake and City Council  
**From:** Sue Nelson, City Recorder  
**Date:** September 10, 2004  
**Subject:** **Agenda Bill 04192: Emergency Abatement of  
4925 SW Angel Avenue**

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Please note that the agenda bill for the above item had not been completed in time to be printed with the Council packet. It will be distributed as soon as it is available.

Please call me at 503 526-2650 if you have questions concerning this item.

## AGENDA BILL

Beaverton City Council  
Beaverton, Oregon

**SUBJECT:** Exemption from Competitive Bids and  
Authorizing a Sole Seller/Brand Name  
Purchase of a New TYMCO Model 600  
Street Sweeper

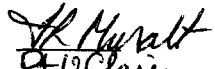
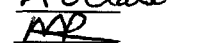

**FOR AGENDA OF:** 09-13-2004 **BILL NO:** 04186

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Operations 

**DATE SUBMITTED:** 8-24-04

**CLEARANCES:** Purchasing  
Finance  
City Attorney

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

**EXHIBITS:** None

### **BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$126,870	BUDGETED \$130,000*	REQUIRED \$0

\*Account Number 513-85-0734-671 Storm Drain Fund – Maintenance Program – Equipment Account

### **HISTORICAL PERSPECTIVE:**

This Agenda Bill seeks authority to purchase a new TYMCO Model 600 street sweeper to replace a 1991 model that has become unreliable on account of its age.

The City currently operates a 1999 model and a 2003 model TYMCO cabover sweeper on a regular basis. The 1999 street sweeper is no longer reliable for everyday use, but will be kept as surplus for limited use during the leaf collecting season and also for backup to the other sweepers. The 1991 model now kept for backup is also used for about one to one and half months during leaf season.

Since 1986, no other brand except TYMCO sweepers has been purchased by the City. The Operations division thus has eighteen years of experience operating, maintaining and repairing TYMCO sweepers. The operators and equipment mechanics have had several hundred hours of training on the TYMCO sweepers and are extremely familiar with control location and daily maintenance issues. There is also a substantial inventory of repair and maintenance parts that would be usable for a new model of TYMCO sweeper.

There is only one local supplier of TYMCO brand sweepers.

### **INFORMATION FOR CONSIDERATION:**

When compared to other brand names that are available, the TYMCO sweeper proposed for purchase has a 6000 pound heavier payload, requiring fewer trips to Operations facilities to dump the load. TYMCO has a superior dust separator that results in a longer lifespan for the blower fan, blower housing, and pickup head. These facts together with City staff's familiarity with the brand and the time and money invested in training and in maintaining an inventory of consumable and repair parts should result in significant cost savings should the Contract Review Board authorize staff to purchase this name brand of sweeper from the sole supplier.

**Agenda Bill No:** 04186

Oregon law and Section III-0030 (C1,C2 and D1) of the City Purchasing Manual provide that the Contract Review Board may authorize an exemption from the sealed bid process on the following basis:

1. The exemption is not likely to encourage favoritism in the awarding of public contracts or substantially diminish competition;
2. Specification of a brand name, mark or product would result in substantial cost savings to the City;
3. There is only one manufacturer or seller of the product of the quality required

The Operations Department believes the purchase of the TYMCO Model 600 should not substantially diminish competition in that there are no competitive brands offering equivalent quality, it will result in substantial cost savings, and there is only one local supplier of TYMCO brand sweepers.

Should the Contract Review Board authorize this purchase, the City will trade in the 1991 model for a credit of \$3,000 on the purchase price of the new model (the net purchase price is shown above). The City has had one inquiry from a private buyer who may offer even more to purchase the old model, in which case the net purchase price will be less; the price for the new model does not require that the City trade in the old model.

**RECOMMENDED ACTION:**

Council, acting as Contract Review Board, declare an exemption from the competitive bidding and authorize the purchase of a 2005 TYMCO Model 600 street sweeper from Clyde-West, Incorporated, of Portland, Oregon for the net price, after trade-in, of \$126,870.

