



## FINAL AGENDA

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

REGULAR MEETING  
SEPTEMBER 19, 2005  
6:30 P.M.

CALL TO ORDER:

ROLL CALL:

PROCLAMATIONS:

Constitution Week: September 17 – 23, 2005

PRESENTATIONS:

05169 Washington County Historical Society and Museum Presentation

05170 Building Division Business Process Report

VISITOR COMMENT PERIOD:

COUNCIL ITEMS:

STAFF ITEMS:

CONSENT AGENDA:

Minutes for the Regular Meeting of September 12, 2005

05171 A Resolution of Intent to Condemn Property Located at 12750 SW Farmington Road, Beaverton, Washington County, Oregon for Public Use (Resolution No. 3831)

05172 Intergovernmental Agreement Between TriMet and the City of Portland for Transit Policing

Contract Review Board:

05173 Revised Bid Award - Bel Aire Storm Drain and Sanitary Sewer Improvements, Project No. 8049

ORDINANCES:

Second Reading:

- 05164 TA 2005-0001 (2005 Omnibus) (Ordinance No. 4365)
- 05165 An Ordinance Relating to the Emergency Management Code, Amending Beaverton Code Section 2.01.020 (Ordinance No. 4366)
- 05166 An Ordinance Annexing One Parcel Located at 11915 Walker Road to the City of Beaverton: Annexation 2005-0007 (Ordinance No. 4367)
- 05167 An Ordinance Amending Beaverton City Code Chapter 5 by Adding Provisions Memorializing the City of Beaverton Police Department and Establishing the Department within the City Code (Ordinance No.4368)

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**, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

**WHEREAS**, September 17, 2004 marks the two hundred eighteenth anniversary of the drafting of the Constitution of the United States of America by the Constitution Convention; and

**WHEREAS**, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebration which will commemorate the occasion; and

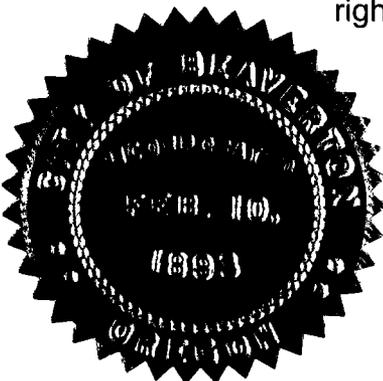
**WHEREAS**, it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all encroachment; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 - 23 as Constitution Week; and

**NOW, THEREFORE**, I, Rob Drake, Mayor, City of Beaverton, Oregon, do hereby proclaim September 17 - 23, 2005 as:

### CONSTITUTION WEEK

in the City of Beaverton and ask citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.



Rob Drake  
Mayor

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** Washington County Historical Society  
And Museum Presentation

**FOR AGENDA OF:** 09-19-2005 **BILL NO:** 05169

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Mayor's

**DATE SUBMITTED:** 09-09-2005

**CLEARANCES:** None

**PROCEEDING:** Presentation

**EXHIBITS:** Resources to Benefit Community

**BUDGET IMPACT**

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

The Washington County Historical Society and Museum is the official historian of Washington County and provides the community a good home for treasured artifacts. The Museum Research Library Services assists city and county government with local history research and archival services and provides for citizens, businesses and other researchers seeking information for genealogy, property, and local community research. The Museum provides traveling exhibits and History Education Programs throughout the county.

**INFORMATION FOR CONSIDERATION:**

Washington County Historical Society is a private 501(c)3 non-profit organization. Executive Director Mark Granlund will present information on the background and current operating status of the Historical Society and Museum.

**RECOMMENDED ACTION:**

Please listen to the presentation and ask questions.

## ***Resources and Services to Benefit Your Local Community:***

- **Public Access to History** - WCHS believes that learning about the rich history of Washington County should not be limited to those who can afford access to the information. The Museum subsidizes the costs of its programs and services to your local citizens, schools, seniors, and families, and keeps its admission, program and research fees to a minimum.
- **Preservation of History** – WCHS is the official historian of Washington County and provides your city, citizens, businesses and institutions with a good home for their treasured artifacts. WCHS’s professional curatorial staff and environmentally controlled, secure and fire safe storage areas assure that these priceless artifacts will be preserved.
- **Community Partnerships** - The Museum assists city and county government with local history research and archival services, hosts the Washington County History Roundtable, and provides services to Roundtable members, including local city history societies, cemetery preservation groups and the archaeological society.
- **Research Library Services** - The Museum’s extensive research library and archives are used daily by local citizens and businesses, public agencies, seniors, schools, and other researchers seeking local information for genealogy, property, and local community research. The library provides over 20,000 photographic images, maps going back to the original land claims, local newspapers on microfiche going back to the 1890’s, school and cemetery records, and much more.
- **History Education Programs** - The Museum serves as a school “without walls” and leverages its educational resources to serve as a primary resource for children and teachers in every school district in the county. The flagship *Mobile Museum* now serves 10,000 1<sup>st</sup>-8<sup>th</sup> graders through discovery-based learning at their school, and *Scout Saturdays* educates over 700 Boy & Girl Scouts each year. The Museum’s monthly *Crossroads Lecture Series* is attended by 500 adults annually and provides presentations by regional experts on a variety of interesting history topics.
- **The Washington County Collection of Artifacts and Washington County Archives** - As the official county depository for historical artifacts, the Museum’s collection of over 40,000 artifacts documents the history of your cities and the county. The collection holds over 1,000 priceless artifacts from the area’s first residents (American Indians), objects and tools from early pioneers, fur trappers, loggers and settlers, textiles, over 20,000 photographs dating as far back as the mid 1800s, and the papers of Joseph Meek, Oregon’s first US Marshal, who helped form Oregon Territory’s Provisional Government in 1844.
- **Traveling Exhibits** - The Museum’s traveling exhibits bring objects to life so that your residents can learn from and cherish the riches of the past, both at the Museum and in communities throughout the county. The Old County Log Jail, built in 1853, has been restored for display in the exhibit hall and is supported by the exhibit *Doing Time: Then and Now*. Over 500,000 people have viewed the *Silicon Forest Exhibit* at the Museum and as it traveled to Washington Square and many other public venues. Our latest exhibit, *Whipsaws to Chainsaws: History of Logging and Timber in Washington County*, was featured at the County Fair and will now travel to retail malls, public buildings, and educational institutions.
- **Leadership** - We have an exemplary Board of Directors and Stewards representing all facets of county life, and an excellent professional staff dedicated to serving your residents. Over 100 dedicated volunteers provide research and conservation support.
- **Fiscal Responsibility** – WCHS is a private 501(c)3 non-profit organization. We have an excellent track record of using each dollar wisely, and of leveraging public support with private donations.



