



City of Beaverton
CITY COUNCIL MINUTES

BEAVERTON CITY COUNCIL
REGULAR MEETING
FEBRUARY 25, 2014

CALL TO ORDER

The Regular Meeting of the Beaverton City Council was called to order by Mayor Denny Doyle in the Forrest C. Soth City Council Chamber, 4755 SW Griffith Drive, Beaverton, Oregon, on Tuesday, February 25, 2014, at 6:31 p.m.

ROLL CALL

Beaverton: Present were Mayor Denny Doyle, Councilors Cate Arnold, Mark Fagin, Ian King and Marc San Soucie. Councilor Betty Bode was excused from the meeting. Also present were City Attorney Bill Kirby, Chief Administrative Officer Randy Ealy, Finance Director Patrick O'Claire, Library Director Abigail Elder, Human Resources Director Nancy Bates, Police Chief Geoff Spalding, Public Works Director Peter Arellano, Senior Planner Val Sutton, Economic Development Manager Alma Flores, Principal Engineer Dave Winship, Emergency Manager Mike Mumaw, Deputy City Recorder Nanci Moyo and City Recorder Catherine Jansen.

Tigard: Mayor John Cook, Councilors Gretchen Buehner, Marland Henderson, Jason Snider and Marc Woodard. Also present were City Manager Marty Wine, Community Development Director Kenny Asher, Interim Public Works Director Brian Rager, Assistant Community Development Director Tom McGuire, Economic Development Manager Lloyd Purdy, City Engineer Mike Stone, Senior Planner Susan Shanks and Associate Planner Marissa Grass.

ORDINANCES

The City Attorney read the following ordinances by title only for their second reading.

Second Reading:

- 14039 Ordinance No. 4633: An Ordinance Amending Chapter 5 and Chapter 7 of the Beaverton City Code Relating to Criminal History Background Checks
- 14040 Ordinance No. 4634: An Ordinance Annexing Five Parcels Located North of SW Barnes Road to the City of Beaverton, and Adding the Properties to the Central Beaverton Neighborhood Association Committee: Annexation 2014-0001
- 14041 Ordinance No. 4635: An Ordinance Amending Ordinance No. 4187, Figure III-1, the Comprehensive Plan Land Use Map, to Apply the City's Station Community (SC) Designation and Ordinance 2050, the Zoning Map, to Apply the City's Station Community-Multiple Use (SC-MU) Zone to One Parcel Located at 10330 SW Park Way: CPA 2013-0006/ZMA 2013-0004, City of Beaverton Applicant

14042 Ordinance No. 4636: An Ordinance Amending Chapter 7 of the Beaverton City Code Regarding Regulatory Business Licenses for Medical Marijuana Dispensaries

Councilor Fagin MOVED, SECONDED by Councilor San Soucie that Council approves Ordinance No. 4633, embodied in Agenda Bill 14039. Councilor Arnold, Fagin, King and San Soucie voting AYE, the MOTION CARRIED. (4:0)

Councilor Fagin MOVED, SECONDED by Councilor San Soucie that Council approves Ordinance No. 4634, embodied in Agenda Bill 14040. Councilor Arnold, Fagin, King and San Soucie voting AYE, the MOTION CARRIED. (4:0)

Councilor Fagin MOVED, SECONDED by Councilor Arnold that Ordinance No. 4635, embodied in Agenda Bill 14041, now pass. Councilor Arnold, Fagin, King and San Soucie voting AYE, the MOTION CARRIED. (4:0)

Councilor Fagin MOVED, SECONDED by Councilor San Soucie that Ordinance No. 4636, embodied in Agenda Bill 14042 now pass. Councilor Arnold, Fagin, King and San Soucie voting AYE, the MOTION CARRIED. (4:0)

JOINT PRESENTATION TO BEAVERTON AND TIGARD CITY COUNCILS

14043 South Cooper Mountain and River Terrace Planning Updates

Beaverton Senior Planner Valerie Sutton and Tigard Senior Planner Susan Shanks updated both Councils on the work underway on the South Cooper Mountain concept and community plan and the planning of River Terrace. Staff covered matters of mutual interest to both Councils. Highlights are noted below and detailed in the record.