## AGENDA BILL

### Beaverton City Council Beaverton, Oregon

**SUBJECT:** Waiver of Sealed Bidding - Purchase  
Three 2005 Compact Extended Cab  
Pickups From the State of Oregon Price  
Agreement

**FOR AGENDA OF:** 9-13-04 **BILL NO:** 04187

**Mayor's Approval:** *Arch Drake*

**DEPARTMENT OF ORIGIN:** Operations *[Signature]*

**DATE SUBMITTED:** 8-27-04

**CLEARANCES:** Purchasing *TLH*  
Finance *TLH for Patrick O'Chin*  
City Attorney *US*

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

**EXHIBITS:**

### **BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$35,874	BUDGETED \$43,500*	REQUIRED \$

\*Account Number 105-70-0666-641 Building Fund, Building Inspection – Capital Outlay Vehicle account for \$14,500.

\*Account Number 105-70-0668-641 Building Fund, Electrical Plan Review & Inspection - Capital Outlay Vehicle account for \$14,500.

\*Account Number 001-70-0701-641 General Fund, Site Development Inspection - Capital Outlay Vehicle account for \$14,500.

### **HISTORICAL PERSPECTIVE:**

The FY 2004-05 budgets include funding to purchase one additional pickup for Community Development Building Inspection, one additional pickup for Community Development Electrical Plan Review & Inspection and one additional pickup for Community Development Site Development Inspection. A majority of the City's fleet is purchased through the State of Oregon Price Agreement, which is available to public agencies. The agreement incorporates the low bids from numerous dealerships, which were obtained through the sealed bid process.

### **INFORMATION FOR CONSIDERATION:**

The FY 2004-05 budgets include \$43,500 from the various capital outlay accounts to purchase the additional vehicles for various departments. The three compact extended cab pickups, 2005 Ford Extended Cab Rangers (with automatic transmissions and air conditioning), priced at \$11,958.00 each, are currently available for immediate purchase from Landmark Ford of Tigard, Oregon, pursuant to the State of Oregon Price Agreement #3207.

### **RECOMMENDED ACTION:**

Council, acting as Contract Review Board, waive the sealed bidding requirements and authorize the Finance Department to issue a purchase order to Landmark Ford of Tigard, Oregon, to purchase the three vehicles described above in the amount of \$35,874 from the State of Oregon Price Agreement.

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** Consulting Contract Award –  
Pavement Management Program  
Street Inspections

**FOR AGENDA OF:** 09-13-04 **BILL NO:** 04188

**Mayor's Approval:** *Bob Drake*

**DEPARTMENT OF ORIGIN:** Operations *[Signature]*

**DATE SUBMITTED:** 08-17-04

**CLEARANCES:** Purchasing *[Signature]*  
Finance *[Signature]*  
City Attorney *[Signature]*

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

**EXHIBITS:** Consultant Proposal

**BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$ 29,944	BUDGETED \$ 32,000*	REQUIRED \$-0-

\* Account Number 101-85-0732-511 Street Fund-Operations Street Maintenance Program Professional Services Account.

**HISTORICAL PERSPECTIVE:**

The City's first Pavement Management Program (PMP) was purchased in 1986. The PMP is used as a planning and budgeting tool to optimize funds and prioritize preservation and rehabilitation of streets.

**INFORMATION FOR CONSIDERATION:**

Responding to a staff request, Engineering Information Services (EIS) of Salem, Oregon, provided a proposal for a total of \$28,944 for the work described in the attached proposal. Staff has reviewed the (attached) proposal and determined that the hours and rates for the consultants' work are consistent with similar tasks in existing contracts. Staff recommends Council authorize a contract to EIS in the amount of \$29,944, which includes \$1,000 for extra work as authorized by the City in addition to the services outlined in the attached proposal. The \$1,000 extra work is needed for additional street ratings due to newly annexed streets that were not identified on the consultant's scope of work.

EIS is on the approved list of firms for professional services and has signed a Professional Service Retainer Agreement authorized by Council in Agenda Bill No. 04170 on August 9, 2004.