**Mark Granlund**  
Executive Director

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**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** Building Division Business Process Report      **FOR AGENDA OF** 9-19-05      **BILL NO:** 05170

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CDD BCR

**DATE SUBMITTED:** 9-12-05

**CLEARANCES:**

**PROCEEDING:** Presentation

**EXHIBITS:** Building Services Division Progress Report on Process Improvements

**BUDGET IMPACT**

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

**HISTORICAL PERSPECTIVE:**

The Building Services Division (Division) provides State Building Code administration, plans review, and inspection services to a diverse group of developers and the public. The Division must balance the needs of this group for expeditious and innovative service while maintaining compliance to applicable state and local development rules. The development community and the public's needs are ever changing, and it is necessary for the Division to evaluate its business processes from time to time in order to maintain a high level of customer service.

**INFORMATION FOR CONSIDERATION:**

In order to maintain a high quality level of service, the Division, in concert with other divisions in the Community Development Department, began a business process study in August of 2003 to evaluate its service to the development community and public (customers) in order to better understand the evolving needs of its customers. The process included interviews with customers on how the Division's business processes could better serve their needs. From this information, the Division was able to evaluate their needs, formulate a response, and in most cases, implement the solutions identified in the study. The Building Official desires to provide a brief overview of this business process study, which is outlined in more detail in the attached report.

**RECOMMENDED ACTION:**

Presentation. No action requested.



**Building Services Division**

**Progress Report on Process  
Improvements  
2003-Present**

**Community  
Development  
Department  
Beaverton, Oregon**

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# Introduction & Overview

The City's goals include assuring a safe and healthy community, while providing responsive, cost effective service. To be effective in achieving these goals, the Building Division must respond to the changing needs of our customers. We must be skilled in customer service and able to react in a positive manner.



Through Legislative actions and direct customer feedback, the development community has articulated its needs. The Building Division, working with regional groups, has acknowledged these needs and improved business processes. In 2003, customers<sup>1</sup> responded to surveys and attended discussion sessions to describe specific service changes they would recommend. The Building Division evaluated their comments and defined a set of improvement objectives. Many of the changes have already been tested and put into practice. Others are reflected in the recommendations within this progress report. In addition, the Division has defined possible changes for the mid- and longer-range future.

**Results from 2003-04 interviews & surveys were favorable overall.** A diverse cross section of customers answered several written and interview questions. Appendix A provides a complete summary of written, individual, and focus group comments. Results from external customers are similar to those obtained daily through the Mayor's comments cards. Appendix B shows results for the eight service questions on the cards. On the next page is a summary of the tabulated results. Bar graphs show the distribution of responses for each question.

*The Division's  
report card from  
Customers is an*

**A**-average

Despite relative satisfaction with service, customers had many ideas for improvements that we found helpful. In addition, staff from CDD, other departments and agencies took part in interviews and discussions on potential improvements (See Appendix C for results). We have sorted the concerns of both external and internal customers based on the level of control the Division has over execution.

**Category "A"** responses are those within the complete control of the Division to implement.

**Category "B"** responses include the need for coordination with other divisions or departments.

**Category "C"** includes those changes that require decisions and support by CDD administration and the Mayor's Office.

Staff have already implemented the majority of the A and B improvements described in the following pages. These improvements require ongoing review and fine-tuning, within a continuous improvement program. A smaller number of improvements require budget or policy decisions before implementation can begin. The staff will review these recommendations with the Mayor to define next steps for these areas.

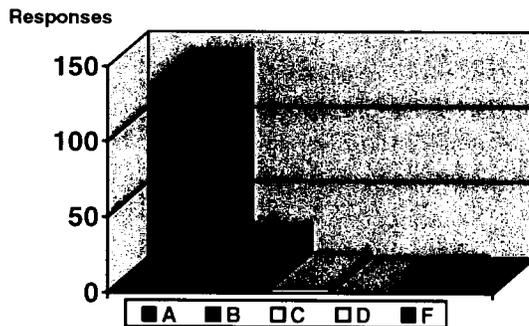
<sup>1</sup> External customers include Builders, Developers, Architects, Engineers, and the Public. Other, "unknown" customers are the current and future owners and users of buildings within the City. Part of our role involves balancing the needs of current customers with consideration for the safety and welfare of future customers.

# Summary of Ongoing Customer Service Ratings

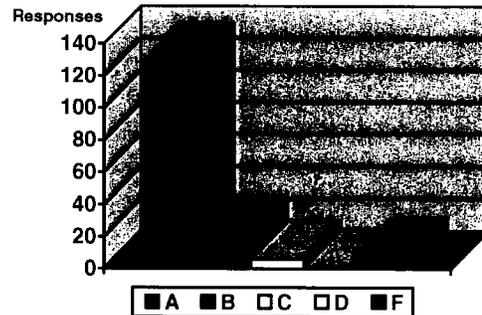
## (Mayor's Yellow Cards)

Service Goal	# of Responses					Tot.	Average "grade"	
	A	B	C	D	F			
Courtesy	138	22	3	0	1	164	95% <sup>2</sup>	A
Timeliness	129	21	6	1	8	165	89%	B
Accurate Information	130	24	6	3	2	165	92%	A
Expectations met	132	17	3	4	7	163	89%	B
Quick problem solving	125	20	2	3	8	158	89%	B
Attitude	142	13	5	1	2	163	95%	A
Professionalism	142	13	4	1	3	163	95%	A
Overall Satisfaction	131	18	2	4	7	162	89%	B
Average								

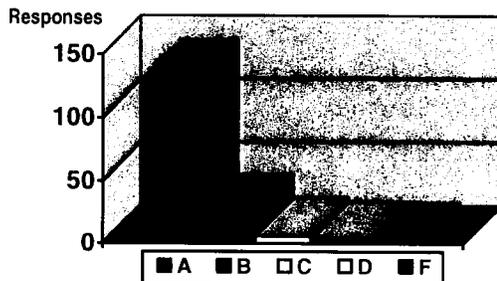
Were You Treated Courteously?



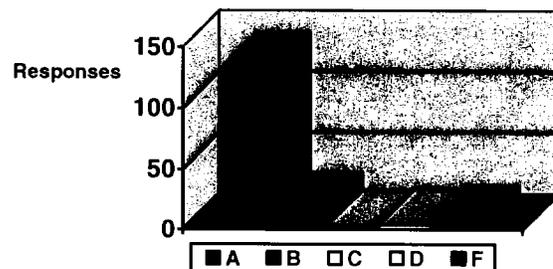
Needs Met in a Timely Manner?



Received Accurate Information?



Were Service Expectations Met?



<sup>2</sup> This figure represents the percentage of total "points" granted by customers, out of the maximum possible if all customers gave an "A" rating on this question. Scale: 90%+ = A (excellent); 80+ = B (very good).

