



FINAL AGENDA

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

REGULAR MEETING
APRIL 23, 2007
6:30 P.M.

CALL TO ORDER:

ROLL CALL:

PROCLAMATIONS:

Municipal Clerk's Week: April 29 – May 5, 2007

PRESENTATIONS:

07077 Investigation of Potential Title Transfer of Scoggins Reservoir from Federal to Local Ownership

VISITOR COMMENT PERIOD:

COUNCIL ITEMS:

STAFF ITEMS:

CONSENT AGENDA:

Minutes of the Regular Meeting of April 9, 2007

07078 Resolution Authorizing City's Consent to Investigate Potential Title Transfer of Scoggins Reservoir from Federal to Local Ownership (Resolution No. 3896)

07079 Traffic Commission Issue No.: TC 615 Parking Restrictions on the South Side of SW Harvest Court

07080 Classification and Compensation Changes

Contract Review Board:

07081 Contract Change Order – Street Profiling Provided by Kodiak Bengé Construction

07082 Contract Award - Software Programming Services for the Community
Development Department Application and Permits System

WORK SESSION:

07083 Small Transportation Project List Prioritization

EXECUTIVE SESSION:

In accordance with ORS 192.660 (2) (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 (2) (e) to deliberate with persons designated by the governing body to negotiate real property transactions and in accordance with ORS 192.660 (2) (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.

PROCLAMATION
OFFICE OF THE MAYOR
CITY OF BEAVERTON



WHEREAS, the Office of the Municipal Clerk is a time honored and vital part of local government that exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and,

WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local government bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

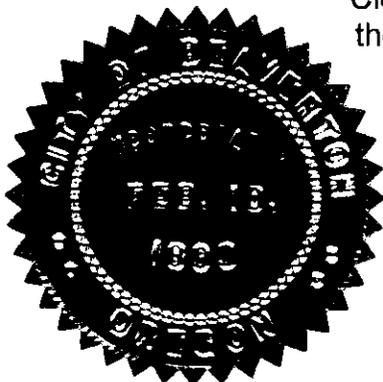
WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meeting of their state, province, county and international professional organizations; and

NOW, THEREFORE, I, ROB DRAKE, MAYOR, City of Beaverton, Oregon, do hereby proclaim the week of April 29 - May 5, 2007 as:

MUNICIPAL CLERKS WEEK

in the City of Beaverton and extend appreciation to our Municipal Clerks, Sue Nelson and Cathy Jansen and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.



Rob Drake
Mayor

DRAFT

BEAVERTON CITY COUNCIL
REGULAR MEETING
APRIL 9, 2007

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, April 9, 2007 at 6:45 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Catherine Arnold, Dennis Doyle and Cathy Stanton. Couns. Betty Bode and Bruce Dalrymple were excused. Also present were City Attorney Alan Rappleyea, Chief of Staff Linda Adlard, Finance Director Patrick O'Claire, Public Works Director Gary Brentano, Library Director Ed House, Human Resources Director Nancy Bates, Police Captain Tim Roberts and City Recorder Sue Nelson.

PROCLAMATIONS:

Mayor Drake proclaimed April 9-15, 2007 as Community Development Week and April 15-22 as Days of Remembrance.

VISITOR COMMENT PERIOD:

Mayor Drake said representatives from the Chamber of Commerce would testify first in support of the Action Item (Agenda Bill 07072) Economic Gardening Pilot Program for they would have to leave to attend another meeting.

Lorraine Clarno, President, Beaverton Chamber of Commerce, said the Chamber would support the Economic Gardening Program that was being considered this evening. She said the Chamber had been a strong partner with the City since the formation of the Economic Development Department and had participated in the strategic planning process and in several projects. She said the Economic Gardening Program would have a broad impact on the growth and expansion of small and medium-sized businesses in the community. She said the result would be job growth, generation of wealth and a stronger community.

Keith Holmbaum, Board Member, Chamber of Commerce, said the Board of Directors took a formal position supporting economic gardening last year. He said the Chamber had worked to realign resources to ensure it can be a strong partner in this effort. He said this partnership aligns perfectly with the Chamber's mission. He said the Chamber would serve as a communication conduit for its members and local business would provide staff training and would serve as one of the intake and initial

interview providers. He said they would work diligently with the City to determine the most effective and reasonable criteria to determine business participation. He said they were proud to be part of this effort and hoped the Council would approve the Program.

Coun. Doyle thanked them for attending. He said their participation was important for this Program has to be a joint effort with the entire business community.

Jack Franklin, Beaverton, said he came out of retirement to serve on the Washington County Fairgrounds Revitalization Project Committee, representing eastern Washington County which included Beaverton. He said the County Board of Commissioners has assigned the Committee the task of determining how best to utilize the fairgrounds and guarantee the survival of the fair. He asked that each Councilor submit written comments regarding this project to him at www.Jack94be@verison.net in the next month. He said information on the Committee meetings was available on the County's Web site at www.co.washington.or.us/fairgroundstaskforce.

Coun. Stanton said she was on the Hillsboro Airport Issues Roundtable (HAIR) that was working with airport that was across the street from the fairgrounds, so she was interested in keeping track of what happens with the fairgrounds.

Coun. Arnold asked how he was appointed to the Fairgrounds Revitalization Committee.

Franklin said he was recruited by a County Commissioner. He said he was interested in county fairs for he grew up in the country and one of the highlights of each year was attending the fair. He said he felt Washington County's agriculture roots should not be ignored and the fair needs to grow and broaden its appeal by including displays, contests and events showcasing state-of-the-art technologies.

Mayor Drake said he had talked to the County Commission Chair and watched the news coverage on this issue. He said there was a lot of agricultural business in Washington County and the technology and software industries were growing rapidly. He said this provided a great opportunity to blend the historical and agricultural nature of the County with the present and future technologies, for a diverse and modern County fair. He said he saw this as a positive step and he thanked Franklin for serving on the committee.

Coun. Stanton said she had lived here 27 years and had been to 27 county fairs; she reiterated that she supported county fairs.

Franklin thanked her and said he won the State truck pulling championship one year at the fair.

Richard Eyde, Beaverton, asked for Council support of Traffic Commission Issue TC 613. He said the Menlo neighborhood supported slowing the traffic on Menlo Drive for it had become a raceway. He said they wanted to have the speed bumps installed as soon as possible.

Coun. Stanton explained that traffic calming would slow traffic but it would not decrease the amount of traffic.

Eyde said they understood that.

PRESENTATIONS:

07066 Cross-Connection and Fats, Oils and Grease Programs Presentation

Wastewater Maintenance Technician John Mitchell presented a PowerPoint presentation about the Fats, Oils and Grease (FOG) and Cross-Connection Programs.

Mitchell said last year he reported on the new equipment and maintenance procedures that were being incorporated into the FOG Program. He said from 2004 to 2007, the system improvements and regular maintenance resulted in reduced workloads and a cost savings of over \$36,000 for the City. He said to date they have added 112 new small grease traps and 18 outside interceptors to remove grease and oil from the sewer system. He said a conservative estimate was that these new systems would remove 44.5 tons of grease and oil from the system. He reviewed FOG projects at Shari's Restaurant and McCormick & Schmick's Restaurant, and he complimented local businesses for their cooperation and professionalism in working with City staff and implementing system improvements.

Mayor Drake said this was Mitchell's second career; he was with Franz Bakery for 30 years as a salesman and supervisor. He said Mitchell's expertise was invaluable in getting the business community to buy-in to the FOG Program. He said through this Program, staff helped keep the local water streams more clean and natural.

Coun. Stanton asked if the new tank at Shari's Restaurant would serve all the restaurants in that mall.

Mitchell said that the new tank was for Shari's only. He said the other restaurants installed their own inside traps and all six restaurants were in compliance.

Coun. Arnold asked what was next on the horizon for this Program.

Mitchell said they would continue to monitor all facilities and make changes to the cleaning schedules as needed to improve the maintenance cycles.

Coun. Arnold asked what residents could do to limit the FOGs they discharge into the system.

Mitchell said they have an informational brochure that asks residents not to put fats, grease and oils down the kitchen sink and suggests other means for disposal.

Coun. Doyle thanked Mitchell and said the enthusiasm of the staff makes this a successful program.

Mitchell said the Cross Connection Control Program was mandated by the State for any water service provider that serves over 300 people. He reviewed the cross connection plumbing system and how it prevents backflows. He said backflow assemblies were required to be tested annually by a certified Cross Connection Specialist. He reviewed the City's Cross Connection Control Program procedures.

Coun. Stanton asked if inspection notification letters were sent out automatically.

Mitchell confirmed that letters were sent automatically and the owners have 33 days to respond. He said if no response was received; follow-up letters would be sent.

Coun. Stanton suggested sending a notice 30 days after the anniversary date if the City did not get a notice from the certified backflow tester, since the tester has customers scheduled automatically.

Mitchell said the State mandated that water providers were responsible for notifying people that the annual inspections were due.

Coun. Doyle asked if other communities had implemented this Program.

Mitchell said every water provider that serves over 300 people has to conduct this Program; procedures may differ but everyone has the same June 1 deadline.

Mayor Drake said he had received comments from citizens because they did not understand the Program. He said at one point all the Councilors were on the inspection list for they had automatic sprinkler systems that had to be inspected.

Coun. Stanton confirmed that this was required by the Environmental Protection Agency (EPA).

Mayor Drake thanked staff for the presentation.

COUNCIL ITEMS:

Coun. Arnold said the Neighborhood Summit about *Living Greener Practical Solutions* would be held April 27, 2007, from 9:00 a.m. to 12:00 p.m. She said people could sign up for the Summit by calling the Neighborhood Office (503-526-2243).

Coun. Stanton said the Beaverton Community Band would give a concert at the Cedar Hills United Church of Christ on Sunday, April 15, 2007, at 7:30 p.m. She said on Monday, April 16, at noon, the Washington County Public Affairs Forum would hear a presentation on the *Economic Growth of Cities*; the presenters would be Tom Hughes, Mayor of Hillsboro and Mayor Drake. She said on Wednesday, April 18, the Community Faith Forum would be held at St. Vincents. She said people could contact the Vision Action Network if they wished to attend the Faith Forum.

STAFF ITEMS:

There were none

CONSENT AGENDA:

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

07067 Traffic Commission Issue No.:

TC 611: Stop Control on Public Driveways in Peterkort Village Subdivision

TC 612: Revisions to Traffic Enhancement Fund Project Allocations

TC 613: Revised Traffic Calming Project Rankings for 2007

TC 614: Parking Restrictions on Public Driveways in Peterkort Village Subdivision

CONTRACT REVIEW BOARD:

07068 Selection of Primary Vendors for the City Wide Expansion and Support of Voice over Internet Protocol (VoIP) Project

07069 Contract Change Order - Construction Engineering and Inspection Services - Summer Creek (Murray Boulevard) Bridge Project No. 3229

07070 Bid Award - Summer Creek Bridge (Murray Boulevard Extension), CIP Project No. 3229

Coun. Stanton referred to Agenda Bill 07067, Traffic Commission Issues, that indicated Menlo Drive was a neighborhood street not a collector street. She asked why Menlo Drive was not a collector street.

Traffic Engineer Jabra Khasho said Menlo Drive was classified as a neighborhood route on the Street Classification Plan. He said it did not have the traffic volume for a collector street.

Coun. Stanton said she wanted to have a conversation about street classifications. She said traffic volume was used to classify collector and arterial streets. She said she felt street classifications should include construction as well as volume. She said she would discuss this with Khasho in the future.

Coun. Stanton referred to the Voice over Internet Protocol (Agenda Bill 07068) and said she assumed all purchasing would occur after July 1, 2007.

O'Claire said some items would be purchased before July 1, 2007, and the purchasing would be done in multiple phases.

Question called on the motion. Couns. Arnold, Doyle and Stanton voting **AYE**, the **MOTION CARRIED** unanimously. (3:0)

PUBLIC HEARING:

07071 Oulman Ballot Measure 37 Claim for Compensation M37 2006-0006

Mayor Drake opened the public hearing.

Interim Community Development Director Steven Sparks read a prepared statement defining the process that needed to be followed for this hearing, including the various disclosure statements (in the record).

Sparks asked if any Councilor had a potential or actual conflict of interest.

No one declared a conflict of interest.

Sparks asked if any Councilor had an ex parte contact to declare.

Mayor Drake explained he would only vote in the event of a tie. He said he had known Oulman for a long time for he was a former City employee and he visited his home a few years ago on a separate land use issue. He said he did not feel he was biased in any way.

Sparks asked if any Councilor wished to declare any site visits.

Couns. Arnold, Doyle and Stanton said they knew that property as they drive in that area weekly.

Sparks asked if any member of the audience wished to challenge the right of the Council to consider this matter or challenge the right of any Councilor to participate in this hearing, or wish to request a continuance of the hearing to a later date.

No challenges were declared.

Sparks reviewed the staff report. He said this claim was filed by Frank and Judith Oulman and they requested compensation in the amount of \$350,000 or waiver of the Development Code. He said this parcel was zoned R-5 when it was annexed in 2004. He said the claim states that the Oulman's wished to develop a nine-unit Planned Unit Development (PUD) and the Code would not allow a nine-unit PUD. He said staff's position was that the R5 zone would allow a nine-unit PUD under the Code; that this was a question of process. He said staff had recommended that the City not pay the claim and not waive the Code regulations. He said if the Council did not concur; page 6 of the staff report listed alternate actions that the Council could take.

Coun. Arnold asked Sparks if he was familiar with the County PUD regulations.

Sparks said he was not real familiar with it although he knew hearings were handled by the County Hearings Officer.

Coun. Arnold asked if the Council waived the Code, would the proposed project be considered by the Planning Commission using the County's criteria.

Sparks said historically when the Code was waived, use restrictions/requirements were waived but City procedures would apply.

Rappleyea said Sparks was correct; a procedure was not a limitation on a use. He said if there was a subdivision application, it would be handled under the City's Type

2 or Type 3 procedure and County standards would be applied. He added that Type 2 applications are approved by the Community Development Director and can be appealed to the Planning Commission; Type 3 applications are considered by the Planning Commission and appealed to the City Council.