**RECOMMENDED ACTION:**

Council, acting as Contract Review Board, award an engineering consultant contract to EIS of Salem, Oregon, in the amount of \$29,944 for services described in the attached proposal and in a form approved by the City Attorney.



8486 Amanda Way SE • Salem, Oregon 97301

June 14, 2004

Ms. Terry Muralt, City Purchasing Agent  
City of Beaverton  
4755 SW Griffith Drive SW, Suite 260  
Beaverton, Or. 97076-4755

Ms. Muralt:

Engineering Information Services Inc. is pleased to announce our interest in response to the City of Beaverton's "Request for Proposal" Engineering and Related Services "Section 2 Item E 7 "Pavement Management Services".

Our staff is qualified to perform the Visual Pavement Analysis utilizing the Metropolitan Transportation Commission Pavement Management System. With an excess of 25 years of staff experience in the field of pavement management assisting agencies, the project team dedicated to the City of Beaverton has been directly responsible for the implementation, support, and updating of pavement condition information on over 40,000 centerline miles of roads for 50 cities and counties in Oregon, Washington, California, Oregon, and Idaho.

Michael Rybka, President, will serve as principal-in-charge and will represent the firm in negotiations and is authorized to bind the firm in contractual matters. As the firm's representative, the consultant accepts all terms and stipulations contained in the aforementioned RFP.

We appreciate this opportunity to work with you on this project. If you have any questions, please don't hesitate to call me at 503-390-1002 or 503-551-0969.

Respectfully,

Michael L. Rybka  
President

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*Engineering Information Services, Partners In Government Efficiency*

Office 503-390-1002 • Fax 503-390-1449 • E-Mail [mlrybka@open.org](mailto:mlrybka@open.org)

### Task 3.0      *Analysis Modules*

- 3.1      Review and update as necessary the Pavement Management Decision Tree reflecting actual Maintenance and Rehabilitation (M&R) treatments incorporated into the City's maintenance rehabilitation strategies and PMP Decision Tree. Update unit cost per square yard for the application of selected M&R based on the City's current cost experience.

Employee Classification –Principle-in-Charge, Senior Project Manager, Management Analyst, Programmer Analyst

- 3.2      Familiarize City staff with default reports and custom report capabilities of the MTC PMP software for a maximum of four (4) hours of training.

Employee Classification –Principle-in-Charge

- 3.3      Develop three-year pavement maintenance plan and perform project level analysis by reviewing each individual street that has been identified by the pavement management program to receive overlay, slurry seal, and other rehabilitation treatments

Employee Classification –Principle-in-Charge, Senior Project Manager, Management Analyst, Engineering Technician

### Task 4.0      *Documentation and Deliverables*

- 4.1      Submit an draft set of detailed pavement management reports from PMP: street section descriptions report (detailed management units); pavement condition index report on each management unit; one six (6) year budget needs projection, budget scenarios (actual budget available); and recommended M&R treatment report. Provide one (1) draft copy of Budget Options Report.

- 4.2      Provide City with one compact disk containing the updated Pavement Management Program information and install this information on the City's computer.

Employee Classification –Principle-in-Charge, Senior Project Manager, Management Analyst, Programmer Analyst, Administrative Assistance

### Task 5.0      *Software Technical Support*

- 5.1      Telephone technical support will be provided for one year free of charge commencing date of Notice of Completion issued by the Consultant.
- 5.2      On-site technical support will be provided as required by the City. The fees for on-site technical support will be on a 'time and material' basis as outlined in the Engineering Information Service Inc. Fee Schedule effective January 1, 2004.

## Cost Schedule

Consultant proposes, based on providing Pavement Management Services on a total of 201 centerline miles of paved streets within the City. Unit cost shall be \$144.00 per centerline mile for a total fee in the amount of \$28,944.00. This fee shall be for all labor, equipment, materials, and travel expenses related to the performance of the "Scope of Services" listed below.