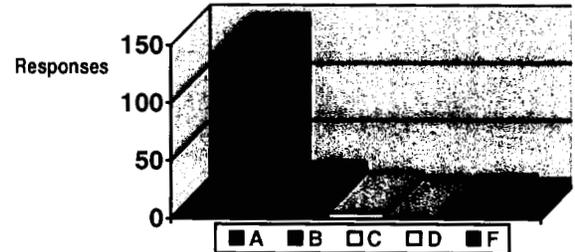
(Mayor's "yellow cards:" 2001-2004)

Summary of Ongoing Customer Service Ratings (cont.)

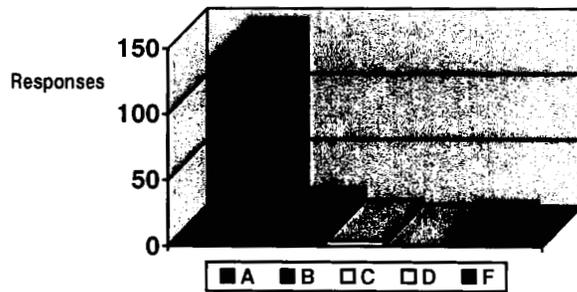
Quick & Effective Problem Solving?



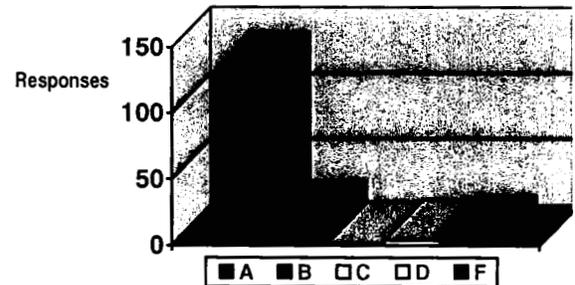
Attitude of Staff?



Level of Professionalism of Staff?



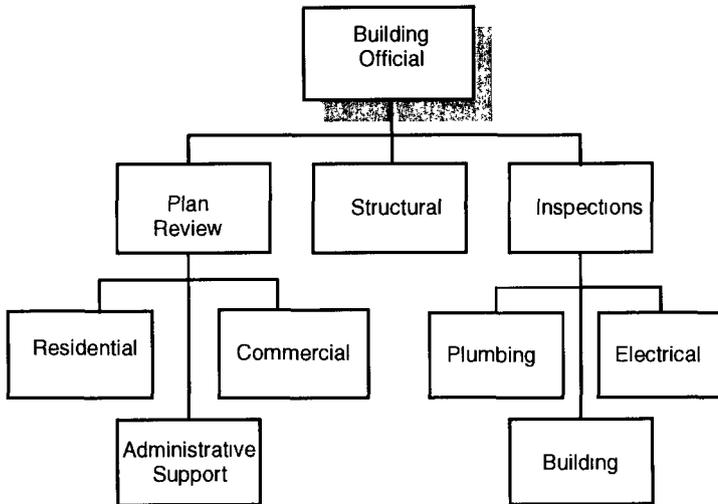
Overall Satisfaction with Services?



# Building Division Services, Stakeholders, & Priorities

## CDD

### Building Services Division



## Stakeholders

- Owners
- General Contractors
- Sub-contractors
- The Community
- Tri-County Consortium
- Building Services staff
- Development Services Division
- Site Development Division
- Finance Department
- Fire Department

## Priority Customer Needs

- Consistent & reasonable code interpretation/approvals.
- Simplified processes.
- Improved problem solving.
- Customer Service, access & efficiency of staff.
- Greater use of information technology / web access.
- Opportunity to *discuss* process improvement ideas with staff.
- Health, safety, and welfare of owners and users of buildings.

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# Summary of Improvement Work

## Improvement Goals

- Increase client satisfaction with Building Division services.
- Seek ongoing client suggestions for improvements.
- Improve cycle times on plan review and inspection.
- Ensure consistency with the Tri-County Consortium<sup>3</sup>.
- Increase staff skills in client contact and problem solving
- Provide effective written materials for new customers.
- Increase options for online process and project access.
- Educate the community about our role and services.

## Improvement Progress

Our overall goal is to balance careful regulatory service with efficiency and responsiveness. Over the past several months, the Division has implemented changes to improve consistency and efficiency. Some changes have involved streamlining of processes, steps, or procedures. Others have focused on customer service, access to information, and opportunity for problem solving. In follow up meetings, customers have confirmed that these are the correct priorities.

Staff have implemented many of the recommended improvements (see chart, next page). Other changes are still in a testing phase while we gather performance feedback to date. The staff will discuss implementation progress with the CDD Director and the Mayor. Implementation of a few details on a few of the recommendations will require their policy input. Otherwise, the changes are all underway.

## Future Opportunities

Customers have emphasized very clearly their strong interest in expanded options for web-based services (See Section IV). Many of these require the expanded capabilities of the new system that we are in the process of acquiring

## Each Process Improvement outlines:

1. The customers' feedback.
2. The Staff's feedback / analysis (as applicable)
3. Criteria for an effective solution.
4. Recommendations
5. Implementation
6. Follow up (as applicable)

<sup>3</sup> The Tri-County Consortium includes most Building Officials within the Tri-county area. They meet on a regular basis and share an email tree for discussion of code interpretations, processes and applications. The goal is to agree upon and promote consistency in building code enforcement in the region.

# Implementation Schedule

	Action		Implementation Date	Monitoring <sup>4</sup>
<b>I. Plan Review &amp; Inspection</b>	A-1. Delegate more decisions to inspection staff. (I)	A	Spring 2003--ongoing	Ongoing review in staff meetings, customer survey feedback; end of project review.
	2. Use Tri-county Process to ensure code consistency. (I)	A	2001—ongoing	Ongoing review in staff meetings, customer survey feedback; end of project review.
	B-1. Improve problem solving between Building Division sections. (I)	A	Spring 2003	Ongoing review of turnaround time; customer surveys; end of project review.
	2. Resolve code differences within staff. (I)	A	Spring 2004	Ongoing review; customer surveys.
	C-1. Set customer communications standards. (I)	A/B	Fall 2004—testing	Periodic review by Plan Review & support staff; Customer surveys; end of project review.
	2. Use formatted plan review letter. (I)	A/B	Fall 2004—testing	Review by Plan review & support staff; Customer surveys.
	3. Improve efficiency of permitting process. (S)	A	Spring 2003--ongoing	Periodic customer surveys on turnaround time; staff measures of turnaround time.
	3. Use phased & deferred submittal process. (I)	B	Spring 2003—testing	Ongoing review in staff meetings & customer surveys; end of project review.

Legend: I = Implemented (including testing & continuous improvement; O = Ongoing; S= Scheduled; RA=Requires Approval.

<sup>4</sup> Ongoing review: Implementation tasks with this designation will be reviewed in the context of weekly staff meetings, as needed.