Coun. Arnold asked if the date the property was purchased was relevant, in relation to the zoning.

Rappleyea said the applicant only requested the waiver back to the time of annexation; he could have requested to go further back in time but he did not. He said the claimant could choose what regulation they think restricts the use of their property; they could also choose whatever year they think is best for their property use.

Coun. Arnold asked what the ramifications were of the PUD Code amendment.

Sparks said the new Code would be effective April 18, 2007. He said if an application was submitted prior to April 18, it would be reviewed under the current PUD Code. If an application was filed on April 18 or later, it would be reviewed under the new PUD Code.

Coun. Arnold asked if an application was filed later, could the claimant file another M37 Claim for that application.

Sparks said the claimant would have to file a different application and there would be a process for reviewing the application.

Rappleyea said if the Council denied compensation and the claimant submitted an application before April 18, it would be reviewed under the existing standards and there should probably be no loss of value. He said if they missed that deadline and then the project was denied because it had not met the new PUD Code they would then have the basis for a new M37 Claim.

Coun. Arnold said if Council approved the use of the County Code at the time of annexation would they have to use that Code or could they wait until after April 18th to submit another claim. She said she thought there was a possibility of using three Codes: the County Code, the current City Code, or the new City Code effective April 18.

Rappleyea said the City would have to deal with what the claimant currently asked for; the waiver to 2004 under the County standards.

Coun. Stanton said in the Oulman's letter of March 21, 2007, it stated that the development would access an existing private street that was not permitted in the City but was permitted in the County. She asked for the size of the private street and if it was narrower than current City standards.

Sparks said the City should be issuing a Site Development Permit soon for the adjoining property west of the subject site. He said that project was approved by the County and would be served by a private street. He said both the County and City

have private street standards; the City's private street standards are that it be built to public street standards. If someone wants to build a private street that does not meet the City standards, it is a modification to the Engineering Design Manual which is an administrative decision approved by the City Engineer. He said private streets must have minimum safety access and turning movements which are reviewed by Tualatin Valley Fire and Rescue (TVFR). He said TVFR reviewed the adjoining project, had some issues with the turning radius and the proposal was modified to satisfy those concerns. He said if a proposal came in for the Oulman property, it would probably tie into this street, which would be acceptable to the City.

Coun. Stanton asked if he knew the width of the street and if it was narrower than the City's standards.

Sparks said he did not know the width of the street.

Coun. Doyle asked if the City granted the waiver to the 2004 date and the application was reviewed, if the results were not acceptable to the applicant could he file a M37 Claim.

Rappleyea said he probably could and it would be filed against applied standards. He said if the claim could be tied to safety or Federal clean water standards, the claim would be denied. He said other standards could apply. He said anytime someone does not like a land use standard that is applied to a property, they could file a M37 Claim and receive a decision. He said that did not mean they would all prevail.

RECESS:

Mayor Drake called for a brief recess at 8:00 p.m.

RECONVENED:

Mayor Drake reconvened the meeting at 8:25 p.m.

CLAIMANT:

Mark Dane, Blue Sky Planning, Portland, representative for claimants Frank and Judith Oulman, said the claimant was not able to attend the hearing as he was out of state. He said the intent of the M37 Claim was not to seek financial remuneration but to protect the ability to develop the property under the same regulations as when the property was annexed. He said Oulman was not intending to develop the property today but he wanted to be sure that he could do so in the near future. He said Oulman wished to tie his property into the adjoining development to the west. He said Oulman had discussed this with the property owners of that adjacent site and they would probably come to an agreement in the near future.

Dane said that the proposal identified inconsistencies between the County and City Codes. He said most of the inconsistencies involved the subdivision requirements in the PUD Code. He said Oulman was seeking written confirmation that he could do a nine lot PUD. He said the M37 Claim was to secure that position. He said the Oulman's preference was to be allowed to develop the property in the near future

under the 2004 Washington County standards, in a similar fashion as the adjacent property to the west; for that would allow for continuity of building design, open space and streets.

Dane said Oulman would not be able to submit a development application within the next week. He said the application would probably be submitted this summer. He said Oulman had specific concerns with the City's proposed PUD Code. He said under Section 40.15.155A1, there would be a two-acre minimum; this one-acre site would not meet that minimum. He said there were concerns relating to the shape of the open space. He said there were issues with the requirement that minimum lots sizes be 50% of the designated base zone, for that meant the lots sizes would go from 5,000 to 2,500 square feet. He said the adjacent lots to the west were 900-1,000 square feet because the lots were intended solely to incorporate the building envelope of the home. He said there was also an issue with the maximum lot size being 150% of the designated base zone. He said in order to retain the existing house, in the same manner as the house to the west was retained, the 150% would be exceeded. He said there was also a requirement that row homes be no more than 70% of the lot area. He said given the small size of the lots, that would exceed the 70%. He said there were issues with the ten-foot front setback and the requirement that attached garages be recessed a minimum of four feet from the front of the building. He said this would make the design of the units out of compliance with the existing approved design. He said the approved units would front onto the open space and the vehicular access was on the street.

Dane reiterated that there were a number of conflicts with the City Code and the new PUD Code, including not being able to utilize the buffer in the 20% open space requirement and issues with the street width and parking. He said they were requesting that this project be considered under the County's 2004 standards and that these issues be worked out through the process. He added that the property was purchased January 1, 1975; the claimant did not wish to go back that far in order to be fair. He reiterated that the claimant wanted to be sure he could develop the property as he thought he could. He said the annexation was voluntary for Oulman had to annex to the city to connect to the sewer system when his septic system failed. He said there was little opposition to the previous project because they retained an enormous amount of the natural corridor. He said they planned to connect the trail from this proposed development to the current trail and retain as much of the existing vegetation as possible.

Coun. Arnold asked Dane if his comments regarding an existing plan referred to the development to the west.

Dane said Oulman did not have an approved plan; he had a conceptual design. He said until he was sure he could build the development he did not wish to invest in the project to do the necessary planning and design.

Coun. Arnold said she was deliberating whether the City Code was diminishing the value of his property. She said it did not appear that was correct.

Dane said under the Washington County Code they could develop nine lots. He said they thought they might be able to do nine lots under the City's Code.

Coun. Arnold noted the application would still have to meet the County's standards for floodplains, buffers, traffic safety issues, etc.

Dane clarified that Section 404 of the County Code allows using the gross area alone and that would allow nine units. He said the subdivision process allows areas to be net out; however, that was not necessarily the case under the existing PUD Code. He added that the restrictions in the upcoming PUD Code were tighter than the current Code. He said the claimant could not submit an application before the new PUD Code effective date due to financial constraints.

Coun. Arnold asked what would have to happen to submit an application by Wednesday (of next week). She also asked whether nine units would be allowed under the County Code but possibly not under the City Code.

Sparks said the bare minimum for submittal was a completed application with the property owner's signature and a check. He noted there was a conceptual plan developed and that would suffice with the check to get the filing in today. He said the fee for a PUD was around \$1,600. He said he was not an expert on the County Code; however, the County Hearings Officer would have discretion to determine whether or not he would allow nine units on a one acre parcel, but it would depend on the nature of the land (buildable land versus wetlands) and the standards. He said the City's PUD Code would allow nine units on one acre; the gross parcel area could be used to calculate the maximum number of units on a property. He said in the past they have worked with the minimum density because that was what people were doing. He said only recently has the City started receiving applications from people requesting the maximum density.

Dane said the application would be a PUD and it would be designed with floodplain and drainage alterations and tree plans. He said the PUD application fee might not be substantial, but the entire fee for all the applications would be \$20,000. He said it would take about \$25,000 for professional help to prepare these plans. He said that was a lot of money to invest at this time.

Rapplelea clarified that the process question was if the claimant could submit an application by next week to vest his right and be able to use existing Codes. He said Sparks was correct in stating that would be simple to do. He said the problem was that the application would have to be completed in 240 days. He said if Oulman wished to develop two years from now, that would not be possible under this process. He said unless Oulman was willing to submit all the applications and studies needed for completion, the application would expire.

Sparks clarified that the application would need to be completed within 180 days (not 240); if it was not completed within that time the application would be deemed withdrawn. He reiterated that several applications would need to be filed.

Coun. Arnold said she was concerned about asking staff and the Planning Commission to work with the unfamiliar County Codes.

Dane said the City was currently working on two of his subdivision projects that were approved by Washington County and were being processed by City staff. He said

the first project was the development adjacent to the Oulman site and the other was on Oleson Road, north of Garden Home.

Rappleyea said that was a different process; the County approved those projects and the City was implementing the decisions. He confirmed that was not the process for this site.

Coun. Arnold asked if the tree plan and other applications would have to be done under the County Code.

Sparks said under County Code the applicant would have to do a land division to partition the lots. He said the County did not have a design review process so the City would have to do that. He said he did not believe there were protected trees in that area, so the City's tree process would only apply if there were trees on the site outside of the CWS buffer area.

Coun. Arnold asked if the applicant had to go through the same process, regardless of whether the Planning Commission would be interpreting County or City Code.

Sparks said there would be more process involved under the City Code than the County.

Mayor Drake said it would be processed under County Code provisions that were in affect at the time of the annexation. He said it would not be difficult for City staff to process the development once the project was approved. He said the issue now under consideration was under what provisions the project would proceed; the July 12, 2004, County Code was the prevailing Code when the property was annexed.

Coun. Stanton asked why the recommendation was to deny the claim and waive the Development Code provisions when the County Code was already in place.

Sparks said the M37 Claim was focused on getting nine units to the acre and building a private street. He said both of these provisions are allowed by the City Code. He said that was why staff recommended denial of the claim and the waiver.

Coun. Stanton asked for the difference in the width between the County and City private streets.

Sparks said the private streets in the adjoining development to the west were 20 feet of pavement curb-to-curb. He said the County requires 24 feet for projects larger than nine units; that standard can be modified if the Fire Marshal agrees to the reduction, which is what happened in that project. He said the minimum pavement width for a local street that has less than or equal to 500 daily vehicle trips was 20 feet. He said the applicant could presumably convince the City Engineer that a 20 foot width would be consistent with the intent of the Engineering Design Manual.

Coun. Stanton asked why they were denying the waiver of the Development Code, since the City would allow the nine units and the 20 foot street width.

Sparks said that would be a decision for the Council to make.

Rappleyea said there were three options available. 1) Approve the waiver to 2004 and use the County standards. He said the benefit to this was that the County Code was more flexible. The drawback was that it would have to be super-imposed on the City's procedures. 2) Do a pre-emptive waiver of the new PUD Code. The Council could decide that this project would be considered under the current City Code. 3) The third option was not waive the Code and deny the compensation.

Coun. Arnold said her understanding was that M37 was only concerned with loss of value; it had nothing to do with process. She questioned procedural details such as requiring a tree plan and how that would impact the applicant's cost.

Rappleyea said the applicant would not be required to go through procedures when there was no criteria to apply. He said a tree plan would not be required if there were no tree criteria provisions.

Mayor Drake clarified that if the project was developed in the City they would go back to the July 12, 2004 County Code. He said the Code requirements mentioned by Dane (tree plans, lot sizes, etc.) were not required by the County at that time; there would be no cost burden to the applicant. He said the trade-off in waiving the Code, was that the City has stricter requirements for its tree program, which makes Beaverton a more attractive community. He said it was not up to the Council to judge. He said because of the passage of M37, the applicant has the right to refuse City standards, based on the time he was able to apply different standards. He stressed that County standards apply, not City standards, for State law trumps local decision making. He said Oulman has the right to develop under County standards per M37. He said if the Council were to deny this claim the City would have to go to court to defend the decision.

Coun. Arnold said she was trying to see if there was a difference of value.

Mayor Drake said she was looking for an answer that could not be given. He said she was taking it to the next plateau; beyond what was being considered.

Mayor Drake thanked Dane for his comments. He asked if anyone else wished to testify.

There was no further testimony.

Rappleyea advised Council that the safest route would be to waive the Code back to 2004. He said the middle-of-the-road route would be to select the current Code and freeze it in time now. He said the riskier alternative would be to deny the waiver and deny the compensation.

Sparks said the graphic Dane supplied at the meeting indicated there was a floodplain and wetland. He said the floodplain and wetland requirements cannot be waived as those are Federal standards; also, fire and safety standards cannot be waived. He confirmed the Federal standards apply whether the project was developed under City or County standards.

Mayor Drake closed the public hearing.

Coun. Doyle MOVED, SECONDED by Coun. Arnold, that Council deny the claim for compensation, grant the waiver of the Development Code and apply the use restrictions contained in the Washington County Development Code in effect on July 12, 2004.

Coun. Stanton said she would support the motion.

Coun. Doyle said this would provide the potential for continuity in the development of the road and it provides the applicant the time needed to do due diligence rather than having to rush development. He said this was a middle-of-the-road approach and it was cost effective for the City.

Mayor Drake said if he could vote, he would support the motion. He said he took exception to Dane's comments regarding preference for a hearings officer versus a planning commission. He said he took part in and fully supported the City's decision to go from a dispassionate, paid hearings officer to a planning commission. He said he would always advocate for the City's Planning Commission for these were sharp individuals and the best representative government available. He said while a hearings officer was dispassionate, he preferred a planning commission made up of citizens with a high sense of integrity, who weigh issues thoroughly and who better understand and care about the area.

Coun. Stanton confirmed that this action would mean the project would be considered under the Washington County Code.

Coun. Arnold said she would support the motion though she did not like this action because it was not a clean process and the Planning Commission would now have to work with the County Code.

Question called on the motion. Coun. Arnold, Doyle and Stanton voting AYE, the MOTION CARRIED unanimously. (3:0)

WORK SESSION & ACTION ITEM:

07072 Economic Gardening Pilot Program and Transfer Resolution (Resolution No. 3895)

Economic Development Manager Rob Pochert reviewed the staff report (in the record) and said staff was seeking Council approval for implementation and funding of an Economic Gardening Pilot Program. He reviewed the Implementation Plan and appropriations for the Pilot Program (in the record).

Coun. Arnold referred to the \$95,750 appropriation and asked what portion of that would be annual reoccurring costs.