*Scope of Services the City of Beaverton can expect:* Consultant services under this agreement shall consist of the following items for technical support:

### Task 1.0      *Paved Street Network Segmentation*

- 1.1      Based on a map or other street inventory information provided by the City, Consultant shall add new streets into the MTC Pavement Management Database. Consultant shall divide the City's street system into Network Management Segments made up of individual segments referred to as *management units*.
- 1.2      Provide record research assistance in determining year of construction of pavement section, functional designation, and geometric configurations of management unit cross-sections for the additional centerline mileage.
- 1.3      Validate and reconcile the MTC PMP database compiled under 1.1 and 1.2 with City's current street inventory information.

Employee Classification –Senior Project Manager, Engineering Assistant

### Task 2.0      *Pavement Condition Survey*

- 2.1      Perform detailed pavement condition survey on approximately 201.49 centerline miles of streets making up the management sections defined within the City's MTC PMP database. This task will be accomplished by walking the most representative 10% of each of the management sections in either 50 'or 100 ' inspection areas recording the observed pavement deficiencies.
- 2.2      Detailed pavement condition data shall be compiled and calculated by the PMP producing a Pavement Condition Index (PCI) on a scale from 100 to 0. This scale represents in descending order 100 (excellent) to 0 (very poor) pavement condition.

Employee Classification –Senior Project Manager, Engineering Assistant,  
Engineering Technician

③



## AGENDA BILL

### Beaverton City Council Beaverton, Oregon

**SUBJECT:** Appointment of Bond Counsel, Financial Advisor, and Bond Underwriting Services for a Proposed Current Refunding of the 1994 Water Revenue Bonds and an Advanced Refunding of the 1997 Water Revenue Bonds

**FOR AGENDA OF:** 09/13/04 **BILL NO:** 04189

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Finance 

**DATE SUBMITTED:** 09/07/04

**CLEARANCES:** City Attorney 

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

**EXHIBITS:**

#### BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$32,500 Bond Counsel	BUDGETED \$-0-	REQUIRED \$-0-*
\$24,650 Financial Advisor	\$-0-	\$-0-*
\$53,000 Bond Underwriter	\$-0-	\$-0-*

\* The cost for bond counsel, financial advisor, and bond underwriter services would be paid from the proceeds of the advanced refunding bond issue. However, should the bond sale not be completed as further explained in the Agenda Bill, the bond counsel and financial advisor services would then be paid from the Water Fund's FY 2004-05 budget and, at that time, a supplemental budget appropriation would be brought forward to the City Council for approval. The bond underwriter services would not be owed if the bond issue is not completed.

#### HISTORICAL PERSPECTIVE:

Council may recall that this past January, the City was able to refund all of the outstanding 1992 and a portion of the outstanding 1994 water revenue bonds. The January refunding issue provided interest cost savings of \$686,872. At the time, interest rates did not permit refunding any of the outstanding 1997 revenue bonds.

Interest rates have now improved to refund the remaining outstanding 1994 water bonds totaling \$3,585,000 and the callable portion of the outstanding \$6,800,000 1997 water bonds totaling \$6,185,000, with the condition that the new bond sale take place on or before October 5, 2004, which is the expiration date of the redemption securities that the City's bond underwriter has secured. The Oregon Municipal Debt Advisory Committee requires that refunding issues provide a minimum 3% net present value savings. The City's Financial Advisor, Regional Financial Advisors, Incorporated of Portland, Oregon (RFA), has performed a preliminary review on refunding the remaining callable portions of principal obligations for both the 1994 and 1997 issues. The preliminary review (performed on September 3, 2004) results in an interest cost savings of approximately \$518,950, which is a 4.895% net present value savings over the remaining life of the issues. Since the bond sale would occur less than one month from now, the actual cost savings and net present value savings will change from the estimates previously stated based upon the market conditions that will exist at the time of the proposed bond sale. However, at the time of the bond sale, the net present value savings must be at least 3%, otherwise the bond sale would not be completed.

As of the September 3, 2004 preliminary review date, the Advanced Refunding Issue would be approximately \$10,600,000. The actual amount of the refunding issue will be determined at the time of the bond sale based upon the market conditions that will exist at that time.