Periodic review: This includes quarterly meetings with staff from other divisions, to review coordination issues, an annual customer survey, and end of project discussion with customer.

	<b>Action</b>		<b>Implementation Dat</b>	<b>Monitoring</b>
<b>II. Service Responsiv n ss &amp; Int r- Divisional Probl m solving</b>	<b>A-1.</b> Improve communication of project information; Create plan review consultation form. (O)	A/B	Summer 2003	Periodic review meeting between divisions.
	<b>B. 1.</b> Provide direct customer access to inspectors. (I)	A	Spring 2004	Periodic customer surveys; end of project review
	<b>2.</b> Empower staff to greater degree of decision-making. (O)	A/C	Summer 2003-ongoing.	Ongoing staff discussions, surveys.
	<b>3.</b> Redirect customer complaints to staff. (RA)	A/C	Ongoing	Ongoing--staff discussion, surveys.
	<b>C-1.</b> Provide process flow charts to customers. (S)	A	Winter 2005	Periodic customer surveys.
	<b>2.</b> Consider project coordinator (cross-division) role. (RA)	B/C	[Requires approval.]	N / A
	<b>3.</b> Consistent format & timing on non-CDD review letters.	B	Spring 2005	Periodic customer surveys.
	<b>4.</b> Utilize computer for tracking assignments & projects (S)	B	Web- 2003 (see section 4 for new system)	
	<b>5.</b> Make work schedules available to staff. (I)	A	Summer 2004	Ongoing staff review.
	<b>D-1.</b> Hire additional staff. (O)	B/C	Spring 2004	
<b>2.</b> Distribute workload evenly; ensure back up (O)	B/C	Ongoing		
<b>III. Communication Forums, Education</b>	<b>A-1.</b> Send out survey with Certificate of Occupancy. (S)	B	Spring 2005	
	<b>2.</b> Encourage clients to attend "project close-out meeting.(S)	B	Summer 2005	
	<b>B-1.</b> Contribute to "Your City" Newsletter (O)	A/B	Ongoing	Ongoing staff review.
	<b>2.</b> Present information to public. (O)	A/B	Ongoing	Ongoing staff review.
	<b>C.1-3.</b> Engage Division & Department "continuous improvement" discussions. (S)	B	Ongoing	Ongoing staff review.

(For improvements associated with acquisition of a new information system, please see Section IV, "Future Improvements.")

# I. Plan Review & Inspection

## A. "Reasonable" Code Interpretation (level of enforcement)

The City of Beaverton's Building Division has had a strong reputation for careful code enforcement. For the past three years, the Division has been an active member of the Tri-County Code Forum. This association helps us ensure that our code interpretations are consistent with those of other jurisdictions.



### Customer Feedback

When we were surveyed clients in 2003, a primary concern was that more "reason" be used in Code interpretation. Meeting the *intent* of the code (fire and life safety) means that there is more than one solution. Historically, Beaverton's code interpretation has been taken to the furthest extent by most staff. Customers reported that other jurisdictions would waive small issues that Beaverton would push. Clients experienced frustrations with time delays as a result, and requested that staff:

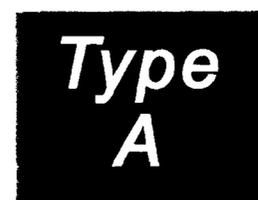
1. Consider their expertise and reputation when suggesting additional proof, re-submittals, etc.
2. Consider the criticality of an issue / situation when deciding about how to proceed.

Criteria for a good solution--*an effective approach to code interpretation will:*

- Empower inspection staff to make more field decisions.
- Empower all inspectors in finding quickly the minimum acceptable level of code enforcement.

### Recommendations

1. Delegate more decisions to inspection staff (I)
2. Use Tri-County Jurisdictional e-mail system (I)



### Implementation

#### 1. Empower Inspection Staff

Inspectors are allowing minor revisions to approved plans in the field. This practice removes the need for contractors to resubmit plans. This is a major time-saver for everyone. The contractor's job is not delayed; the inspector does not need to make a return inspection. Plans examiners do not need to deal with simple changes to the original plan.

## 2. Use Tri-County Process



the code. In addition, we accept the outcomes of the ongoing Tri-County Code Forums.

The Division fully embraces the ideal of consistency, both among jurisdictions and between internal staff. Occasionally, a customer will say, "we do not have to do that in other review our practice. Through the Forum's e-mail response system, we verify what other jurisdictions are doing on this issue. If most agree with the customer, we accept that as a sound interpretation / application of

### **B. Consistent code interpretation (between Staff)**

#### **Customer Feedback**

Some clients told us that they had experienced some degree of inconsistency between staff on code interpretations. For example, a second reviewer might identify several new issues that the first reviewer did not see. Similarly, inspectors have sometimes required something different than what shows on the approved, stamped plans.

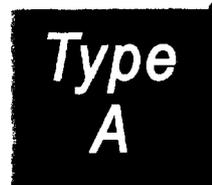
Customers felt that plans examiners and inspectors needed better communications to prevent these incidents. The earlier in the process that staff can identify issues, the fewer cost impacts there are for the client.

#### **Employee Feedback**

Employees appreciate why consistent code interpretation from staff is a top priority for customers. Late identification of issues has costs for all parties. Employees acknowledged that some internal issues had led to some degree of inconsistency in interpretations. Organizational changes since the time of the interviews and surveys have removed most of this problem. Another element that introduces some degree of inconsistency is the occasional need to use third party reviewers. In both cases, both staff and managers agree that excellent communication can prevent problems.

#### **Recommendations**

1. Senior Staff will create a positive team environment for inter-group planning and problem solving. (I)<sup>5</sup>
2. Staff will use the Tri-County code email system as a resource to resolve differences. (I).
3. Use Phased and Deferred Submittal Processes (I).



<sup>5</sup> Legend: I = Implemented (including testing & continuous improvement; O = Ongoing; S= Scheduled; RA=Requires Approval.

## Implementation

### 1. Establish & Maintain Effective Inter-group Problem Solving

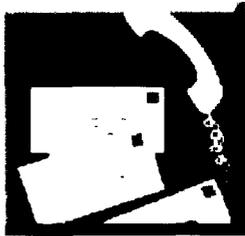
Senior staff members are meeting regularly to discuss code and other issues that require consistent staff responses. We have four regularly scheduled staff meetings (Division Managers; Plan Review Section; Inspection Section; Division-wide) to discuss Tri-County communications, interdepartmental policies, processes, and code issues. In these meetings, supervisors discuss questions and ideas from staff or our customers. This dialog builds and maintains a Division-wide commitment to service issues. A stronger working relationship is also built between the Building Division managers.

### 2. Resolve differences among staff Using Tri-County email system

The procedure described above for comparing interpretations in the region is used to resolve internal questions as well.