Pochert said most of the software subscription costs would be reoccurring costs. He said on pages 12 and 13 of the staff report, the figures that were marked with an asterisk (*) represented costs for the current Fiscal Year 2006-07 and were included in the \$95,000 appropriation.

Coun. Arnold asked what would be the annual subscription costs.

Pochert said subscription costs would be about \$55,000 annually.

Coun. Arnold asked what staff would be needed to implement the system.

Pochert said they had adequate staff for the Pilot Program. He said if there was a future need for additional staff, it would be brought back to Council.

Coun. Arnold questioned how existing staff could accommodate this additional Program with their current workload. She noted other cities had staff dedicated to their economic gardening programs.

Pochert said the City was just getting started with this Program and it would be accommodated through a shift in staff duties. He said the City of Littleton, Colorado had five people dedicated to its program, but the program had been established for 15 years and it was large and very involved. He said the other community in Colorado that started a program borrowed staff from the Chamber of Commerce. He said as the City's Program evolves, it will have a better idea of future staffing needs.

Coun. Arnold asked if they had a commitment from the Chamber for staff.

Pochert said the Chamber allocated a portion of a staff person to help setup processes and allocated funds for startup costs. He said the training for that person was included in the initial costs. He said they would train the partners and coordinate the Program with other programs like the Small Business Development Center. He said there was a lot of interest in what the City was trying to do.

Coun. Stanton asked about Community Development Block Grant funding from HUD.

Pochert said they discussed funding with HUD and there were certain things that could be added to the Program that would qualify for CDBG funding. He said HUD would not give the City additional funds; however, the City would be allowed to use some of its current administration funds to support these activities. He said these were under the category of Micro Enterprises or businesses with five or fewer employees.

Mayor Drake said if this was a success it would result in business growth, as experienced by other cities. He said the staff would have access to community development resources and partnering with the Chamber would help existing local businesses and the Chamber itself to grow. He said the City was helping to promote growth and there would be more people working on this than just City staff.

Coun. Arnold said she thought the other cities received sales tax monies. She asked if the City would continue to fund this Program internally, or would there be fees to help support the Program.

Chief of Staff Linda Adlard said staff was asking for the basics for a pilot project. She said at the end of the pilot project, they would be able to determine the value of the Program to the businesses in Beaverton. She said at that time they would have to evaluate if this was a good program. She said they would look at how they value smaller businesses in the community and it may not have much of a monetary side,

unless it brings other employers into Beaverton who support the quality of life and the schools. She said they believed this was the right direction to head, rather than trying to bring companies into Beaverton. She said staff would keep Council updated on the Program.

Coun. Doyle said he supported this Program for the potential was huge. He said the City should support its local businesses since the citizens often support the City's ballot measures. He said the risk was minimal and the positive factor was the growth of local businesses.

Coun. Doyle MOVED, SECONDED by Coun. Stanton, that Council approve the recommended action for Agenda Bill 07072, as follows: 1) Approve the Economic Gardening Pilot Program Implementation Plan; 2) Authorize Implementation of the Economic Gardening Pilot Program; and 3) Approve the Transfer Resolution to provide an appropriation total of \$95,750 to begin implementing the pilot program for this fiscal year. Coun. Arnold, Doyle and Stanton voting AYE, the MOTION CARRIED unanimously. (3:0) (Resolution No. 3895)

ORDINANCES:

Coun. Doyle MOVED, SECONDED by Coun. Arnold, that the rules be suspended, and that the ordinance embodied in Agenda Bill 07073 be read for the first time by title only at this meeting, and for the second time by title only at the next regular meeting of the Council. Couns. Arnold, Doyle and Stanton voting AYE, the MOTION CARRIED unanimously. (3:0)

First Reading:

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

07073 An Ordinance Amending Beaverton Code Section 8.012.15(A) and Repealing a Portion of Beaverton Code Section 8.02.15(E) and Declaring an Emergency. (Ordinance No. 4434)

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 9:25 p.m.

Sue Nelson, City Recorder

APPROVAL:

Approved this day ,2007,

Rob Drake, Mayor

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Investigation of Potential Title Transfer of Scoggins Reservoir from Federal to Local Ownership

FOR AGENDA OF: 4-23-07 **BILL NO:** 07077

Mayor's Approval: *Bob Drake*

DEPARTMENT OF ORIGIN: Public Works *[Signature]*

DATE SUBMITTED: 4-11-07

CLEARANCES: Engineering Division *[Signature]*

PROCEEDING: Presentation

EXHIBITS:

BUDGET IMPACT

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

Beaverton's current level of participation in the Tualatin Basin Water Supply Project is 2,100 acre-feet (684 million gallons) or approximately four percent (4%) of the total nominal 52,900 acre-feet of new raw water storage that would be created in the proposed expansion of Scoggins Reservoir with a 40-foot dam raise. The reservoir expansion project would nearly double the current volume of the lake totaling 60,640 acre-feet (usable volume 53,640 acre-feet).

The City currently owns a right to use up to 4,000 acre-feet in Hagg Lake and 4,300 acre-feet in Barney Reservoir for summertime water supply. During the summer, water in the two reservoirs is released into the Tualatin River as needed to meet the City's potable water demand. Raw water in the Tualatin River is withdrawn and filtered in the Joint Water Commission's Water Treatment Plant. Finished drinking water from the treatment plant travels about 20 miles through transmission lines to the City's distribution system.

The City of Beaverton acquired rights to its 4,000 acre-feet of water in Scoggins Reservoir (Hagg Lake), referred to as the Tualatin Project, under two separate contracts with the US Department of the Interior, Bureau of Reclamation. The first contract for 1,500 acre-feet of water was signed in November 1973 between the City and Bureau of Reclamation. Beaverton's second contract with the Bureau of Reclamation came later as an assignment repayment contract for 2,500 acre-feet of water that was originally secured by the City of Tigard in 1971. The second contract between the City of Beaverton and Bureau of Reclamation was signed in September 1980. The combined total of the City's 4,000 acre-feet of water in the Tualatin Project represents 5.9 percent of the overall capacity of the facility. Completed in 1971, the original total cost of the Tualatin Project was approximately \$31.3 million.

INFORMATION FOR CONSIDERATION:

In 2005, representatives of Clean Water Services (CWS) had a meeting with Reclamation Commissioner John Keys III (now retired). During the meeting, the Reclamation Commissioner suggested to CWS the possibility of title transfer. Title transfer would change the ownership of Federal facilities to local entities. In essence, local agencies holding existing contracts with Reclamation would

buy the existing Tualatin Project, including Scoggins Dam, Hagg Lake, adjoining lands and other associated Reclamation facilities.

The cost of the purchase or required reimbursement to the Federal Government, to allow for title transfer, has been preliminarily estimated by Reclamation at between \$6.4 and \$11.3 million dollars. The basis of valuation for title transfer is net present value of the revenue to be received by the Federal government for the life of the existing Tualatin Project. The majority of the future Federal revenue is from remaining project construction charges (loans), water services contracts and aid to irrigation (BPA payments).

In a separate agenda bill, staff requests Council approval of a resolution authorizing the City's consent to investigate potential title transfer of the existing Tualatin Project from Federal to local ownership. This presentation is to provide background and a more detailed explanation of the Federal title transfer process and what changes would result from such an action.

RECOMMENDED ACTION:

Council listen to the staff presentation.

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Resolution Authorizing City's Consent to Investigate Potential Title Transfer of Scoggins Reservoir from Federal to Local Ownership

FOR AGENDA OF: 4-23-07 **BILL NO:** 07078

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Public Works 

DATE SUBMITTED: 4-10-07

CLEARANCES: City Attorney 
Engr. Division 

PROCEEDING: Consent Agenda

- EXHIBITS:**
1. Resolution
 2. Letter From Washington County
 3. Water Supply Project Brochure

BUDGET IMPACT

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

HISTORICAL PERSPECTIVE:

Water resource agencies in Washington County are acting now to ensure clean, safe and reliable water supplies for the environment and needs of a growing community. They have formed a water supply partnership to finance and plan for future water supplies from the Tualatin River. The Tualatin Basin Water Supply Project partners include Clean Water Services, Tualatin Valley Water District, the cities of Hillsboro, Forest Grove, Beaverton, Tigard, and Tualatin in partnership with the US Bureau of Reclamation (BoR). The US BoR is the builder and owner of the Scoggins Dam/Hagg Lake Facility.

In June 2001, the Council authorized signing of a funding agreement to participate in a Water Supply Feasibility Study (WSFS) of the Tualatin River basin, which was completed in February 2004. It evaluated alternatives for reliable, safe and sustainable water supply options to meet the long-term Tualatin River streamflow, agricultural irrigation, and municipal and industrial water needs in Washington County to the Year 2050. The Water Supply Project is being led by Clean Water Services in partnership with nine local cities, Tualatin Valley Water District and the US Bureau of Reclamation.

On April 4, 2005, Council authorized signing of a third amendment to a June 2001 funding agreement in Agenda Bill No. 05064, for the purpose of continued funding for the Integrated Water Resource Management, WSFS of the Tualatin River basin. The third amendment funded continuing project costs to undertake a two-year scope of work of the various project elements to be completed for Fiscal Years 2005-06 and 2006-07.

During 2005, an alternatives analysis examined the various supply options and two were selected for further study in a 2007 Environmental Impact Statement. The first alternative is a 40-foot dam raise of Scoggins Dam (at Hagg Lake) with a large diameter raw water pipeline pumpback from the Tualatin River to refill Hagg Lake each year. The second alternative is a multiple source option that includes a 25-foot raise of Scoggins Dam with a large diameter raw water pipeline pumpback, and expansion of the Willamette River Water Treatment Plant located in Wilsonville.

Beaverton's current level of participation in the Tualatin Basin Water Supply Project is 2,100 acre-feet (684 million gallons) or approximately four percent (4%) of the total nominal 52,900 acre-feet of new raw water storage that would be created in an expanded Scoggins Reservoir with a 40-foot dam raise. The reservoir expansion would nearly double the current volume of the lake totaling 60,640 acre-feet (usable volume 53,640 acre-feet). The City currently owns a right to use up to 4,000 acre-feet in Hagg Lake and 4,300 acre-feet in Barney Reservoir for summertime water supply. During the summer, water in the dams is released into the Tualatin River as needed to meet the City's potable water demand. Before reaching Beaverton, raw water in the upper Tualatin River is withdrawn and filtered in the Joint Water Commission Water Treatment Plant. The City owns a 18.75 million gallon per day share of the JWC treatment plant.

INFORMATION FOR CONSIDERATION:

In 2005, representatives of the lead agency, Clean Water Services (CWS), had a meeting with Bureau of Reclamation Commissioner John Keys III (now retired). During the meeting, the Reclamation Commissioner suggested to CWS the possibility of title transfer. Title transfer would change the ownership of Federal facilities to local entities. In essence, local agencies would buy the existing Tualatin Project; including Scoggins Dam, Hagg Lake, adjoining lands and other Reclamation facilities.

The cost of the purchase or required reimbursement to the Federal Government, to allow for title transfer, has been preliminarily estimated by the Bureau of Reclamation at between \$6.4 and \$11.3 million dollars. The basis of valuation for title transfer is net present value of the revenue to be received by Federal government for the life of the existing Tualatin Project. The majority of the future Federal revenue is from remaining project construction charges (loans), water services contracts and aid to irrigation (BPA payments).

Based on information known at this time, there are three primary reasons for seeking title transfer from the Bureau of Reclamation:

- Potential of cost savings for the Tualatin Basin Water Supply Project – Scoggins Dam expansion.
- Local ownership and control of facilities and water rights would improve flexibility.
- Improved control over the project schedule for the Water Supply Project (Scoggins Dam expansion).

At the March 27, 2007, meeting of the Water Supply Project Policy Steering Committee made up of elected and appointed officials from each of the partners in the Tualatin Basin Water Supply expansion project, the Committee unanimously supported the pursuit of title transfer. Former City Councilor, Forrest Soth represents the City of Beaverton on this committee.

Additionally, at a meeting held on March 9, 2007, hosted by Tom Brian, Chair of the Washington County Board of Commissioners and CWS, the attendees also supported further investigation of a potential title transfer of the existing Tualatin Project from Federal to local ownership. Mayor Drake was in attendance at the March 9th meeting representing the City. Chair Brian requested support (in the form of a resolution) from each entity for a formal investigation into title transfer as part of the required Federal process to seek the transfer.

In a separate agenda bill for this Council meeting, staff proposes a presentation of the details of the title transfer process and its implications.

RECOMMENDED ACTION:

Council adopt the attached resolution authorizing City's consent to investigate potential title transfer of the existing Tualatin Project (Scoggins Reservoir and facilities) from Federal to local ownership.

RESOLUTION NO. 3896

A RESOLUTION APPROVING INVESTIGATION OF POTENTIAL TRANSFER OF TITLE OF ALL LANDS, FACILITIES, AND OTHER ASSETS OF THE UNITED STATES BUREAU OF RECLAMATION TUALATIN PROJECT TO LOCAL OWNERSHIP.

WHEREAS: Tualatin Basin Water Supply Project partners including Clean Water Services, the Tualatin Valley Water District and the Cities of Hillsboro, Beaverton, Tigard, Tualatin, and Forest Grove are seeking future water supplies to meet 2050 forecasted demands in cooperation with Tualatin Valley Irrigation District, Washington County and Lake Oswego Corporation; and

WHEREAS: The Bureau of Reclamation Commissioner John Keys III (retired) suggested the possibility of title transfer to local officials in 2005; and

WHEREAS: Title transfer would offer several benefits including significant time and cost savings for Hagg Lake expansion (Scoggins Dam raise) which is being proposed for future water supply in the Basin; and

WHEREAS: The Bureau of Reclamation has developed a framework for title transfers as a policy direction for more efficient and effective management of facilities through local ownership; and

WHEREAS: Water Supply Project Policy Steering Committee made up of elected and appointed officials from each of the partners in the project unanimously supported the pursuit of title transfer.

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

Section 1. The City Council hereby directs and authorizes the investigation of a potential transfer of title of all the lands, facilities, and other assets of the United States Bureau of Reclamation Tualatin Project to local ownership.

Section 2. Signing this resolution will not bind the City of Beaverton or any of the other signatories to completing the transaction.

Adopted by the Council this ____ day of _____, 2007.