South Cooper Mountain:

- Reviewed the 2,300-acre study area for the South Cooper Mountain concept and the sub-areas: 1) North Cooper Mountain – 510 acres, 2) South Cooper Mountain annexation area – 544 acres, and 3) Urban Reserve Area 6b – over 1,200 acres.
- Detailed review of the process and schedule for developing scenarios and selecting the preferred scenario (in the record);
- Council to review preferred scenario in April 2014 and draft an infrastructure, finance and funding plan.
- In April staff begins drafting a concept and community plan document, followed by Beaverton Planning Commission work sessions in Fall 2014 and Council consideration/adoption in Winter 2014.
- Tigard and Beaverton staff participated on Beaverton's finance task force to help guide the development of the infrastructure/finance plan and on Tigard's capital improvement workshop reviewing the infrastructure improvements together.
- Guiding principles were adopted by the advisory committees to guide the outcome of the planning process and provide measures to evaluate the draft plans. Tigard staff participated as members of the Technical Advisory Committee (TAC) and Beaverton staff participated on the River Terrace TAC.

- Public involvement included the CAC, TAC, Public Open Houses, Visioning Workshop, meeting with CPOs, online open houses, workshops and surveys, Tualatin River Watershed Council, Neighborhood meetings, City Council meetings, Planning Commission meetings, press releases, news articles and project website.
- Both cities' staff and consultants worked together on the commercial needs analysis performed for each of the projects.
- Transportation frameworks are being reviewed for best arterial and connector routes.
- Bicycle and pedestrian network has an opportunity to connect the River Terrace Trail to the Tonquin Trail in the South Cooper Mountain area. Coordination of funding opportunities to further refine the planning of the trail connections, especially safe crossings at Scholls Ferry Road, would be advantageous to both projects.
- Natural resource protection and enhancement would be coordinated between the two projects in areas where they meet.
- Summary of the coordinated opportunities included: transportation needs, sanitary sewer, stormwater management, natural resource protection, trails, commercial area planning, future fire station and future transit.

River Terrace

- A pump station was being built on the boundary of River Terrace and south of South Cooper Mountain. Clean Water Services (CWS) was the service provider and would build a nine-million-gallons per day pump station. CWS would build the cement slab so as to allow expansion of the pump station in the future as needed for development.
- Staff and Councils shared transportation concerns for already over-used roads and need to talk with Washington County regarding arterial improvements needed in the two areas. Five lanes were proposed for Roy Rogers Road; 175th Avenue would be five lanes from the intersection at Scholls Ferry Road to the urban growth boundary line and then it would taper to three lanes.
- There is a great opportunity for the trail system to flow from River Terrace to the South Cooper Mountain area and provide a good commuter trail for pedestrians and bikes.
- Stormwater management infrastructure was challenging for both cities and they would need to have joint discussions and coordination as plans develop.
- Both commercial areas were designed to serve the neighborhoods in which they were located and not compete with each other or the regional centers.
- Shared providers are coordinating with both cities as development progresses.
- Shared governance with Metro on decisions about urban reserve areas.

Tigard Councilor Buehner asked if there were any proposed plans for a crossing at Scholls Ferry Road, west of Roy Rogers, for the new high school.

Ms. Sutton said Beaverton has talked with the school district to closely coordinate the crossing issues when the community plan begins to develop.

Tigard Mayor Cook said a coordinated effort from Beaverton and Tigard, including the Beaverton School District, was needed to keep the new high school in the South Cooper Mountain area.

Mayor Doyle said he had not heard from the Beaverton School District that the new high school would be in a different area.

Tigard Councilor Buehner said these areas would need elementary schools.

Ms. Sutton explained the Beaverton annexation area was served by the Beaverton School District (BSD) and Hillsboro School District (HSD). She said the BSD has tentative plans for a K-8 school with potential sites selected.

Councilor San Soucie thanked staff for their presentations to help in understanding the broader issues. He added including the County in the shared governance was important because it was a big player in decisions made about Roy Rogers Road, Scholls Ferry Road and many of the facilities in the development. Also, the two cities could present to the County a joint position on the cities' priorities for roads and facilities as the County was updating its Transportation System Plan (TSP).

Ms. Shank said in addition to the roads on the County TSP, Tigard was providing a list of projects and funding needs to the County.

Councilor San Soucie said that Metro/Federal MTIP was one funding source but the MSTIP funding from the County was the larger fund. He said in the near future the County needed to step up its work on intelligent traffic signals and traffic signal management for Scholls Ferry Road and make this a priority. He said the Tile Flat Road arterial concept and the 175th Avenue connection to 185th Avenue was essential because the north side of 175th was an unsolvable problem and could not handle a five-lane road.

Tigard Councilor Marc Woodard asked Ms. Shank if the Tigard staff and TAC had discussed Tile Flat Road being a potential connection to Bull Mountain Road. His concern was the current capacity of Bull Mountain Road and the effects to Bull Mountain Road and surrounding roads once River Terrace was developed. He said the planning on the trail system was well thought out and would allow people to get around well on the trails.