## C. Process Streamlining

### Customer Feedback



Clients have expressed a desire to:

- Receive information during plan review as early and as quickly as possible.
- Simplify the current review process.

Receiving information on the project as early as possible is the customer's primary concern. To achieve this, customers suggested that plan review staff make better use of more informal communications. Telephone and email can alert clients to specific issues as they arise. Customers can address these issues right away, rather than waiting for the formal letter. Customers also insist that the present level of detail slows the process without adding value to the project.

Throughout the process of gathering customer feedback, customers stated their preference for online, email and phone interactions. They said they want a collegial, informal relationship. They said they perceived Beaverton's "style" in providing customer service as needlessly "formal" and "officious."

Compared to other jurisdictions, customers saw Beaverton as having a more complex process. The Beaverton process, they say, has more steps, and fewer timesaving innovations.

## Staff Feedback

The codes dictate the level of review and the kinds of information required. With process streamlining, the review process can perform the required level of review more quickly, without compromising standards. Early, more informal interactions by email and phone to augment formal communications is acceptable to staff.



**Criteria for a good solution—a streamlined process will...**

1. Decrease review time that does not affect the accuracy of the review.
2. Provide information as early in the process as possible, to enable the client to address issues early.

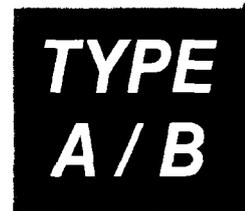
## Recommendations

1. Set communication standards. **(I)**<sup>6</sup>
2. Set up a formatted review letter. **(I)**
3. Improve effectiveness & efficiency of plan review and inspections. **(S)**
4. Implement phased and deferred submittal Process **(I)**

## Implementation

### 1. Customer Communication Standards—Levels of formality, efficiency

A new set of communication standards and procedures is in the testing phase. Each project varies in complexity and in the number and type of issues customers will need to address. Some issues need to be addressed in a formal manner while others can be handled informally.



The plans examiner has three communication avenues from which to choose:

- a) The first option is to call the client and request information. This works well when addressing one or two issues that will not require plan revisions. Examples include requests for completed energy forms, special inspection forms and permit applications. The plans examiner notes the date, the contact person and items requested in the permit tracking system.
- b) The second option is to send an email. This works well for requests of five or fewer items that may or may not require plan revision.
- c) The third option is a formal letter. The plans examiner completes the letter and, if appropriate, faxes or emails the applicant. Plans Examiners can use all three options in combination as needed.

These options are all in the testing phase of our improvement work. We will gather internal feedback during and at the close of the testing period.

<sup>6</sup> Legend: I = Implemented (including testing & continuous improvement; O = Ongoing; S= Scheduled; RA=Requires Approval.

## 2. Formatted review letter

Plan review staff are in the testing phase of implementing means for faster cycle time on letters to clients. The plan review letter differs from a business letter in several respects. In essence, this document is a technical check sheet that identifies issues the customer must address. The level of detail involved in explaining those issues varies with the project and the applicant's expertise.

**TYPE  
A / B**

The current practice involves a first draft created by the plans examiner. Support staff checks for grammar and spelling. Sometimes the Office Manager for the department reviews the letters again before being mailing. This duplicate review adds time to the process. To better meet customers' needs, many jurisdictions utilize a common, formatted review letter that is available online. This promotes consistency, reduces the potential for errors, and decreases turnaround time. This fall, plans examiners began exploring what elements might be included in a pre-formatted template for letters. The purpose is to reduce the overall review time and get information to the client as quickly as possible.

With this approach, support staff receives the letter as an email attachment. They check for formatting, grammar and spelling errors, and return the letter via email. We have tested but not implemented use of the "tracking" feature in Microsoft Word. Staff needs an efficient tool to ensure that suggested changes do not inadvertently alter technical content or contextual issues.

### ***Follow Up***

Supervisors and staff will discuss the new practices to ensure that they meet quality and turnaround goals. Support and Plan Review staff will suggest changes as needed. At the end of a project, the Division will give customers the opportunity to provide feedback on this and other changes.

## 3. Improvements to efficiency of the Permitting & Inspection Processes

The Division now:

- a. Provides an over-the-counter no-plan-review issuance affidavit for small projects. This has enhanced the mechanical and fire sprinkler permit processes.
- b. Simplifies the special inspection process for welds on freestanding signs, which expedites plan review.
- c. Simplifies the special inspection process for residential projects, expediting plan review.
- d. Allows inspectors to approve field changes so that the applicant does not have to resubmit plans (See Section I, A, for details).

**Type  
A**

The Division will also assess commercial plan review items, correspondence, and coordination issues between plan review and inspection.

#### 4. Implement Deferred Submittal Process

The Division is in the process of testing a version of the Tri-County Deferred and Phased permits process. The purpose of the deferred submittal option is to give more flexibility to commercial developments. Some parts of construction can begin, while the customer defers submittal of some plan details until later. Customers may also obtain partial permits for foundations or building frames while the remaining interior design is completed. This process is standard in the Tri-County area. Further discussion with other jurisdictions will help us define ways to reduce the impact on staff time.

## II. Service Responsiveness & Problem Solving

### A. Issue: Customer Information & Access

#### Customer Feedback

From the customers' perspective, Beaverton has unusual difficulties with cross-functional coordination. They described practices elsewhere that seemed to integrate disciplines effectively. In Portland, for example, a "one stop permit center" expedites customer service that involves land use, engineering, and building. A counter person checks the zoning, and looks up legal descriptions for that lot. If necessary, the customer can speak with a planning staff person during that first visit. Senior people are available to the counter at all times. In Beaverton however, customers often have to wait to hear from a senior planner, or come back later. This can cause delays and dissatisfaction, as the customer wants to begin their permit application immediately.

Criteria for an effective solution-- *effective customer service will...*

- Ensure that Building Division information is easy to access.
- Ensure that information from other areas is easy to access.
- Provide information as early as possible in the process.
- Coordinate problem solving and information exchange between City and client.

#### Recommendation

Improve communication of project information between staff and applicant, and improve staff decision-making. (O)<sup>7</sup>

#### Create a Plan Review Consultation Form

The Plan Review Consultation Form is available for over-the-counter plan reviews. This form provides applicants and plans examiners with a quick reference to previous discussions. This improvement will enhance the applicant's ability to provide complete plan submittals. It will also assist plans examiners in follow-up reviews.

In addition, both the Building Official and the Development Services Manager are coaching staff in greater front-line decision-making. Staff from both Divisions will connect customers to staff in other Divisions directly, as needed. It is not helpful if a Building staff person says only, "you should call the Planning Staff for that."

**TYPE  
A / B**

<sup>7</sup> Legend: I = Implemented (includes testing & continuous improvement); O = Ongoing; S = Scheduled.