In order to meet the very tight timeline, a supplemental bond ordinance and resolution are also scheduled to be authorized at this council meeting, and the City would also need to re-appoint the same bond counsel, financial advisor, and bond underwriting services that were selected for the January 2004 bond issue.

**INFORMATION FOR CONSIDERATION:**

The City's bond counsel services have been provided by Mr. Doug Goe, currently with the firm of Orrick, Herrington & Sutcliffe, LLP (Orrick) with offices in Portland, Oregon. Mr. Goe has provided bond counsel services to the City since 1993. Bond counsel has estimated that the cost of services on the proposed Water Revenue Advanced Refunding Issue would be \$32,500. The firm Regional Financial Advisors, Incorporated (RFA), has provided bond sale financial services to the City since 1994. RFA has estimated that the cost of services on the proposed Water Revenue Advanced Refunding Issue would be \$24,650. Banc of America provided the bond underwriting services on the January 2004 bond issue based upon a competitive selection process. Banc of America Securities, LLC, is the firm that has procured the redemption securities that will be used to refund the current bonds as they become due and payable. Banc of America's underwriting fee is \$53,000.

The bond counsel, financial advisor, and bond underwriting services would be paid from the proceeds of the bond issue. Should the bond sale not be completed due to not meeting the 3% net present value savings requirement, the City would be obligated to pay for the services of Orrick and RFA from the Water Fund's FY 2004-05 operating budget.

Each firm is intimately familiar with the City's January 2004 bond issue including the Official Statement, Master and Supplemental Bond Ordinances, and bond covenants, which will be the basis for this new issue. Staff recommends the re-appointment of Orrick, Herrington & Sutcliffe, LLP, as Bond Counsel, Regional Financial Advisors, Incorporated, as Financial Advisor, and Banc of America Securities, LLC, as Bond Underwriter for the proposed 2004B Water Revenue Current and Advanced Refunding Bond Issue. The approval of this agenda bill is the first in a series of steps needed to complete the refunding bond issue. A companion resolution and ordinance are also included on the Council's Agenda that provide the authorizations for the bond sale.

**RECOMMENDED ACTION:**

Council, acting as Contract Review Board, re-appoint Orrick, Herrington & Sutcliffe, LLP, as Bond Counsel, Regional Financial Advisors, Incorporated, as Financial Advisor and Banc of America Securities, LLC, as Bond Underwriter for the proposed Water Revenue Advanced Refunding Bonds that would close on or before October 5, 2004, and authorize the Mayor to execute personal service contracts in a form approved by the City Attorney with the services to be paid from the proceeds of the bond sale.

## AGENDA BILL

Beaverton City Council  
Beaverton, Oregon

**SUBJECT:** An Ordinance Amending Beaverton Code Section 6.02.250 to Create an Offense for Vehicle Parking in a Fire Lane Located on Privately-owned Premises Open to the Public

**FOR AGENDA OF:** 9/13/04 **BILL NO:** 04190

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** City Attorney 

**DATE SUBMITTED:**

**CLEARANCES:** Police  
CDD



**PROCEEDING:** First Reading

**EXHIBITS:** 1. Text in highlight/strikethrough  
2. Ordinance for adoption

### **BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$ 0.00	BUDGETED \$ 0.00	REQUIRED \$ 0.00

### **HISTORICAL PERSPECTIVE:**

The City Attorney's office was contacted by members of the Community Service policing detail with situations where, on private streets in subdivisions, citizens have reported cars parked such that they block premises clearly signed and striped with fire lane warnings.

Existing City Code sections have been previously interpreted to allow citing such cars for parking offenses, however the authority exists through a complicated, many-layered connection between city code sections and state law provisions that authorize enforcing fire lane obstruction. Examples of such premises are privately-owned subdivision streets or a commercial area's parking lot.

Existing state law authorizes a private landowner to commence the immediate impound of a car blocking a fire lane on private property. A property owner delivers notice of such an impound to the Police Department, but the City does not initiate the impound as the involved property is private in nature.

### **INFORMATION FOR CONSIDERATION:**

This offense uses descriptive terms found in the Uniform Fire Code, 1997 version, at Sections 901 and 902. The concept of premises open to the public derives from the Oregon Vehicle Code.