Ms. Shank said the intention was to not use Bull Mountain; instead people would drive to Roy Rogers, without having to go through the intersection at Scholls Ferry Road, and then turn right and continue south. The data does need to be analyzed for better understanding, but it was definitely on everyone's radar.

Tigard Councilor Buehner explained when the County planned the new intersection of Bull Mountain and Roshack Road the intent was to downgrade Bull Mountain Road to a more local street. She suggested the staff discuss this with the County to see how this would work, particularly with the bad corners on that road, or if it may need to be rerouted.

Mayor Doyle said once the Council, staff and Planning Commission have made its decision on that area they would bring it before the County as the final decision.

Councilor Fagin said he was glad both cities were working together. He asked if further direction was needed from the Council for better coordination between staff. He wanted to ensure they coordinated efforts fully on funding issues; that transit funding with TriMet was coordinated with both cities; that they work with CWS to plan the best wastewater scenarios for these communities and that the pump station serves both communities. He stressed the regional approach to stormwater management was critical. He wanted to see Tile Flat

Road connected but understood there were potential problems to be addressed. He said the goal was to have safe transit throughout the area.

Tigard Mayor Cook thanked staff for working together. He suggested adding the school districts to the shared providers list to bring more voices to the table which would result in better projects.

Mayor Doyle thanked staff and all the elected officials, adding there was nothing better than open communication for enhancing the projects.

Tigard Councilor Henderson said his issues focused on transportation, parks and recreation for these areas, with the high school and wetland being good amenities. He thanked staff for raising the questions and for helping the community understand the work underway.

Councilor Arnold asked when the River Terrace Plan would begin development and if the infrastructure could be built at the same time as roads. She asked if there was concern regarding the cost of infrastructure for both projects.

Ms. Shank said development could possibly begin within the next two years but first utilities have to be put in, including the CWS pump stations in the north and south. Infrastructure and road design work would be coordinated as development progresses. It was a complex dance of responding, reacting and coordinating. She said both projects were diligent in getting a financial structure in place to know what needs to be done, how can it be accomplished, and what can be accomplished in the zero-to-five-year plan and further out. Anticipating where development happens first plays a role in determining what infrastructure would be needed.

Ms. Sutton said an early funding analysis was done for South Cooper Mountain to help inform the selection of the final preferred scenario. The System Development Charges (SDC) would cover the cost of water, sewer, and parks (through Tualatin Hills Parks and Recreation District). Stormwater management requires more work on funding because of the regional aspect, and transportation improvements were the biggest cost. Improvements were occurring now with the County widening Scholls Ferry Road to five lanes (from Teal to a little west of the intersection of 175th Avenue/Roy Rogers Road). The high school site can be served by the sewer and water line upgrades currently being installed in the five-lane expansion. Phasing of development would be tied to infrastructure financing availability. She said development in South Cooper Mountain could begin within three to five years; mainly in the eastern section where services were currently available.

Tigard Councilor Snider said the coordination has been great between the two cities and it made him proud to live in this area.

Councilor King said the right questions were being asked for the north/south connections and to the west. He was apprehensive regarding Scholls Ferry Road to the east and how it would impact an already challenged corridor. He wanted this area kept on the radar as development moved forward.

Tigard Mayor Cook said the cooperation of Washington County, Tigard and Beaverton on Scholls Ferry Road regarding an intergovernmental agreement has worked well.

14044 Introduction of the Idea of a Co-sponsored Beaverton/Tigard Enterprise Zone

Tigard Economic Development Manager Lloyd Purdy and Beaverton Economic Development Manager Alma Flores introduced the idea of a co-sponsored Beaverton/Tigard Enterprise Zone (E-Zone). Mr. Purdy said the City of Tigard has a three-point economic strategy that ties in with having a co-sponsored E-Zone with Beaverton. Tigard's City Council chose to look into an inclusive E-Zone and either apply for its own E-Zone through the state or collaborate with Beaverton. A co-sponsored E-Zone would meet all the state's criteria.

Ms. Flores said she was happy to be working with Tigard on this E-Zone possibility that could provide a win-win situation for both cities. From a regional, economic standpoint this development was needed to help the cities work together to meet the needs of the business communities. A co-sponsorship currently exists with Washington County and the Tigard co-sponsorship would be additional.

Mayor Doyle said the co-sponsorship makes a lot of sense and was well worth the effort.

Councilor San Soucie said it was an excellent idea. He asked if the decision-making process for co-sponsorships was determined entirely by the jurisdiction in which the property was located or if another rule applied.