Adopted by the Mayor this ____ day of _____, 2007.

Ayes: _____

Nays: _____

ATTEST:

APPROVED:

Sue Nelson, City Recorder

Rob Drake, Mayor



March 9, 2007

Mayor Rob Drake
City of Beaverton
P.O. Box 4755
Beaverton, OR 97076

Dear Mayor Drake,

Since 2001, Washington County Cities and water resource agencies (the Partners) have been working together to study the long-term water needs of our region. Demand for water in the Tualatin Basin alone is expected to double by 2050, with some communities needing water by the middle of the next decade. A new source of clean, safe, reliable and affordable water is needed to meet our growing residential, business, industrial, and environmental needs and to ensure a sustainable supply for our region's robust agricultural needs.

In June of this year, the Tualatin Basin Water Supply Project Draft Environmental Impact Statement (DEIS) will be issued for public comment by the U.S. Bureau of Reclamation. This document, which the Partners have been working on for nearly three years, will examine the impacts of raising Scoggins Dam and expanding Hagg Lake to meet our long-term water needs.

As this major milestone approaches, it seems an opportune time to come together for an update on this important project and to discuss next steps.

In addition to the release of the DEIS, the U.S. Bureau of Reclamation has encouraged the Partners to explore transfer of title of this federal facility to local ownership. This opportunity will require further coordination and collaboration among the county, cities, water managers, agricultural community and federal agencies.

We have been working closely with our Congressional Delegation, U.S. Bureau of Reclamation and other federal agencies to secure federal assistance (see enclosed January 2007 DC report). Your support of these efforts has been key to maintaining this as a priority at the federal level. We will need to continue to work together in the coming months and years to further our influence at a federal level and complete this important project.

Please join me and other Westside officials for breakfast on Wednesday, April 4 from 7:30 a.m. to 10:00 a.m. to discuss this matter. We also encourage you to bring your senior staff person familiar with this issue. The meeting will be held at the NW Regional Education Service District, conference room 315, 5825 NE Ray Circle (off NE Cornell Road just west of Orenco – map enclosed) in Hillsboro. Parking is available in their lot.

Please RSVP to Heike Holweg at Clean Water Services by Friday, March 30. You may contact Heike by phone at (503- 681-5102) or by email at holwegh@cleanwaterservices.org.

We hope you will participate in this important discussion. Thank you.

Sincerely,



Tom Brian, Chairman
Washington County Board of Commissioners and Clean Water Services

Enclosures

cc: Dave Winship, City of Beaverton
Bill Gaffi, Clean Water Services
Tom VanderPlaat, Clean Water Services



TUALATIN BASIN WATER SUPPLY PROJECT

Spring 2006

What is the purpose of the Water Supply Project?

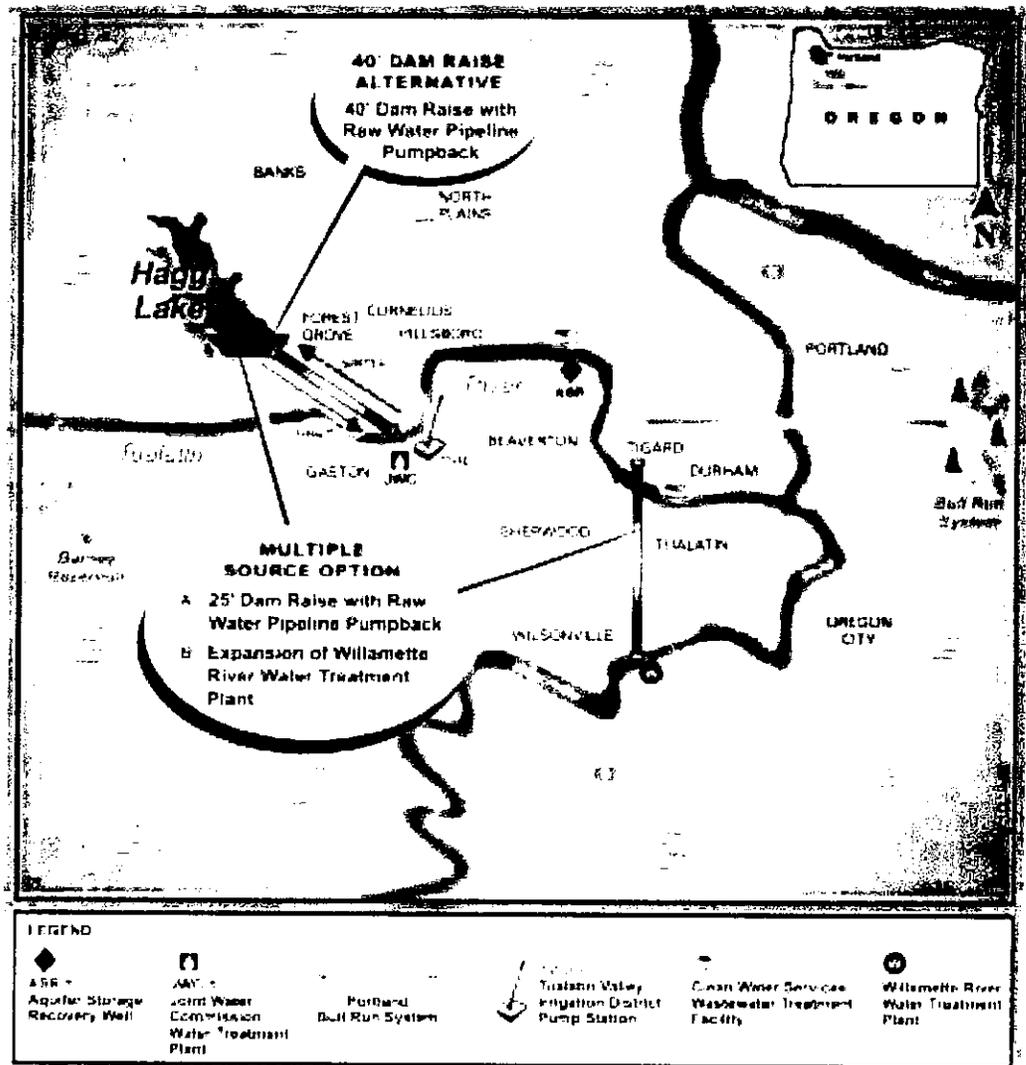
The residents and businesses of the Tualatin Watershed need dependable, safe and secure fresh water resources to ensure the long-term economic health and livability of our region. Demand for water in the Tualatin Basin is expected to double by the year 2050, which means the basin will need an additional 50,000 acre feet per year.

In 2001, water resource agencies in the Tualatin Basin formed a partnership to identify the best water sources to meet the future demands for water. The partnership includes the US Bureau of Reclamation (RECLAMATION) because they own Scoggins Dam at Hagg Lake, which is one of the possible water supply sources.

Comparing two alternatives for additional water

After studying numerous water supply options over the past several years, two were selected (see graphic) for additional study in a federally required Planning Report/Draft Environmental Statement (PR/DES). The two alternatives that can meet the needed water include:

- a 40-foot dam raise at Hagg Lake with a raw water pipeline pumpback
- a multiple source option that includes a 25-foot dam raise at Hagg Lake and expansion of the Willamette River Water Treatment Plant for municipal uses



What happens in the PR/DES?

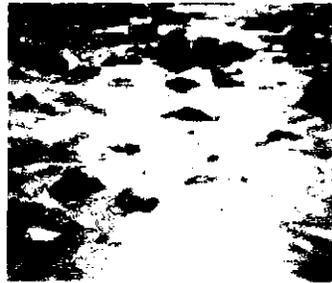
The PR/DES will compare two alternatives against a “no action” alternative including impacts to the environment, economic impacts and benefits. The analysis of environmental impacts includes the following topics (as well as others):

- ✓ Soils and geology
- ✓ Hydrology
- ✓ Water quality
- ✓ Wetlands
- ✓ Fisheries
- ✓ Wildlife habitat
- ✓ Social and cultural resources
- ✓ Recreation
- ✓ Air quality
- ✓ Water rights
- ✓ Threatened, endangered and sensitive species
- Land use and Planning
- ✓ Land use and planning

When the PR/DES is published by RECLAMATION, an extensive public review process will occur. This will include public meetings and a public hearing. All comments received during the public comment period will be assembled into a public comment document for policy-makers to review. The PR/DES is currently scheduled for completion in fall 2006.



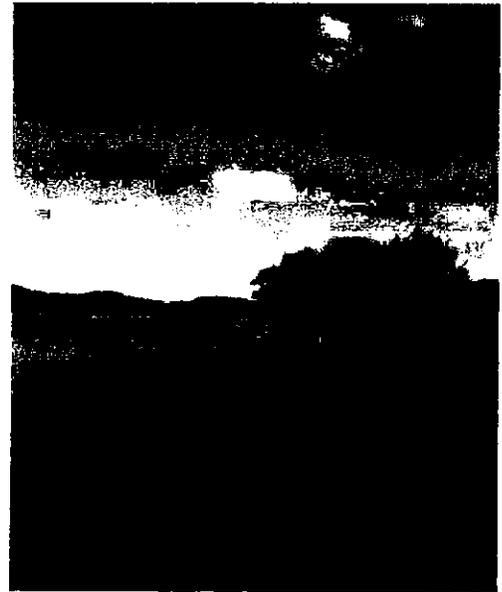
TUALATIN BASIN WATER SUPPLY PROJECT



Project partners

Project partners contributed more than \$1.2 million to fund the Tualatin Basin Water Supply Feasibility Study (WSFS), which was completed in March 2004. The Feasibility Study reviewed a wide range of water supply alternatives, including dam raises and source exchanges. Partners funding the PR/DES include:

- ✓ Clean Water Services
- ✓ Tualatin Valley Water District (TVWD)
- ✓ City of Hillsboro
- ✓ City of Forest Grove
- ✓ City of Beaverton
- ✓ City of Tigard
- ✓ City of Tualatin
- ✓ US Bureau of Reclamation (RECLAMATION)



Hagg Lake

Project Timetable

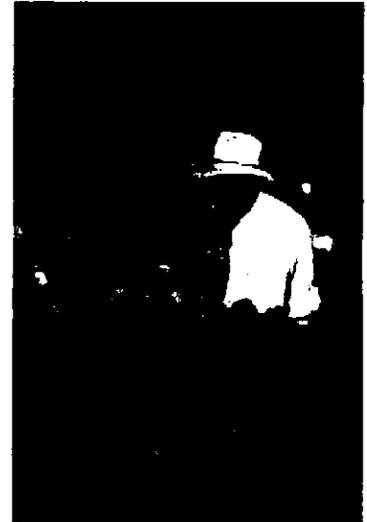


For more information, please visit our website:

www.CleanWaterServices.org

How can I learn more about the project?

- ✓ Get on the mailing list for notice of meetings or updates (send us an e-mail or call).
- ✓ Go to our web site at www.CleanWaterServices.org and click on the water supply project for more detailed project information.
- ✓ Attend public meetings of the Policy Steering Committee (elected and appointed officials).
- ✓ Request a presentation for a local group you belong to.



For more information contact:

Tom VanderPlaat,
Project Manager
(503) 681-5107
vanderplaatt@CleanWaterServices.org

Jeanna Cernazanu,
Public Involvement Coordinator
(503) 681-3619
cernazanuj@CleanWaterServices.org

CleanWater  Services



AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Traffic Commission Issue No.:
TC 615: Parking Restrictions on the
South Side of SW Harvest
Court

FOR AGENDA OF: 4-23-07 **BILL NO:** 07079

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Public Works 

DATE SUBMITTED: 4-17-07

CLEARANCES: Transportation JK
City Attorney AR

PROCEEDING: Consent

- EXHIBITS:**
1. Vicinity map
 2. City Traffic Engineer's report on Issue TC 615
 3. Draft minutes of the meeting of April 5, 2007 (excerpt)

BUDGET IMPACT

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

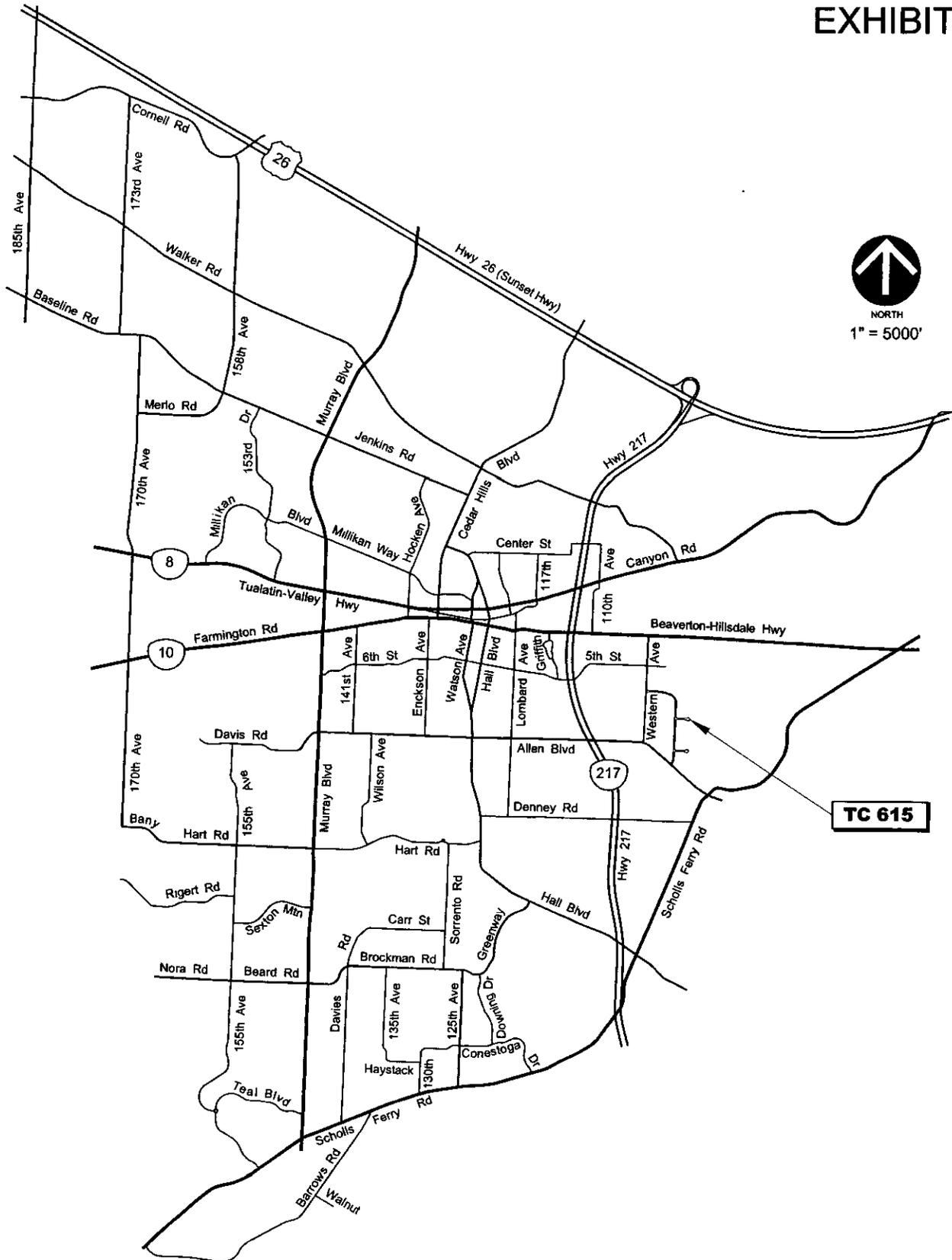
On April 5, 2007, the Traffic Commission considered the above traffic issue. The staff report is attached as Exhibit 2.