## B. Effective Problem Solving

### Customer Feedback

Some clients said they perceived staff as having a “bureaucratic” style when providing information or answering questions. Some described what they experienced as “officious” communications, both written and spoken. Apparently, this style problem came up when customers raised an unusual issue that required problem solving. At the time of the interviews and surveys, customers saw staff as unwilling to engage problem solving. In their view, staff quickly deferred to higher levels for approval and interpretations, rather than engaging problem solving directly. Customers saw the tasks as being well within the reviewer’s expertise, yet reviewers were asking for supervisor’s opinions. When supervisors stepped in, some customers then concluded that staff were either not knowledgeable or not trusted. With later projects, some customers admitted that they began asking for supervisors directly, to avoid this shuffle.

Customers suggested that Beaverton staff be trusted and / or trained to work out problems directly with the customer. Customers noted that some jurisdictions had practices that discouraged “bumping” decisions up the line. In Portland, for example, the application packet includes staff members’ names, responsibilities, and direct phone numbers. Some jurisdictions also notify customers of personnel changes and replacements. These practices send the message to customers to deal directly with reviewers if they have questions or problems.

### Staff Feedback

Employees agree that the work culture in Beaverton has been characterized by a high degree of “risk avoidance.” Managers and staff have grown accustomed to deferring issues “up the ladder.” When the task does not appear to warrant that level of oversight, customers become dissatisfied with this tendency.

### Criteria for An Effective Solution—*effective problem solving will...*

- Involve customers and staff in direct and efficient problem solving.
- Clarify service and problem solving expectations between staff and managers.
- Clarify parameters for decision-making.
- Allow staff to renegotiate problem solving roles and supervisory support needed.

### Recommendations

1. Provide direct customer access to technical staff. **(I)**<sup>8</sup>
2. Empower the Support, Plan Review, and Inspection staffs to explore options with customers. **(O)**
3. Mayor and CDD Director will redirect customer complaints to the appropriate staff person, if appropriate. Alternatively, they will include staff when they engage problem-solving options with the customer. **(O)**

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<sup>8</sup> Legend: I = Implemented (includes testing and continuous improvement); O = ongoing; S = Scheduled.

## Implementation

### 1. Provide direct customer access to inspection & review staff

A new "inspector routing" program allows the receptionist to identify which jobs each inspector has. Customers also have access to inspection results on-line. These changes have reduced phone calls, transfers, and waiting. Customers now have direct access to the inspectors as well.

The Division has reaffirmed a timed inspections policy with homeowners (via Your City Newsletter). The division will communicate a specific time when homeowners can expect an inspector to arrive. This allows customers to take less time out of their day, waiting for an inspection.

The Division will provide customers with a staff telephone list. The list shows primary assignment, inspection area and cell phone numbers for inspectors. As noted in section I-A, inspectors can now perform minor revisions to approved plans while on the site. (See Section IV, Future Improvements, for details on future plans to expand web-based access for customers).

**Type  
A**

### 2. Empower the Support, Plan Review, and Inspection Staffs

As a step toward more appropriate delegation, managers asked the divisions' organization development consultant to re-interview the staff. Questions focused on broader work climate issues, as well as delegation concerns. Managers and staff will discuss the results and decide next steps. Follow up may include a review of the roles, qualifications, and delegation patterns of current positions. To improve customer service, some types of work may justify a different level of delegation. Generally, managers can delegate technical and routine work with confidence. Managers can delegate complex work effectively if the employee is willing and able. The goal is to clarify communication and mutual understanding of expectations, and any support or feedback needed. These actions will increase employee's abilities to take on increasingly more responsible and accountable tasks. The higher the level of delegation, the more managers entrust others with decision making and accountability for results.

Managers have identified the skills they think staff needs for more confident exploration of options with customers. Employee interviews have identified training interests. The next steps will be to provide training and coaching on delegation, problem solving and decision making.

### 3. Redirect customer complaints to appropriate staff

Managers will continue to receive special requests from customers. Managers can acknowledge the customer's concern, and then redirect many of these complaints back to appropriate staff. This change in practice depends upon effective implementation of the changes noted above. In some cases, the nature of the problem will in fact require managers to stay involved. In these cases, the manager will include the customer's original staff contact in the problem solving. The proposal for integrated problem solving approaches between all departments applies to Building as well. (See DSD's "Issue Paper #1" in their process improvement report).

**TYPE  
A / C**

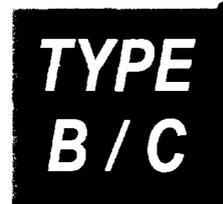
### ***Follow-up***

Staff meetings and one-on-one sessions between staff and managers are opportunities to discuss perceptions and expectations. Periodic interviews and /or surveys with customers can include a question on their view of reduced “bureaucratic style.”

## **C. Project Continuity**

### **Customer Feedback**

Customers told the Division that communications and coordination across City functions appeared to them to work poorly. They had the impression that staff from the separate CDD divisions knew little about one another’s work. For customers, this became problematic when a Building process step depended upon first completing another division’s requirement. Customers experience frustration when they hear, “I don’t know about that. You’ll have to talk to a planner.”



In 2003, surveyed customers mentioned that several jurisdictions address this problem through a “project coordinator role.” The person in this role provides a consistent contact from the beginning to the end of a project. The goal is to provide more “seamless” service to the customer. The coordinators’ primary responsibilities are to assist the client in moving from process to process. Cross-functional problem solving is a key focus. The coordinator does not take over tasks that are the responsibility of planners or reviewers.

Salem, Portland, and Washington County use additional supports for “process integration.” In these jurisdictions, any contact person is accountable for knowing where the project is in the overall process. In Washington County, sign offs are done electronically. The applicant can learn not only who has signed off, but what the next steps are.

### **Staff Feedback**

Division staff acknowledge the client’s desire to have one individual linked to the project from start to finish. Projects proceed from land use to site development to building construction in the course of the City review processes. Each review process is a self-contained procedure.

Therefore, as projects move between divisions, key aspects of project history are not easily accessible. For example, after land use permitting, no divisions’ staff continues to track compliance with conditions of approval.

When problems arise “downstream” of the land use and site development processes, building staff close the gaps. However, like most CDD staff, Building Division employees have received no cross training on processes outside their own area. Absent a full understanding of requirements and steps, results are inconsistent.

Unlike the “front loaded” planning the customers are recommending, Beaverton’s process is “back loaded” by default. The further “downstream” a project goes, the more the missing information begins to have project consequences. Currently, resolution of many issues depends upon Building staff to facilitate a process of tying up loose ends. The current process “works” to the extent that staff will take responsibility outside their currently defined role.