Ms. Flores said because the City of Beaverton was the sponsor of the E-Zone, Beaverton would be the administrative body for the co-sponsorship and extend the tool to Tigard.

Councilor Arnold asked where would the E-Zone be located and what makes this a cooperative effort versus doing it separately.

Ms. Flores noted a map distributed earlier that showed the boundaries, though it was not a joint map yet. The E-Zone requirements would continue to be the same as the Beaverton's requirements. Cooperation comes with Beaverton handling the applications, and then joint marketing and outreach.

Tigard Councilor Snider said the joint marketing was advantageous as the areas should not be competing against one another for business; rather they need to work together and the competition should be other states (Arizona, California). He added the region was a huge web of interconnectivity and it was not advantageous to think in units or by cities.

Councilor King said there was a cooperative nature in the region because where people live, work and shop can cross over to the different cities and bring about mutual benefits.

Councilor Fagin said it was good that Tigard was leaving the E-Zone spot open for another city by co-sponsoring with Beaverton. He confirmed with staff that Beaverton would retain the application and service fees as compensation for administering applications, etc., for both cities.

Tigard Councilor Woodard agreed it did not matter where the business was located because the dollars and development stay in the area--the economics continue. He asked for the timeline for the application and which agencies provide the applications.

Mr. Purdy said Business Oregon, the State's economic development agency, controls the E-Zones and if a new E-Zone was being applied for the application would be due April 11, 2014. Doing a co-sponsorship with Beaverton removes the time crunch barrier for Tigard and allows time for a co-sponsorship application. He said E-Zones were a great program for growing an existing business and occasionally a business from out of the area would relocate into an E-Zone. He said the E-Zone was for growing existing businesses, but the tax abatement was on the new investment tied to new employment.

Mayor Doyle stated the consensus of the Councils was approval of pursuing a co-sponsored E-Zone.

ROUND TABLE BRIEFING FOR BEAVERTON CITY COUNCIL

Water Supply Discussion

Public Works Director Peter Arellano and Principal Engineer Dave Winship reviewed general information on the City's water supply for the Council. Highlights from the presentation were:

- Beaverton serves 70,000 residents and the water system was configured to serve 90,000 residents without making any substantial changes to the system.
- The system was sized to deliver 19 million gallons day (MGD) during the summer, compared to 12 MGD used during a summer peak day. Limiting factor: 14 MGD capacity limit on the transmission line and a five MGD limit on the ASR system.
- The system was set up to deliver 12 million gallons a day in the winter, with an average day being six MGD. Limiting factor: Water plant capacity was de-rated due to poor water quality in the Tualatin River.
- Reliability and redundancy are the reasons not to push the system to serve 90,000 residents due to the earthquake susceptibility of Scoggins Dam, the treatment plant and the intake system for the treatment plant.
- Best case scenario in event of an earthquake: City (using ground water wells and ASR wells) could deliver about five MGD for about a year. After that the regional partners would be relied upon for supply.
- Worst case scenario in event of an earthquake: Would be relying on ground water at three MGD plus any water from the regional partners.
- Current standings and projects in the near future: ASR wells currently have the capacity for five MGD during the summer, with a license of up to eight MGD; a new ASR well would be built at the Sorrento site that would pump two MGD; an additional five MGD could be added due to the City's share of the Joint Water Commission's (JWC) ASR license; storage tanks hold 28 million gallons; on Cooper Mountain a five million gallon reservoir would be built; a ten million gallon reservoir would be built on the Dernbach property; currently the transmission was at 14 MGD and could increase to 22 MGD through a combination of purchasing existing capacity in the JWC transmission line and building a parallel transmission line or upsizing the transmission line or pumping to create short-term increases in available water.
- Service needs: 20,000 people are expected to be added to Beaverton due to Area 6b and the urban reserves; there was the potential to serve a larger portion of the City's population if the existing providers were not able to provide the flow needed for redevelopment.

- To address these needs the recommendation was to go to the Willamette River with partners Tualatin Valley Water District (TVWD) and Hillsboro. To date, \$100,000 was pledged to assist in the initial planning and to begin project design work. A draft application was in process to the State Water Resource Department for water rights on the Willamette River and would be submitted as soon as possible to establish a priority date on potential rights. An administrative hold on the application would be recommended after receiving the rights so they could continue to negotiate a governance agreement with the Willamette River partners and potentially discuss opportunities to use some of the partners' water rights. The costs for the Willamette River project would be \$11 million per MGD and that would serve 5,000 residents during peak summer flow and more residents during winter. Construction could begin within a year and anticipated water delivery from the Willamette River would be 2026.
- The advantages of getting water from the Willamette River included: the Army Corp dams were less susceptible to a large earthquake event and further away from the Cascadia subduction zone, the water supply was more reliable, the Willamette River would provide redundancy for the treatment plant and be built to be more seismically reliable, would provide redundancy for the transmission line, was more cost effective than raising Scoggins Dam and provides a more certain timeline.