INFORMATION FOR CONSIDERATION:

The staff recommendation on Issue TC 615 was approved by the Commission on the consent agenda.

RECOMMENDED ACTION:

Approve the Traffic Commission recommendation on Issue TC 615.



Y:\Cad Services\Drawings\2007\VICINITY MAP TC 615 4-07.dwg



Vicinity Map for April 2007
 TC Issue: 615

**PUBLIC WORKS DEPARTMENT
 ENGINEERING DIVISION
 TRANSPORTATION SECTION**

Drawn By: JM Date: 3/26/07
 Reviewed By: _____ Date: _____
 Approved By: _____

**CITY TRAFFIC ENGINEER'S REPORT
ISSUE NO. TC 615**

(Parking Restrictions on the south side of SW Harvest Court)

March 15, 2007

Background Information

Attached is a letter from the businesses on SW Harvest Court requesting that parking be prohibited along the south side of SW Harvest Court. The businesses are concerned about safety when cars and large trucks are parked on both sides of the street limiting the sight distances for vehicles exiting the driveways.

Staff met with representatives of the Audio Precision and Pella Windows and Doors businesses and observed parking. It appears that Pella Windows and Doors uses the street for employee and delivery trucks overflow parking. During the meeting, staff were assured that Audio Precision has ample parking and is willing to grant Pella Windows and Doors eight parking spots for their employees to park in the Audio Precision parking lot.

Prohibiting parking on the south side of SW Harvest Court would affect approximately 10 parking spots. Since Audio Precision is granting eight parking spots on their parking lot for the use by neighboring business, the parking restriction will have a minimal impact on parking need.

Staff supports the request to prohibit parking on south side of SW Harvest Court.

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); and
- 1d (accommodate the parking needs of residents and businesses in a safe and equitable fashion).

Conclusions

1. Restricting parking on the south side SW Harvest Court would improve vehicular safety and ensures orderly and predictable movement of vehicles, satisfying Criterion 1a and 1b.

2. Since Audio Precision is willing to grant eight parking spaces for their neighboring business to use, the proposed parking restriction would not adversely impact parking and would accommodate the needs of the businesses satisfying Criterion 1d.

Recommendation

1. Restrict parking on the south side of SW Harvest Court.

February 23, 2007

TC 615

Randall Wooley
City Transportation Engineer
City of Beaverton
4755 SW Griffith Drive
Beaverton, OR 97076

RECEIVED
FEB 26 2007
ENGINEERING DEPT

Dear Randy:

Thank you for joining Kerry Bales and Alan Miksch on February 16 to discuss the traffic issues that have developed on Harvest Court. As was discussed, and you were able to observe, trucks and cars are now often parked on both sides of the street, causing significant congestion and unsafe conditions for traffic flowing to or from the various businesses on Harvest Court. Trucks and cars parked on the south side of Harvest Court are also creating a very dangerous blind spot for Audio Precision employees as they exit the Audio Precision employee parking lot.

In order to reduce the problems we are experiencing on Harvest Court, Audio Precision recently granted Pella daily use of eight parking spaces in the Audio Precision parking lot. While one neighbor helping another may reduce the problems somewhat, further actions are still needed to fully address the safety issues outlined above.

At your suggestion, the management of both The Hoop and The Chadwick Group have been brought into the process and are supportive of improving safety on Harvest Court. Consequently, we are pleased to inform you that all four of us doing business on Harvest Court are united in requesting help from the City of Beaverton to improve the traffic safety for all of our employees and customers. Acting as one, we hereby request that the City of Beaverton create a no parking zone along the entire south side of Harvest Court. Please refer to the attached drawing for the specific details of our request.

Thank you for your prompt actions to improve the traffic safety of our employees and customers.

Sincerely,



Alan Miksch
President and CEO
Audio Precision



Kerry Bales
Operations Manager
Pella Windows and Doors

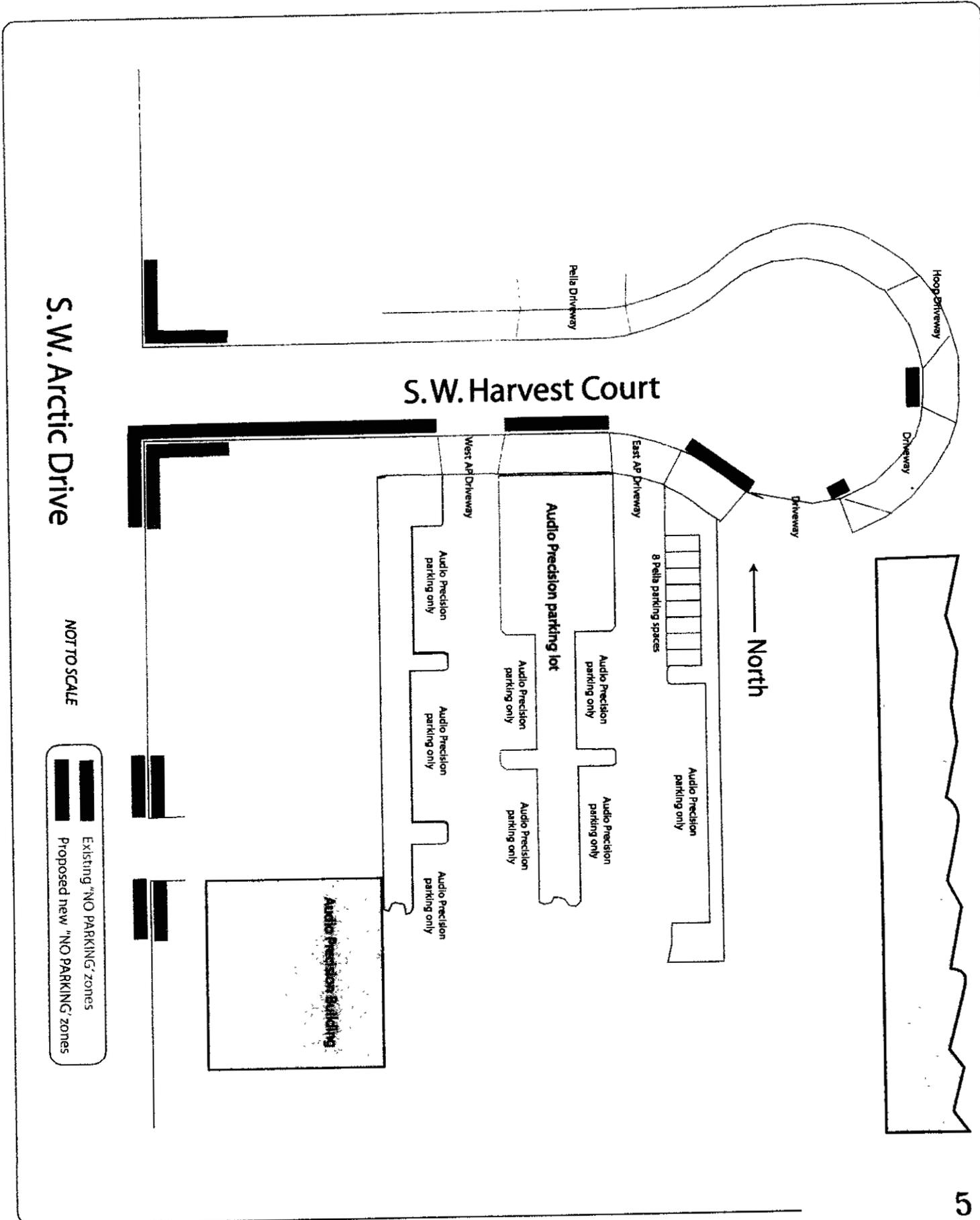


David Haas
General Manager and Co-Owner
The Hoop



Ed Chadwick
Owner
The Chadwick Group

TC 615



S.W. Arctic Drive

S.W. Harvest Court

North

NOT TO SCALE

Existing "NO PARKING" zones
Proposed new "NO PARKING" zones

MEMORANDUM

Beaverton Police Department



Chief David G. Bishop

DATE: March 20, 2007

TO: Jabra Khasho

FROM: Jim Monger

SUBJECT: TC 615

I concur with the recommendation as outlined in the City Traffic Engineer's Reports dated March 15, 2007 to restrict parking on the south side of SW Harvest Court.

Jabra Khasho

From: Renfro, Jerry L. [Jerry.Renfro@tvfr.com]
Sent: Monday, March 19, 2007 2:05 PM
To: Jabra Khasho
Subject: RE: Traffic Commission Issue No. 615I

Jabra Khasho

Regarding Issue No. 615 Tualatin Valley Fire and Rescue has no Objections or Comments for this proposal.

Sincerely,

Jerry Renfro DFM II
Transportation Systems Manager
TVF&R

DRAFT

City of Beaverton

TRAFFIC COMMISSION

Minutes of the April 5, 2007, Meeting

CALL TO ORDER

Chairman Scott Knees called the meeting to order at 7:05 p.m. in the Forrest C. Soth City Council Chamber at Beaverton City Hall, Beaverton, Oregon.

ROLL CALL

Traffic Commissioners Scott Knees, Bob Sadler, Ramona Crocker, Kim Overhage, Maurice Troute and Thomas Wesolowski constituted a quorum. Commissioner Carl Teitelbaum was absent by prearrangement. Alternate Member Patrick Reynolds was in the audience to observe.

City staff included City Transportation Engineer Jabra Khasho, Senior Transportation Planner Margaret Middleton, Traffic Sergeant Jim Monger, Principle Planner Hal Bergsma and Recording Secretary Debra Callender.

-- START EXCERPT --**CONSENT ITEMS**

Chairman Knees reviewed the April consent agenda comprised of the draft minutes of the March 1, 2007, Traffic Commission meeting and Issue TC 615 "Parking Restrictions on the South Side of SW Harvest Court."

Commissioner Overhage **MOVED** and Commissioner Troute **SECONDED** a **MOTION** to approve the Traffic Commission meeting minutes for March 1, 2007, and Issue TC 615. There was no discussion.

The **MOTION CARRIED**, 6:0. Commissioner Sadler abstained from voting on the March minutes because he was not at that meeting.

-- END EXCERPT --

AGENDA BILL

Beaverton City Council
Beaverton, Oregon

SUBJECT: Classification and Compensation Changes **FOR AGENDA OF:** 4-23-07 **BILL NO:** 07080

Mayor's Approval: *[Signature]*

DEPARTMENT OF ORIGIN: HR *neb*

DATE SUBMITTED: 04/17/07

CLEARANCES: Finance *[Signature]*
Public Works *[Signature]*

PROCEEDING: Consent Agenda

EXHIBITS: Exhibit 1: Market Data

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$ 6,703 FY 2006-07	BUDGETED \$-0-	REQUIRED \$ 6,703*
\$35,252 FY 2007-08	\$-0-	\$35,252**

* The Appropriation Required for FY 2006-07 is recommended to be included in the next Supplemental Budget.

** The Appropriation Required for FY 2007-08 is recommended to be included in the proposed FY 2007-08 Budget.

HISTORICAL PERSPECTIVE:**Finance Department**

In the Finance Department there is one position whose function is to process payroll, taxes and complete quarterly and annual reports for state and federal agencies. As a result of the classification study in 1998, this position was placed into the Accounting Specialist classification (salary grade 6). Since that time, changes have occurred both in the labor market in regards to this type of position and to the complexity of duties. Therefore keeping it tied to the Accounting Specialist classification is no longer equitable. The Finance Department requested a review of this position and the creation of a new Payroll Administrator classification.

The Finance Department also requested a review of the Accounting Assistant classification (salary grade 4). Incumbents in these positions are responsible for Utility Billing, Passport Services, and other similar functions.

Public Sector Salary Survey Results

This year the City participated in the 2007 Oregon Public Employers Salary Survey. It provided data on 173 positions from 36 public agencies. Based on the data provided in the survey we found several positions where the City has fallen significantly behind the market. Human Resources followed up with jurisdictions to verify the information in the survey and therefore recommends salary changes for some of these positions based on the data received. A City-wide compensation study will be done the summer of 2007 to provide further information on city classifications and needed changes.

INFORMATION FOR CONSIDERATION:**Finance Department**

Human Resources conducted a market study on the new Payroll Administrator classification and found that most organizations have similar Payroll Specialists or Coordinators. The results of the salary survey coupled with the internal point factor evaluation placed this classification at salary level 9.

Creation of this classification would not necessitate an additional position. The new Payroll Specialist position would be filled by the current incumbent in the Accounting Specialist positions. The cost for the reclassification is \$4,239, including salary, payroll taxes, and fringe benefits for 1 FTE (full time equivalent) position.