**Criteria for an Effective Solution**—*an effective solution to inter-divisional coordination problems will....*

- Make ongoing project status information easily accessible to all Department staff.
- Clarify mutual understanding of all CDD roles, and their relationships to one another.
- Provide resource support for quick problem solving and decision making.

**Recommendations**

1. Provide a process flow chart, including name, contact person(s) and phone numbers at each step. (S)<sup>9</sup>
2. Consider a “project coordinator / advocate” role(s). (RA)
  - a. Convene a pre-development meeting with representatives from all departments.
  - b. Convene inter-Divisional Project Progress Meetings.
3. Send review letters from other city departments and outside agencies as soon as the reviews are complete. (S)
4. Utilize computer for assigning reviewers and inspectors. (S)
5. Make schedules of individuals available to co-workers. (I)

**Implementation**

**1. Flow Charts & Forms**

- a. *Flow charts*: Other Divisions have flow charts that define their processes. CDD staff use these now to facilitate understanding of the processes, responsibilities and issues of each Division.

**TYPE  
B**

We have drafted a simple department-wide chart to show all three CDD permitting processes. The primary user of this chart will be the external customer. Once finalized, the chart will include each staff person's name, position, and phone number. This flow chart will help link the names on the phone lists with specific steps of the processes. All these resources will be readily available to customers, as well as staff.

For internal use, staff will develop a more detailed functional matrix. This will clarify process steps and hand off points to staff. (See Appendix E).

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<sup>9</sup> Legend: I = Implemented (includes testing and continuous improvement); O = Ongoing; S = Scheduled; RA = Requires Approval.

## 2. Project Coordinator Rol

Currently, we have no system or protocol for accessing other staff for cross-functional problem solving. Following the current structure, we can ask our supervisor to facilitate communications with another Division. However, this approach tends to give the impression that we are complaining about other staff groups. Direct problem solving and troubleshooting should be a legitimate part of the process, not a complaint.

Brad Roast, Steven Sparks, and Erica Rooney are working together to build better linkages. Specific areas include conditions of approval and other parts of the construction review and inspection processes. Portland, Gresham, Forest Grove, Lake Oswego and Tigard have implemented similar linkage mechanisms. The goals are to:

- Provide ways to track projects more easily across our separate permitting processes.
- Establish checkpoints within the process.
- Promote ownership of the process by involving all department players.

Some jurisdictions have accompanied cross-functional process improvements with changes to staff structure and roles. We interviewed several jurisdictions that have some form of a "project coordinator" role. In some, clients provide a similar role from their side to work with the agency's project coordinator. These "project coordinators" follow major projects through the entire process, from pre-development to final occupancy. Each is the primary contact for all players from either the agency's or the developer's side.

The person in this project coordinator role must possess a clear understanding of the entire development process. He or she must be able to identify which requirements affect a particular project. All department and agency (Fire, THPRD, CWS, etc.) roles and responsibilities must be clear to this person

This role would:

- Confer with the client early.
- Be responsible for scheduling and facilitating a pre-application meeting with the applicant and appropriate staff.
- Set up coordination meetings per established timelines.
- Produce a meeting summary of issues and decisions.
- Facilitate problem solving and communication.
- Suggest options.
- Identify missing pieces.
- Connect resources, and clarify requirements for movement to the next step.

The person in this role will track and guide the client and the project through various CDD processes. However, this role does not act as a "time manager" for the individual reviewers. Nor does this position have decision authority. The Project

Coordinator is a *resource* for both the client and City staff. They facilitate the cross-functional work that now drops through the cracks, because there is no role assigned. They coordinate with the department managers and individual reviewers as needed. They track down missing information, facilitate problem solving, and prevent the need for re-submittals.

We have considered four alternative ways to implement this role:

- a. *A Coordinator for large projects*--The first option is to assign one person who will be project liaison to every large development project. All the jurisdictions interviewed have one or more permanent positions that do this liaison role exclusively. As described above, this position stays with the project from its inception through its final close out. Having only one person doing the coordination role for all major projects reduces confusion. Both clients and staff will know that one person will be primarily responsible for cross-functional project coordination.
- b. *Assign different coordinators, depending on project*--The second option is to assign different, qualified people to project coordinator roles. The nature of the project would drive selection of the right CDD person to take on cross-functional coordination. Each project is unique and requires different amounts of tracking and coordination. For some projects, the most qualified person may be from the Site Development Division. For another project, the position might be in Development Services, and so on.
- c. *Cradle to Grave planner*--A fourth option would assign new responsibilities to each Planner who has a significant development project. This is the "cradle to grave" approach. The Project Planner from DSD would continue coordinating the project through site development and building permitting processes. They would be the primary contact person from pre-application through certificate of occupancy.
- d. *Provide a project coordinator for small and mid-size projects as well.*
  - *For all large projects* that begin with development of the site, managers would assign a person from Site Development. New buildings, including multi-family and subdivisions, are examples of "large" projects.
  - *Mid-size projects* are those that may require two or more department reviews or several permits, or are "sensitive." The Senior Plans Examiner in the Building Division might be the best person to coordinate these. Examples of mid-size projects are Hooters and Mingos. These did not involve site development, but were complex enough to warrant a higher level of tracking.
  - *Small projects* could be coordinated by a permit technician or the building plans examiner. Small projects are applications involving few permits. They would include small additions, tenant improvements, and remodels.

With any of these four options, the "project coordinator" role could be interim or permanent. If short-term, the goal would be to initiate an education process for staff on CDD processes. Here, the assumption is that full cross training would enable all employees to respond to the full project cycle as needed. All staff would become were aware of the goals, process steps, requirements, contact people and agencies involved. With this transition option, the coordinator might first focus on coordinating the new cross-functional meetings. They might also take responsibility for ensuring the integration of information systems and practices between Divisions.

For all jurisdictions interviewed, the role was permanent. While some had some information system duties, none also had plan review responsibilities. All emphasized the importance of strong interpersonal skills for the person in this role.

In most jurisdictions, this Project Coordinator role applies only to large projects. Developers are willing to pay extra for expedited services; a few use this role to accomplish that. For most, the goal is to speed the progress of *all* projects.

**a. Pre-application meeting**

The project coordinator sets up a meeting prior to the client applying for any reviews. This meeting includes all departments that are appropriate, as determined by the project coordinator. The department or division manager then assigns the specific individuals who will attend.

**b. Inter-Divisional Project Progress Meetings with pre-determined agenda**

A key responsibility of the Project Coordinator is the facilitation of regularly scheduled project meetings. These meetings facilitate regular project transitions and problem solving, communicate key issues, and ensure information access. In Portland, each major project has a design team. This team consists of key people from departments and agencies, as well as the project coordinators. Meetings occur regularly, at intervals appropriate to the particular project. Project Coordinators take responsibility for convening and facilitating these meetings.