Enforcement of this violation resembles enforcement of handicapped reserved parking in terms of severity and public interest. However, the fine for this violation is lower than for a handicapped violation which carries a fine established under state law.

This Ordinance simplifies the City Code. It clarifies the fire lane infraction process. The infraction is in addition to and not in lieu of a property owner's right to impound vehicles under ORS 98.810 to .812.

### **RECOMMENDED ACTION:**

Conduct first reading.

**Agenda Bill No:** 04190

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 6.02.250  
OF THE BEAVERTON CODE TO CREATE AN OFFENSE  
FOR VEHICLE PARKING IN A FIRE LANE LOCATED ON  
PRIVATELY-OWNED PREMISES OPEN TO THE PUBLIC

WHEREAS vehicles sometimes park in obstruction of fire lanes established for the fire safety of persons and premises; and

WHEREAS the parking offense created in this section is an enforcement device intended to supplement, and not eliminate or otherwise alter, the state law right of a property owner to have a vehicle impounded for blocking a fire lane; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Beaverton Code section 6.02.250 is amended to read as follows:

6.02.250 Obstructing Streets.

A. No unauthorized person shall obstruct the free movement of vehicles or pedestrians using the streets.

B. No person shall park or stand a motor vehicle in such a manner that it constitutes a hazardous vehicle as defined in BC 6.05.010.

C. No person shall park or stand a vehicle upon or obstructing any street or other premises open to the public marked with a curb or surface marking, or posted with a sign, indicating the premises are set aside as a fire lane, fire apparatus access road, or access curb.

Section 2. This Ordinance is not intended to limit the authority of a property owner to impound an improperly parked vehicle under the authority of ORS 98.810 to .812 or any other applicable provision of law.

First reading this \_\_\_\_\_ day of \_\_\_\_\_, 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

**ORDINANCE NO. 4321**

**AN ORDINANCE AMENDING SECTION 6.02.250  
OF THE BEAVERTON CODE TO CREATE AN OFFENSE  
FOR VEHICLE PARKING IN A FIRE LANE LOCATED ON  
PRIVATELY-OWNED PREMISES OPEN TO THE PUBLIC**

WHEREAS vehicles sometimes park in obstruction of fire lanes established for the fire safety of persons and premises; and

WHEREAS the parking offense created in this section is an enforcement device intended to supplement, and not eliminate or otherwise alter, the state law right of a property owner to have a vehicle impounded for blocking a fire lane; now, therefore,

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

**Section 1.** Beaverton Code section 6.02.250 is amended to read as follows:

**6.02.250 Obstructing Streets.**

A. No unauthorized person shall obstruct the free movement of vehicles or pedestrians using the streets.

B. No person shall park or stand a motor vehicle in such a manner that it constitutes a hazardous vehicle as defined in BC 6.05.010.

C. No person shall park or stand a vehicle upon or obstructing any street or other premises open to the public marked with a curb or surface marking, or posted with a sign, indicating the premises are set aside as a fire lane, fire apparatus access road, or access curb.

**Section 2.** This Ordinance is not intended to limit the authority of a property owner to impound an improperly parked vehicle under the authority of ORS 98.810 to .812 or any other applicable provision of law.

First reading this \_\_\_\_\_ day of \_\_\_\_\_, 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

# MEMORANDUM

**City of Beaverton  
Sue Nelson, CMC  
City Recorder**

**To:** Mayor Drake and City Council  
**From:** Sue Nelson, City Recorder  
**Date:** September 8, 2004  
**Subject:** **Agenda Bill 04191: An Ordinance Amending  
Ordinance No. 4270 Authorizing the Sale and  
Issuance of Water Revenue and Refunding Bonds  
for the Purpose of Refunding the City's  
Outstanding Water Revenue Bonds, Series 1994  
and Series 1997, and Declaring an Emergency**

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Please note that the agenda bill for the above item was not available at this time.

Please call me at 503 526-2650 if you have questions concerning this item.