A market study was conducted by Human Resources for the Accounting Assistant classification. The market data indicates that the current salary grade 4 (\$14.27-\$19.12) falls under the 50th percentile of the market, but reallocating it to a salary grade 5 (\$15.21-20.38) would put it over the 75th percentile of the market. The point factor system evaluation places the classification solidly in the salary level 4. It is the philosophy of the City to pay between the 50th and 75th percentile; therefore, we are recommending that a new salary level 0401 (\$14.88-\$19.94) be established to appropriately pay this unique classification, based on the market data. The cost to implement this recommendation is \$6,703 for FY 2006-07 (from December 1, 2006 to June 30, 2007) and \$11,400 for FY 2007-08 including additional salary and fringe benefits for 6 FTE positions for the remainder of this fiscal year.

Public Sector Salary Survey Results

GIS Analyst

Market data justify a reallocation from salary grade 10 to salary grade 11. The increase in cost to raise it to a salary grade 11, including salaries and fringe benefits, is \$4,696 for 1 FTE position.

Computer Services Tech

Computer Service Techs have historically been included in the annual market factor survey. This year they would again justify an increase. Human Resources is proposing a market factor adjustment of 2% to bring it above the 50th percentile. The increase in cost to the salary range 803, including salaries and fringe benefits, is \$3,782 for 3 FTE positions.

Computer Services Tech Lead

Computer Service Tech Leads have historically been included in the annual market factor survey. Although there is no market data due to a lack of comparable classifications, the City historically has maintained a minimum 7.5% difference between the Computer Services Tech and the Computer Services Tech Lead classifications. Human Resources is proposing reallocating the salary grade up one grade in order to both maintain the 7.5% differential and eliminate the need to reanalyze the position each year. The increase in cost to raise it to a salary grade 10, including salaries and fringe benefits, is \$1,932 for 1 FTE position.

Mechanic 1

Market data justify a reallocation from salary grade 5 to salary grade 6. The increase in cost to raise it to a salary grade 6, including salaries and fringe benefits, is \$6,465 for 2 FTE positions.

Mechanic 2

Market data justify an increase in salary, but a reallocation in salary grade would place it above the 75th percentile. A one time 2.5% market adjustment to the classification would bring it in line with the market and continue to keep salary equity within the Mechanic classification series. Human Resources recommend that a new salary level 0701 (\$17.86-\$23.92) be established to appropriately pay this classification, based on the market data. The cost to implement this recommendation is \$2,738 including additional salary and fringe benefits for 2 FTE positions.

RECOMMENDED ACTION:

Council approve the following:

1. A non-exempt non-represented classification titled Payroll Administrator at salary grade 9 effective July 1, 2007.
2. Reallocation of the Accounting Assistant into a newly created salary level 0401 effective Dec 1, 2006.
3. Reallocate the salary grade for the classifications as listed below effective July 1, 2007.
 - GIS Analyst from salary grade 10 to salary grade 11.
 - Computer Services Tech Lead from salary grade 0903 to salary grade 10.

- Mechanic 1 from salary grade 5 to salary grade 6.
 - Mechanic 2 from salary grade 7 to into a newly created salary level 0701.
4. Adjustment to the Computer Services Tech salary grade 0803 of two percent (2%).
 5. Direct the Finance Director to include the necessary appropriations in the next supplemental budget and in the proposed FY 2007-08 Budget.

**Payroll Specialist
March 2007**

Jurisdiction	Title	Max
City of Portland	Sr Admin Specialist	\$ 28.01
Clean Water Services	Payroll Coordinator	\$ 27.42
TVFR	Accounting Specialist-Payroll	\$ 26.35
City of Hillsboro	Accounting Tech 4	\$ 26.23
Port of Portland	Payroll Specialist 2	\$ 24.26
City of Lake Oswego	Payroll Administrator	\$ 24.11
City of Tigard	Payroll Specialist	\$ 23.28
Washington County	Payroll Specialist	\$ 23.07
Clark County	Payroll Analyst	\$ 22.57
Clackamas County	Accounting Specialist 3	\$ 22.19
PCC	Lead Payroll Specialist	\$ 21.94
OHSU	Payroll Specialist 2	\$ 21.27
Marion County	Payroll Specialist	\$ 21.27
	Average	\$ 24.00
	50th	\$ 23.28
	75th	\$ 26.23
City of Beaverton	Current Grade 6	\$ 21.76
Payroll	Salary Grade 7	\$ 23.34
	Salary Grade 8	\$ 25.09
	Salary Grade 9	\$ 27.02

**Accounting Assistant
February 2007**

Jurisdiction	Title	Max
TVWD	Customer Service Rep	\$ 22.93
Eugene Water	Customer Service Rep	\$ 20.30
Hillsboro	Accounting Tech 2	\$ 20.11
Tigard	Accounting Assistant 2	\$ 19.68
Lake Oswego	Accounting Specialist 2	\$ 19.38
Washington County	Accounting Assistant 2	\$ 19.24
Gresham	Utility Customer Service Rep	\$ 19.09
Vancouver	Accounting Clerk 2	\$ 18.81
	Average	\$ 19.94
	50th	\$ 19.53
	75th	\$ 20.16
Beaverton	Current Grade 4	\$ 19.12
Accounting Assistant	Salary Grade 5	\$ 20.38
	Proposed Grade 0401	\$ 19.94

**Computer Services Tech
March 2007**

Jurisdiction	Title	Max
Clark County	Technical Support Specialist 3	\$ 30.74
City of Portland	IS Tech 2	\$ 30.11
Clackamas County	Microcomputer Specialist 2	\$ 29.51
City of Salem	IS Specialist 3	\$ 27.88
City of Gresham	Technical Support Specialist	\$ 27.31
City of Hillsboro	Comp Support Specialist 1	\$ 26.23
Portland Community College	Computing Technology Specialist	\$ 25.74
City of Tigard	Microcomputer Support Tech	\$ 25.74
Mt Hood Community College	PC/LAN Specialist	\$ 24.39
City of Bend	IT Tech 2	\$ 22.64
City of Albany	IS Technician	\$ 21.02
	Average	\$ 26.48
	50th	\$ 26.23
	75th	\$ 28.70
City of Beaverton	Current Grade 0803	\$ 26.32
Computer Service Tech	Salary Grade 9	\$ 27.02

**Mechanic 1
March 2007**

Jurisdiction	Title	Max
City of Oregon City	Mechanic	\$ 23.77
City of Lake Oswego	Mechanic	\$ 23.18
City of Tigard	Mechanic	\$ 22.92
Washington County	Mechanic 2	\$ 22.91
City of Eugene	Mechanic 1	\$ 22.09
Clackamas County	Mechanic 2	\$ 21.96
City of Bend	Equipment Service Tech	\$ 21.56
City Of Gresham	Vehicle Mechanic 1	\$ 21.14
Marion County	Mechanic	\$ 20.89
City of Salem	Fleet Services Tech	\$ 20.79
State of Oregon	Mechanic 2	\$ 18.88
Multnomah County	Fleet Maint Tech 1	\$ 17.65
	Average	\$ 21.48
	50th	\$ 21.76
	75th	\$ 22.91
City of Beaverton	Current Grade 5	\$ 20.38
Mechanic 1	Salary Grade 6	\$ 21.76

**GIS Analyst
March 2007**

Jurisdiction	Title	Max
Clackamas County	IS Software Sp Sr	\$ 33.99
City of Salem	IS Specialist 5	\$ 33.62
City of Portland	IS Analyst 2	\$ 33.19
Marion County	GIS Analyst 2	\$ 32.08
City of Hillsboro	GIS Analyst	\$ 30.30
City of Oregon City	GIS Analyst	\$ 29.04
City of Milwaukie	GIS Coordinator	\$ 27.80
City of Albany	GIS Analyst	\$ 26.75
	Average	\$ 30.85
	50th	\$ 31.19
	75th	\$ 33.30
City of Beaverton	Current Grade 10	\$ 29.04
GIS Analyst	Salary Grade 11	\$ 31.26

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Contract Change Order – Street Profiling
Provided by Kodiak Bengé Construction

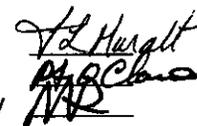
FOR AGENDA OF: 04-23-07 **BILL NO:** 07081

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Public Works 

DATE SUBMITTED: 04-13-07

CLEARANCES: Purchasing
Finance
City Attorney



PROCEEDING: CONSENT AGENDA
(Contract Review Board)

EXHIBITS: Agenda Bill 04139

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$55,000	BUDGETED \$486,702*	REQUIRED \$-0-

*Account Number: 101-85-0732-422 – Street Fund, Street Maintenance Program, Improvement Account. The Amount Budgeted represents the remaining unspent appropriation in the account as of April 10, 2007.

HISTORICAL PERSPECTIVE:

Street profiling is contracted by the City of Beaverton to grind down the existing pavement prior to resurfacing streets. On June 28, 2004 Council approved a profiling contract with Kodiak Bengé Construction of Portland, Oregon, for fiscal year 2004-05 with bid alternates for two additional fiscal years - 2005-06 & 2006-07 (copy of Agenda Bill 04139 attached).

INFORMATION FOR CONSIDERATION:

In addition to the street profiling projects planned for FY 2006-07, the City's Public Works Department has profiled and resurfaced several streets included in the City's Capital Improvement Projects that were originally planned to be outsourced. Some of the projects such as the Bel Aire Storm & Sanitary Improvement Project, 155th Avenue Green Street Project and the Wilson Avenue Water Line project were not initially scheduled for resurfacing, but underground utility installations necessitated resurfacing the entire road back to an acceptable standard rather than patching the utility trenches. The original profiling contract Bid Alternate "B" for FY 2006-07 was approved by Council for \$93,269.56 on June 28, 2004. Because of the additional unplanned work described above, staff estimates that a change order totaling \$55,000 is needed to the profiling contract to complete the remaining planned work.

Due to the amount of the change order, the City's Purchasing Code (Section 50-0035 B.1) requires that the change order be approved by the Contract Review Board. Staff expects to complete the remaining resurfacing projects during May and June. The Street Maintenance Improvement Account (101-85-0732-422) has sufficient funding to cover the \$55,000 change order.

RECOMMENDED ACTION:

Council, acting as Contract Review Board, approve a contract Change Order in the amount of \$55,000 to Kodiak Bengé Construction of Portland, Oregon, to allow staff to complete the resurfacing projects scheduled for this fiscal year 2006-07.

Agenda Bill No: 07081

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Bid Award – Street Profiling Project for In-House Overlays, Fiscal Year 2004-2005

FOR AGENDA OF: 06-28-04 **BILL NO:** 04139

Mayor's Approval: *[Signature]*

DEPARTMENT OF ORIGIN: Operations *[Signature]*

DATE SUBMITTED: 06-22-04

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

PROCEEDING: Consent Agenda
Contract Review Board

EXHIBITS: Bid Summary
In-House Street Overlay List

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$88,830.80	BUDGETED \$766,000*	REQUIRED \$-0-

Account Number 101-85-0732-422 Street Fund Street Maintenance Program Improvements Account. The Profiling Project was bid for one year with bid alternates for two additional years. The FY 2004-05 portion of this contract totals \$88,830.80. The Amount Budgeted is included in the proposed FY 2004-05 Budget that is also being considered at the June 28, 2004 Council Meeting, and the award of this contract is contingent upon the approval of the proposed FY 2004-05 Budget. The two additional years are contingent upon budget approval for FY 2005-06 and FY 2006-07.

HISTORICAL PERSPECTIVE:

Street overlays are necessary to rehabilitate the street surface to extend the design life an additional 12 to 15 years. Street projects are prioritized by the Operations Department utilizing the Pavement Management System software. Selected overlay streets are coordinated with local utility companies and the Engineering Department Capital Improvement Projects.

INFORMATION FOR CONSIDERATION:

Invitation for bid was advertised in the Daily Journal of Commerce on May 27, 2004. Bid documents were mailed to three contractors. One (1) bid was received and opened on April 23, 2003 at 2:00 PM in the Finance Department conference room. The low bid was received from Bengé Construction Company of Tualatin, Oregon in the amount of \$88,830.80 for FY 2004-05, \$98,835.95 for FY 2005-06 and \$93,269.56 for FY 2006-07. Staff has reviewed the bid alternates for fiscal years 05-06 and 06-07 and finds them acceptable. Bengé Construction meets the qualifications in the bid specifications and, in addition, has performed on previous City projects with excellent results.

RECOMMENDED ACTION:

Council, acting as the Contract Review Board, award the contract to Bengé Construction Company of Tualatin, Oregon, in the amount of \$88,830.80 for the Street Profiling Project for In-House Overlays, Fiscal Year 2004-05, as the low bid received and subject to Council's approval of the proposed FY 2004-05 Budget. The two additional years will be awarded based on Council's approval of the future FY 2005-06 and FY 2006-07 Budgets.

BID SUMMARY
CITY OF BEAVERTON

TO: Mayor & City Council

FROM: Purchasing Division

SUBJECT: Bid Opening

Bids were opened on JUNE 16, 2004 at 2:00PM in the FINANCE CONFERENCE ROOM

For: **STREETPROFILING PROJECT FOR IN-HOUSE OVERLAYS FY 2004-05**

Witnessed by: PETE DAVIS

VENDOR NAME AND CITY, STATE	BID SCHEDULE "1"	BID SCHEDULE "A"	BID SCHEDULE "B"	GRAND TOTAL 1, A & B
BENGE CONSTRUCTION CO TUALATIN OR	\$88,830.80	\$98,835.95	\$93,269.56	\$280,936.31

The Purchasing process has been confirmed.

Signed: *Amy L. Muralt*
Purchasing Division Finance Dept.