Mr. Winship added the design process for the Willamette River would take another year before there was a useful schedule and better costs to present to the Council. The Scoggins Dam design from the Bureau of Reclamation may take five years and funding would be problematic. The whole process for the Scoggins Dam could be five to ten years.

Councilor King said having another source that was reliable in the case of an emergency situation was necessary. The Willamette River solution was sound from the standpoints of long term planning for water volume and community preparedness.

Councilor San Soucie said a year ago Kevin Hanway from the JWC and the director of the Hillsboro water department spoke before Council about the study Hillsboro and TVWD had done. The study concluded the Willamette River was the right water source strategy economically, and for redundancy and emergency preparedness. He agreed with the study and supported the reliable source of the Willamette River.

Councilor Fagin asked that the supply side, service area and number of people served be well evaluated so that supply and demand were met. He supported the Willamette River project.

Councilor Arnold asked what the boundaries would look like between the service areas of Beaverton and TVWD. She confirmed raising the Scoggin Dam was off the table.

Mr. Arellano said the potential service areas needed to be jointly planned between Beaverton and TVWD.

Mr. Winship said only Beaverton and Clean Water Services (CWS) were left to work with Scoggins Dam. They were looking at a short raise of about 12 feet, if it can be worked out with the Bureau of Reclamation with the seismic retrofit.

Mr. Arellano said the short raise does not address the fill reliability which could make it worse.

Councilor Arnold confirmed the financing of the Willamette River project would come from revenue bonds.

Finance Director Patrick O'Claire said generally each \$1 million borrowed costs about 2.5 cents in the water rate to cover \$1 million of debt service over 20 years. The total for \$11 million debts service would be 27.5 cents increase to the water rate per one unit. Currently City of Beaverton residents are paying \$2.77 per unit of water.

Councilor San Soucie said it would be appropriate to have a Council work session when they were ready to look at financing the Willamette River project.

Mayor Doyle said the Willamette River project was more predictable than waiting for funding for Scoggins Dam. He wanted to see what other communities were doing now to prepare for their larger share, so Beaverton would know where it stands in the region.

Councilor King said Scoggin Dam can be an option down the road, but the Willamette River project was good for the present. The City needs to consider future generations as the decisions are made for long term planning.

Emergency Management

Emergency Manager Mike Mumaw updated the Council on emergency management within the City. He said the snow response for this year was well coordinated and had a proactive stance from the Public Works Department, Police Department and the CERT volunteers. He brought up the following items to discuss with Council:

- The roles and participation of the Council in an event.
- Policy decisions needed to be made by Council in larger events.
- State of emergency or disaster declarations by the Mayor with Council involvement within 24 hours.
- Code can be changed to allow more than 24 hours for the Council to convene and define in the code what the convening could be, whether in person or by other means of communication.
- Discussion about the line of succession during a disaster--whether to have a policy line and a line for handling leadership of the operation.

Councilors discussed the importance of a quorum during an emergency or disaster; and decided the importance was having a contingency plan that lapses within a defined period of time so the right declarations can be made as needed. It was important to put a good policy in place that protects citizens and the City now and into the future.

City Attorney Bill Kirby said through an ordinance the Mayor could declare an emergency or disaster with Councilors convening within 24 or 72 hours to ratify the declaration. The ordinance would allow the Mayor to renew the declaration if Council cannot get together.

Mayor Doyle said if Councilors cannot convene for a quorum there needs to be a trust in staff for they understand the plan, make sure the plan is followed and needed actions are taken.

Mr. Mumaw said the policies were needed when curfews and restrictions were enacted. If the policies are in place for these situations, when people are arrested for violations and choose to challenge the arrest, there are protocols to follow.

Council was in consensus with having two lines of succession; one for policy and one for operation leadership.

COUNCIL NEW BUSINESS/COUNCIL AND MAYOR DISCUSSION

There was no Council new business or Mayor discussion.

ADJOURNMENT

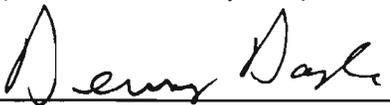
There being no further business to come before the Council at this time, the meeting was adjourned at 9:38 p.m.



Catherine Jansen, City Recorder

Approval:

Approved this 1st day of April, 2014.



Denny Doyle, Mayor