The above amounts have been checked: YES NO

Date: 6-16-04

**Operations Department
In-House Overlay List
FY 2004-05**

Street Name	Street Boundaries	PCI
2 nd St.	Watson to Lombard	69
Autumn Lane	Village Circle to cul-de-sac	39
Burntwood Ct	Village Cr. to cul-de-sac	66
Camden Lane	Lombard to Denny	54
Denney Rd	Hall to 217 overpass	56
Longhorn Ln.	Downing to 125th	55
Harvest Ct	Arctic to cul-de-sac	70
Rockwood Ct	Village Cr. to cul-de-sac	67
Springfield Lane	Village Circle to cul-de-sac	19
Sunshine Ct	Arctic to cul-de-sac	55
Sussex St	Camden Ln to Hall	61
Village Circle	Village Ln to Village Ln	66
Village Ct	Village Circle to cul-de-sac	58
Salix Ct.	Salix Ridge to cul-de-sac	54
Salix Pl.	Salix Terr to cul-de-sac	79
Salix Ridge	Salix Terr to cul-de-sac	44
Salix Terr. (includes spur)	185 th to Salix Ridge	46

04-17-07 12:00 PM

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Contract Award - Software Programming Services for the Community Development Department Application and Permits System

FOR AGENDA OF: 04-23-07 **BILL NO:** 07082

Mayor's Approval: *[Signature]*

DEPARTMENT OF ORIGIN: Finance *[Signature]*

DATE SUBMITTED: 04-16-07

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

PROCEEDING: Consent Agenda
(Contract Review Board)

EXHIBITS: Response Scoring Matrix
Agenda Bill 06143

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$39,200	BUDGETED \$39,200*	REQUIRED \$-0-
\$58,800	\$58,800*	\$-0-

*Accounts 001-70-0676-318 (\$39,200) General Fund – Community Development Department – Development Services Division – Computer Software Account and 105-70-0664-318 (\$58,800) Building Operating Fund - Building Division administration - Computer Software Account

HISTORICAL PERSPECTIVE:

At the August 14, 2006 meeting, Council authorized \$98,000 in funding for external programming support to assist staff in integrating the Web, Internet, and wireless functions into the Community Development Department's new Applications and Permit System (Agenda Bill 06143 copy attached).

City staff has completed 95% of the new system's design, application processing, and application routing (internal and external). The project is now at the stage to develop, through the external programming services, the Web, Internet, and wireless integration. The major components for the contracted programming support consist of the following:

- Review current database design and application for optimal performance.
- Design web based inspection reporting via mobile devices for inspectors in the field.
- Design customer permit submission and inspection requests via web based interfaces with appropriate security and performance. Customers can view inspection history, request inspections, view inspection results and the progress of pending applications.
- Integrate the permit system via Web and email to internal City Departments and external governments (TVF&R, Washington County, etc) for routing and planning review.
- Design and implement application (permit) fee based system including bonding fees and appropriate financial cash receipt reporting.
- Design and implement web based management analysis reporting systems.

INFORMATION FOR CONSIDERATION:

Staff prepared a Request for Proposal (RFP) for the programming services. The RFP was advertised in the Daily Journal of Commerce on February 15, 2007, with a bid response due date of March 1, 2007. Three proposals were received and evaluated for cost, experience in application development and experience of the team members assigned to the project, and references. In addition, staff conducted on-site (at the City) interviews with all three consultants during the week of March 19, 2007.

Based upon the proposal evaluation and oral interviews, the composite ranking of the proposals were:
(based on a total score of 100 see response scoring matrix for details)

1. Compass Computing Group, Incorporated, of Portland, Oregon – Total score of 92 points with programming rates of \$70 and \$75 per hour .
2. Resolute Solutions Corporation of Portland, Oregon – Total score of 88 points with a standard programming rate of \$135 per hour.
3. Aivea Corporation of Hillsboro, Oregon – Total score of 88 with programming rates of \$75 to \$85 per hour.

Staff contacted Compass Computing Group's references which included Multnomah County for the Web Based Jail Management System. Multnomah County highly recommended Compass Consulting Group and commented that their design, implementation, and the mentoring that County staff received was excellent.

RECOMMENDED ACTION:

Council, acting as Contract Review Board, authorize a contract with Compass Computing Group, Incorporated, of Portland, Oregon for Software Programming Services for the Community Development Department Application and Permits System in an amount not to exceed \$98,000 and in a form approved by the City Attorney.

**City of Beaverton
 Proposal Evaluation Matrix
 Responses to Programming Support CDD Application Permit System
 Dated March 1, 2007**

<u>Point Ranking Category</u>	<u>Possible Point Value</u>	<u>Compass Consulting</u>	<u>Aivea Corporation</u>	<u>Resolute Solutions</u>
Point Value Assigned to Hourly Rates	40	40	38	28
Company & Team Member Experience	35	30	30	35
References	25	22	20	25
Total Points	<u>100</u>	<u>92</u>	<u>88</u>	<u>88</u>

Detail of Programming Hourly Rates By Section
Section Item

Financial Controls				
Database Review & Design		\$75	\$80	\$135
GUI Review		\$75	\$75	\$135
Programming Review		\$75	\$75	\$135
Management Reports				
Process and Information Review		\$75	\$80	\$135
Design		\$75	\$80	\$135
Programming		\$75	\$75	\$135
Web Modules				
Process and Information Review		\$75	\$80	\$135
Design		\$75	\$80	\$135
Programming		\$75	\$75	\$135
Interfaces				
Process and Information Review		\$75	\$80	\$135
Design		\$75	\$80	\$135
Programming		\$75	\$75	\$135
GIS Interfaces				
Process and Information Review		\$75	\$80	\$135
Design		\$75	\$80	\$135
Programming		\$75	\$75	\$135
System Performance				
Database and GUI Review		\$75	\$85	\$135

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Transfer Resolution to Provide
Appropriation for Programming Support on
the New Permit Tracking System and
Authorize Staff to Solicit Proposals for the
Programming Support

FOR AGENDA OF: 08-14-06 BILL NO: 06143

Mayor's Approval: *[Signature]*

DEPARTMENT OF ORIGIN: CDD *[Signature]*

DATE SUBMITTED: 08-04-06

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

PROCEEDING: Consent Agenda

EXHIBITS: Transfer Resolution
Memorandum to Council Dated
February 24, 2006

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$98,000	BUDGETED \$0	REQUIRED \$98,000*

* The required appropriation is available from the Contingency Accounts of the General Fund (40% of the cost) and the Building Fund (60% of the cost) and the appropriations will be established through the attached Transfer Resolution.

HISTORICAL PERSPECTIVE:

At the Work Session held on August 23, 2004, the City Council authorized staff to begin the process to replace the current permit tracking system used by the Community Development Department (CDD). With the assistance of the Information Systems Division (ISD), CDD completed a thorough business process analysis to determine the new system's requirements. After demonstrating and evaluating three commercial permit systems and the corresponding system purchase, and training and installation costs, staff reported to the City Council in February 2006 their recommendation to develop the system in-house using a combination of existing staff resources and future contracted programming support (copy of Memorandum to Council dated February 24, 2006 is attached).

Staff has completed the programming requirements for the new system's base requirements and is now in the position to utilize the external programming support.

INFORMATION FOR CONSIDERATION:

The external programming support is mainly centered on integrating the Web, Internet, and wireless functionalities into the new system. The major components for the contracted programming support consist of the following:

- Optimize database design and application performance.
- Design Web-based inspection reporting via mobile devices for inspectors in the field.
- Design customer permit submission and inspection requests via Web-based interfaces with appropriate security and performance. Customers can view inspection history, request inspections, view inspection results and pending applications.
- Integrate the permit system via Web and email to internal City Departments and external governments (TVF&R, Washington County, etc) for routing and plan review.
- Design and implement application (permit) fee-based system, including bonding fees and appropriate financial cash receipt reporting.
- Design and implement Web-based management analysis reporting systems.

Staff estimates that the external programming will cost approximately \$98,000 (980 hours times an estimated \$100 per hour). Funding for the programming is available from the Contingency Accounts of the General Fund (40% of the cost) and the Building Fund (60% of the cost). Attached is a Transfer Resolution that provides the necessary appropriations.

RECOMMENDED ACTION:

Council approve the attached Transfer Resolution that provides \$98,000 appropriation for external programming support on the new permit system and authorize staff to solicit proposals.

RESOLUTION NO. 3869

A RESOLUTION APPROVING TRANSFER OF APPROPRIATION WITHIN THE GENERAL FUND AND BUILDING FUND OF THE CITY DURING THE FY 2006-07 BUDGET YEAR AND APPROVING THE APPROPRIATIONS FOR THE FUND

WHEREAS, the City Council reviews and approves the annual budget; and

WHEREAS, during the year the Council must authorize the transfers of appropriations from one category of a fund to another fund or from categories within a fund; and

WHEREAS, a combined appropriation of \$98,000 is needed in the Materials and Services Categories of the General Fund and Building Fund for contracted programming services on the new permit system, and the expenditure appropriations are available in the Contingency Category of the respective funds;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERTON, OREGON:

Section 1. The Finance Director is hereby authorized and instructed to transfer the following appropriations:

- \$39,200 out of the Contingency Category of the General Fund and \$58,800 out of the Contingency Category of the Building Fund into the Materials and Services Categories as indicated below:

General Fund		
Materials and Services	001-70-0676-318	\$39,200
Contingency	001-13-0003-991	<\$39,200>
Building Fund		
Materials and Services	105-70-0664-318	\$58,800
Contingency	105-70-0664-991	<\$58,800>

Adopted by the Council this 14th day of August, 2006

Approved by the Mayor this 15th day of August, 2006

Ayes: 4

Nays: 0

ATTEST:

Deputy City Recorder *for*
Sue Nelson, City Recorder

APPROVED:

Rob Drake, Mayor

AGENDA BILL

04-11-07 PM 4:45:30

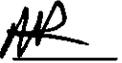
**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Small Transportation Projects Status Report **FOR AGENDA OF:** 04-23-07 **BILL NO:** 07083

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Public Works 

DATE SUBMITTED: 04-16-07

CLEARANCES: City Attorney 

PROCEEDING: Work Session

EXHIBITS: Prioritized List of Small Transportation Programs

BUDGET IMPACT

EXPENDITURE REQUIRED NA	AMOUNT BUDGETED NA	APPROPRIATION REQUIRED NA
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HISTORICAL PERSPECTIVE:

Following an expression of interest from the Council, staff developed a list of potential Small Transportation Improvements and a series of funding options that have been the subject of several presentations to Council beginning in fall 2006. Staff has developed planning level cost estimates for these projects and a series of criteria for the selection of the possible projects. These cost estimates and a framework that matched the projects with the applicable criteria were shared with the Council in February 2007.

INFORMATION FOR CONSIDERATION:

Staff has further refined the priorities for the possible scheduling of the projects based upon applicable criteria and a ranking system that combines the cumulative ratings for specific projects in each of the criteria. Exhibit A shows the results of that effort and establishes a five year construction plan. If Council is satisfied with the priority ratings assigned to the projects and the related schedule, staff will proceed to refine cost estimates and to develop a funding options plan that will generate sufficient revenues to support the construction of these projects during the next five years. Staff will make subsequent recommendations to Council regarding proposed funding options and the applicable rates and fee increases.

RECOMMENDED ACTION:

Review and approve the priority schedule for Small Transportation Improvements.

EXHIBIT A

Small Transportation Improvement Projects

Small Transportation Projects Selection Criteria

The initial project selection criteria presented to Council were livability, safety, connectivity, capacity, and congestion. These criteria resulted in the following potential small transportation projects in no particular order of priority:

Table 1: Safety Improvement Projects

Map Designation	Location	Rough Cost Estimate
S1	87 th Ave. sidewalk between Birchwood & Canyon Road	\$ 250,000
S2	Birchwood Rd. sidewalk between 87 th Ave. & Laurelwood Ave.	\$ 150,000
S3	Laurelwood Ave. sidewalk between B-H Hwy & Birchwood Rd.	\$ 300,000
S4	141 st Ave. sidewalk between Farmington Rd. & Allen Blvd.	\$ 300,000
S5	Canby St. sidewalk between Oleson Rd. & City Limits	\$ 150,000
S6	Davies Rd. sidewalk between Sorrento Rd. & 135 th Ave.	\$ 200,000
S7	Menlo Dr. sidewalk between Farmington Rd. & 6 th St.	\$ 200,000
S8	Menlo Dr. sidewalk between 6 th St. & Allen Blvd.	\$ 450,000
S9	Vermont St. sidewalk between Oleson Rd. & Montclair School	\$ 100,000
S10	West Slope Dr. sidewalk between Canyon Ln. & West Slope School	\$ 200,000
S11	155 th Ave. sidewalk between Davis Rd. & Beverly Beach Ct.	\$ 1,500,000
S12	5 th St. railroad crossing- provide safer bike route at skewed crossing	\$ 300,000
S13	155 th Ave. between Beard & Weir Rd. (includes road improvement and assumes that an LID will pay a portion of the costs)	\$ 2,000,000
	TOTAL	\$6,100,000

Table 2: Capacity Improvement Projects

Map Designation	Location	Rough Cost Estimate
C1	Allen Blvd. at Scholls Ferry – add a westbound lane on the approach	\$ 600,000
C2	Allen Blvd. at Hall Blvd. – add a turn lane for eastbound traffic turning right onto Hall	\$ 850,000
C3	Cedar Hills Blvd. at Farmington – add a right turn lane for southbound traffic	\$ 800,000
C4	Denney Rd. at Hall Blvd. – add a right turn lane for westbound traffic	\$ 800,000
C5	Lombard Ave. at Farmington Rd. – add a right turn lane for northbound traffic on Lombard	\$ 650,000
C6	Millikan Way at Murray Blvd. – add a right turn lane for westbound traffic on Millikan	\$ 550,000
C7	Walker Rd. at Cedar Hills Blvd. – provide dual left turn lanes on westbound Walker Rd.	\$ 900,000
C8	Allen Blvd. at Murray Blvd. – add a westbound right turn lane on Allen	\$ 1,700,000
C9	Farmington Road at Murray – purchase right of way for intersection Improvements	\$ 2,000,000
C10	Hocken Ave. between Canyon and Farmington – add lanes per approved plan	\$ 1,600,000
	Signal system upgrades, as new technology becomes available	\$ 1,500,000
	TOTAL	\$11,950,000

Criteria for Prioritization

1. Spread the improvements to various areas of the City of Beaverton specifically for safety improvement projects.
2. Capacity improvement projects with the greatest delay reduction are to go first.
3. Give high priority to sidewalks serving schools.
4. Keep Farmington Road project moving ahead in order to avoid or delay having to pay back Federal design money. This project has high capacity and safety benefits.
5. Project with known safety problems gets priority over those with potential safety problems (based on actual crash experience).
6. Combine safety and capacity projects and spread over a period of time depending on revenues and available funding.

Table 3: Suggested Priority for Safety Projects

Rank	Map Designation	Location	Rough Cost Estimate
1	S9	Vermont St. sidewalk between Oleson Rd. & Montclair School	\$ 100,000
2	S10	West Slope Dr. sidewalk between Canyon Ln. & West Slope School	\$ 200,000
3	S12	5 th St. railroad crossing- provide safer bike route at skewed crossing	\$ 300,000
4	S4	141 st Ave. sidewalk between Farmington Rd. & Allen Blvd.	\$ 300,000
5	S7	Menlo Dr. sidewalk between Farmington Rd. & 6 th St.	\$ 200,000
6	S8	Menlo Dr. sidewalk between 6 th St. & Allen Blvd.	\$ 450,000
7	S13	155 th Ave. between Beard & Weir Rd. (includes road improvement and assumes that an LID will pay a portion of the costs)	\$ 2,000,000
8	S6	Davies Rd. sidewalk between Sorrento Rd. & 135 th Ave.	\$ 200,000
9	S1	87 th Ave. sidewalk between Birchwood & Canyon Road	\$ 250,000
10	S2	Birchwood Rd. sidewalk between 87 th Ave. & Laurelwood Ave.	\$ 150,000
11	S3	Laurelwood Ave. sidewalk between B-H Hwy & Birchwood Rd.	\$ 300,000
12	S11	155 th Ave. sidewalk between Davis Rd. & Beverly Beach Ct.	\$ 1,500,000
13	S5	Canby St. sidewalk between Oleson Rd. & City Limits	\$ 150,000

Table 4: Suggested Priority for Capacity Improvement Projects Based On Delay Reduction

Location	Volume Entering During PM Peak Hour	Average Delay Seconds Per Vehicle During PM Peak Hour		Total Average Delay Seconds During PM Peak Hour		Total Average Delay Seconds Reduction During PM Peak Hour
		Before	After	Before	After	
Allen & Scholls	4204	175	141.2	593604	735700	142,095
Allen & Murray	4153	62.6	48	199344	259977	60,633
Walker & Cedar Hills	5312	79	67.8	360153	419648	59,494
Millikan & Murray	3238	53.6	47.2	152833	173556	20,723
Allen & Hall	4760	89.1	86.1	409836	424116	14,280
Denney & Hall	3119	16.4	12.3	38363	51151	12,787
Lombard & Farmington	4434	65.7	63.6	282002	291313	9,311
Cedar Hills & Farmington	3888	28.4	26.8	104198	110419	6,220

Table 5: Suggested Priority for Safety and Capacity Projects Combined

Rank	Map Designation	Location	Rough Cost Estimate
1	C1	Allen Blvd. at Scholls Ferry – add a westbound lane on the approach	\$ 600,000
2	C8	Allen Blvd. at Murray Blvd. – add a westbound right turn lane on Allen	\$ 1,700,000
3	S9	Vermont St. sidewalk between Oleson Rd. & Montclair School	\$ 100,000
4	S10	West Slope Dr. sidewalk between Canyon Ln. & West Slope School	\$ 200,000
5	S12	5 th St. railroad crossing- provide safer bike route at skewed crossing	\$ 300,000
6	C7	Walker Rd. at Cedar Hills Blvd. – provide dual left turn lanes on westbound Walker Rd.	\$ 900,000
7	C6	Millikan Way at Murray Blvd. – add right turn lane for westbound traffic on Millikan	\$ 550,000
8	S4	141 st Ave. sidewalk between Farmington Rd. & Allen Blvd.	\$ 300,000
9	S7	Menlo Dr. sidewalk between Farmington Rd. & 6 th St.	\$ 200,000
9	S8	Menlo Dr. sidewalk between 6 th St. & Allen Blvd.	\$ 450,000
10	S13	155 th Ave. between Beard & Weir Rd. (includes road improvement and assumes that an LID will pay a portion of the costs)	\$ 2,000,000
11	C2	Allen Blvd. at Hall Blvd. – add a turn lane for eastbound traffic turning right onto Hall	\$ 850,000
12	S6	Davies Rd. sidewalk between Sorrento Rd. & 135 th Ave.	\$ 200,000
13	S1	87 th Ave. sidewalk between Birchwood & Canyon Road	\$ 250,000
14	S2	Birchwood Rd. sidewalk between 87 th Ave. & Laurelwood Ave.	\$ 150,000
15	S3	Laurelwood Ave. sidewalk between B-H Hwy & Birchwood Rd.	\$ 300,000
16	C4	Denney Rd. at Hall Blvd. – add a right turn lane for westbound traffic	\$ 800,000
17	C5	Lombard Ave. at Farmington Rd. – add a right turn lane for northbound traffic on Lombard	\$ 650,000
18	C3	Cedar Hills Blvd. at Farmington – add a right turn lane for southbound traffic	\$ 800,000
19	S11	155 th Ave. sidewalk between Davis Rd. & Beverly Beach Ct.	\$ 1,500,000
20	S5	Canby St. sidewalk between Oleson Rd. & City Limits	\$ 150,000
***		Signal system upgrades, as new technology becomes available	\$1,500,000

***	C9	Farmington Road at Murray – purchase right of way for intersection Improvements	\$ 2,000,000
***	C10	Hocken Ave. between Canyon and Farmington – add lanes per approved plan	\$ 1,600,000

*** Cost will be distributed over a 5 year period.

Project Distribution Over 5 Years Period

Table 6: Projects to be funded the first year

Rank	Map Designation	Location	Rough Cost Estimate
1	C1	Allen Blvd. at Scholls Ferry – add a westbound lane on the approach	\$ 600,000
2	C8	Allen Blvd. at Murray Blvd. – add a westbound right turn lane on Allen	\$ 1,700,000
3	S9	Vermont St. sidewalk between Oleson Rd. & Montclair School	\$ 100,000
4	S10	West Slope Dr. sidewalk between Canyon Ln. & West Slope School	\$ 200,000
***	Signals, C9 & C10 (partial)	Portion of the five year distribution of the cost of signal upgrades, Farmington Murray right-of-way & Hocken lanes.	\$1,020,000
		TOTAL	\$3,620,000

Table 7: Projects to be funded the second year

Rank	Map Designation	Location	Rough Cost Estimate
1	S12	5 th St. railroad crossing- provide safer bike route at skewed crossing	\$ 300,000
2	C7	Walker Rd. at Cedar Hills Blvd. – provide dual left turn lanes on westbound Walker Rd.	\$ 900,000
3	C6	Millikan Way at Murray Blvd. – add right turn lane for westbound traffic on Millikan	\$ 550,000
4	S4	141 st Ave. sidewalk between Farmington Rd. & Allen Blvd.	\$ 300,000
5	S7	Menlo Dr. sidewalk between Farmington Rd. & 6 th St.	\$ 200,000
6	S8	Menlo Dr. sidewalk between 6 th St. & Allen Blvd.	\$ 450,000
***	Signals, C9 & C10 (partial)	Portion of the five year distribution for the cost of signal upgrades, Farmington Murray right-of-way & Hocken lanes.	\$1,020,000

		TOTAL	\$3,720,000
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Table 8: Projects to be funded the third year

Rank	Map Designation	Location	Rough Cost Estimate
1	S13	155 th Ave. between Beard & Weir Rd. (includes road improvement and assumes that an LID will pay a portion of the costs)	\$ 2,000,000
2	C2	Allen Blvd. at Hall Blvd. – add a turn lane for eastbound traffic turning right onto Hall	\$ 850,000
***	Signals, C9 & C10 (partial)	Portion of the five year distribution for the cost of signal upgrades, Farmington Murray right-of-way & Hocken lanes.	\$1,020,000
		TOTAL	\$3,870,000

Table 9: Projects to be funded the fourth year

Rank	Map Designation	Location	Rough Cost Estimate
1	S6	Davies Rd. sidewalk between Sorrento Rd. & 135 th Ave.	\$ 200,000
2	S1	87 th Ave. sidewalk between Birchwood & Canyon Road	\$ 250,000
3	S2	Birchwood Rd. sidewalk between 87 th Ave. & Laurelwood Ave.	\$ 150,000
4	S3	Laurelwood Ave. sidewalk between B-H Hwy & Birchwood Rd.	\$ 300,000
5	C4	Denney Rd. at Hall Blvd. – add a right turn lane for westbound traffic	\$ 800,000
6	C5	Lombard Ave. at Farmington Rd. – add a right turn lane for northbound traffic on Lombard	\$ 650,000
***	Signals, C9 & C10 (partial)	Portion of the five year distribution for the cost of signal upgrades, Farmington Murray right-of-way & Hocken lanes.	\$1,020,000
		TOTAL	\$3,370,000

Table 10: Projects to be funded the fifth year

Rank	Map Designation	Location	Rough Cost Estimate
1	C3	Cedar Hills Blvd. at Farmington – add a right turn lane for southbound traffic	\$ 800,000
2	S11	155 th Ave. sidewalk between Davis Rd. & Beverly Beach Ct.	\$ 1,500,000
3	S5	Canby St. sidewalk between Oleson Rd. & City Limits	\$ 150,000
***	Signals, C9 & C10 (partial)	Portion of the five year distribution for the cost of signal upgrades, Farmington Murray right-of-way & Hocken lanes.	\$1,020,000
		TOTAL	\$3,470,000

Small Transportation Project Revenue Sources Research

After reviewing potential funding sources, a City systems development charge for transportation and a street utility fee are the most promising new revenue sources for the \$18 million in small projects. Each fee would be based upon the ITE Trip Generation rates by land use since these are the best researched, justifiable, and accepted industry standards.

City SDC for Transportation:

A system development charge (SDC) is allowed by state law and involves two principles; a reasonable connection between growth generated by development and the facilities constructed to serve that growth, and a general system-wide connection between the fees collected from the development and the benefits development receives. Charges are typically developed based on a measurement of the demand that new development places on the street system and the capital costs required to meet that demand. Washington County has a Traffic Impact Fee (TIF) that the voters approved. However, SDCs do not require a vote of the public and may be adopted by ordinance or resolution. The City of Sherwood recently enacted a City SDC for transportation that covers the percentage of the cost of the improvement that the County TIF does not cover.

SDC information at a glance:

- SDCs are collected for new development or redevelopment when building permits are issued.
- For redevelopment, SDCs apply only if the new use will have a greater impact than the former use.
- SDC revenue may only be used for capital improvements, not maintenance.
- There are two components of the SDC, one for new capacity to be built and one to reimburse the cost to provide existing capacity.
- An SDC requires a “methodology;” a calculation of what to charge for the two components.
- The methodology uses estimates of what capital improvements are needed, but the actual capital improvement program can be developed later.
- Development of a methodology is usually contracted out as it requires extensive study of how improvements were funded in prior years.

- The methodology must account for prior “contributions” to existing infrastructure by way of taxes and fees, including the County’s Major Streets Transportation Improvement Program (MSTIP) taxes and TIF.
- Interest groups must have prior notice of Council action to adopt an SDC.
- Any interested person may challenge an SDC in court within 60 days after enactment.
- SDC credits must be allowed for private construction of anything on the capital improvements list that is not required for development approval.
- Council may amend the capital improvement program from time to time.

In the City’s case, the capital improvement plan would contain the final selected small projects programmed over a period of approximately five years. Order of projects could account for the expected revenue by year. The fee rate could be determined based on the amount of funding selected to be generated in total, spread over the life of the program. The cost of the impacts of the new development on the system would be calculated using ITE’s Trip Generation rates by land use type minus pass-by trips. The City SDC could be developed to pay for the share of the total transportation cost per land use category not currently paid for by the County TIF.

City Utility Fee for Maintenance

Some Oregon cities use street utility fees for street and sidewalk maintenance. The fees are typically collected monthly with utility bills. Fee amounts are calculated using land use type and trip generation rates. Based upon its population and the amount of funds that the City wants to generate for this particular program, the City might expect to raise \$1 to \$3 million per year.

As with an SDC, developing a fee requires a study to identify the system that the fee would be applied to, e.g., the number of miles of pavement that need to be maintained, the level of existing condition and desired performance such as the pavement index, and the amount of funding necessary to fund the program. Existing revenues that provide maintenance dollars and any reserves needed for the program are also taken into account as the fee is developed.

Utility fee information at a glance:

- Imposed on occupants of developed property, i.e., the users (not imposed as a charge on real property as that could constitute a property tax).
- Revenue used for transportation infrastructure only; otherwise the fee could be characterized as a general tax (all taxes are subject to various legal constraints).
- Based on some measure of use of streets and transportation system, e.g., the ITE Trip Generation Manual; for non-residential users, square footage, parking spaces, truck usage can all figure into the calculation.
- May be used both for maintenance and capital improvements, although using these fees for capital improvements must be accounted for if a city also adopts an SDC for the same improvements.
- Typically billed with water and sewer charges; underpayments on combined bills typically are applied first to all charges other than water as delinquent water use bills allow for other remedies (shutoff, property liens, etc.).
- Many examples among Oregon cities (Ashland, Brookings, Eugene, Medford, Tigard, Tualatin, and Wilsonville).
- ORS requires an opportunity for public comment before Council enacts such a fee.
- Legal challenge is restricted to the rational basis standard, i.e., whether this is a legitimate government purpose and whether the means logically suit the ends.

- Such utility fee programs are considered to be easy to administer.
- An advantage of using a utility fee is that there is a clear relationship between the fee rate and the use of the transportation system using the ITE vehicle trip-end generation rates by land use type.
- Utility fee programs take into account vacant properties, residential, and non-residential categories:
 - Residential rates are by dwelling unit.
 - Non-residential rates are usually by 1,000 square feet of building space
 - Trip rates are adjusted for pass-by trips noted in the ITE Trip Generation Manual.
 - A small number of rate categories eases administration.
 - An appeals process is included in the program.

Next Steps:

1. Discussion and decision on the projects to be included in the program and their relative timing over the program's life.
2. Development of methodology for the SDC and the Street Utility Fee.
3. Return to Council with revenue and rate estimates for each.
4. Action on the funding package.