***Follow Up***

The Building Division will work with staff from Site Development and Development Services to assess role options. In addition, staff from all divisions should consider the role in the context of current process changes.

Once implemented, end-of-project surveys will ask customers:

- How satisfied were you with inter-divisional and inter-departmental coordination?
- Has the Project Coordinator role improved turnaround time, quality, and problem solving?
- Would you like to discuss the project with staff at a project closeout meeting?

**3. Review Letters from other City Departments & Agencies**

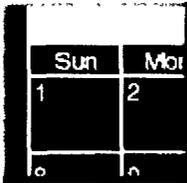
Currently, when a customer applies for a building permit, transportation planners and site development reviewers sign off. For commercial buildings, the customer receives a letter directly from those divisions. For residential permits, the customer receives a single letter, with input from other Divisions included. The Building Division will propose a consistent approach, so the customer will receive letters directly from those Divisions. This will enable faster notification of issues, continuity and problem resolution opportunities with appropriate staff.

**TYPE  
B**

#### **4. Utilize computer for tracking assignments & projects.**

The Division is working with the Development Services and Site Development Divisions to implement a project tracking system. The goal is to provide customers with web-based access to check project status and staff assignments. Our existing system is not capable of providing these features to customers. We are looking into new systems that will provide customers access to their projects (See Section IV for details on future information systems improvements).

The Division has enhanced customer service by providing access to active permits on the City Web site. The public can now find out the results of inspections already completed, and the dates of upcoming inspections. Contractors can now determine the status of their inspection with a click of a mouse. This eliminates the need to call City Staff or drive across town. Since adding this service in August 2003, there have been over 8,700 visits to this Web site. This means that a large percentage of those Web site visits saved a telephone call to the Division. This is a time saver for everyone involved.



We are now using the Outlook Calendar program to show time out of office for vacations. A Department calendar is also available, that provides a single location for accessing this information.

#### ***Follow Up***

Supervisors will check the division calendar to ensure staff are updating information as needed.

### **D. Staffing and Work Organization**

#### **Customer Feedback**

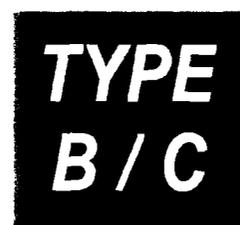
At the time of customer interviews, the staff was carrying an unmanageable workload, affecting service per customer. Customers mentioned often in the surveys and interviews that they thought the Division was understaffed.

#### **Staff Feedback**

Building staff had noted understaffing as a problem affecting all aspects of service.

**Criteria for an Effective Solution**—*an effective distribution of work will...*

- Improve cycle time on plan review and inspections.
- Ensure workload is shared equitably.
- Increase service flexibility and back up.



#### **Recommendations**

1. Hire a structural plans examiner, and add staff to Inspections and Support sections. (I)
2. Organize the work to ensure regular adjustments based on workload needs and absences. (I)
3. Continue to develop multiple inspection certification program. (O)

## Implementation

### **1. Additional Staff**

As of fall 2004, the Division has hired a Structural Plans Examiner, a Building Inspector, an Electrical Inspector, and a Support Specialist. These additions have greatly reduced workload problems that staff were experiencing earlier. An increase or decrease in development activity will require new discussions on staffing and workload levels.

### **2. Changes in work organization**

#### *Workload distribution:*

- Inspectors do a line out every morning to ensure a more even distribution of workload.
- Plans examiners have project lineout staff meetings every week for distribution of plan reviews.

### **3. Flexibility & Back up through Multiple Inspection Certifications**



The Building Division includes training for multiple inspection certifications as part of its annual budget. Increasing the number of certifications per inspector improves customer service and better utilizes City resources.

On the average, inspectors perform 22 inspections per day. This number is above the desired average of 18 per day. To perform at this level and maintain quality, inspectors need to reduce time spent driving between sites.

A way to reduce driving time and expense is to cross-train inspectors. One multiple-certified inspector can perform building, electrical, mechanical, and plumbing inspections on a single visit. This saves driving time for several inspectors, freeing each to spend more quality inspection time per project. A multiple-inspection approach is especially noticeable and desirable for homeowners, whose wait time is significantly reduced.

Commercial projects benefit by having an inspector with a more integrated approach to code enforcement. With opportunities to observe the entire construction process, inspectors have a better understanding of how building systems work. Therefore, they can anticipate problems that might not be readily apparent to inspectors certified in a single discipline. This improves our ability to ensure quality construction for the community, and to do so efficiently.

Additional benefits for customers include the ability to:

1. Spend more time answering questions.
2. Respond more quickly to urgent requests, where safety concerns may be evident.
3. Accommodate customers who forget to call ahead, and make last minute inspection requests.

These improvements have resulted in reduced customer complaints and improved reputation for the department and the City. This approach gives us the flexibility and depth required to provide the most efficient customer service available.

Virtually all jurisdictions have moved to multiple certification programs. Many of our newest employees have multiple certifications, and many current employees are now working on cross certifications. This expansion of skill and responsibility has allowed the Division to better balance the workload. When workloads are low in one area, inspectors can shift to an area where inspection workloads are higher. This creates expanded field coverage, improved service, and a reduction to overtime worked.

Currently in Beaverton, multiple certifications exceed the minimum qualifications for the job classification. Tigard, Hillsboro, and Portland have multiple certification programs, and provide premium pay for inspectors who perform multiple certifications. Providing premium pay options for multiple certifications creates an incentive to maintain multiple certification status. Compensating employees for the additional training, value, and responsibility supports staff retention and reduces turnover costs.

Further management analysis will help us identify pros and cons of premium pay for multiple certifications. Meanwhile, the multiple-certification training program and work practice are providing greatly improved levels of service to customers.

### III. Communication Forums, Public Education & Outreach

#### A. Issue—Ongoing customer input

##### Customer Feedback

Clients told us they would like to have a forum for comments and ideas to improve the process. At present, the “yellow cards” capture point of service customer feedback (for details, see Appendix B). Customers told us that they would like additional means available for two reasons. First, staff may regard negative yellow card feedback as a “complaint.” Second, yellow cards ask for feedback on one interaction. Customers want a chance to reflect on broader concerns, and to discuss ideas with staff.

Criteria for an effective solution--*effective means for customer feedback will...*

- Be timely.
- Be project specific.
- Be focused, but with opportunity to elaborate.
- Assure the client that there will be no repercussions.

##### Recommendation

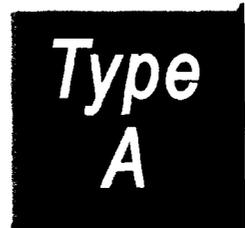
1. Send out survey with Certificate of Occupancy. (S)<sup>10</sup>
2. Offer clients the option of a “project close-out meeting.” (S)

##### Implementation

#### 1. Send out survey with Certificate of Occupancy

A survey can check each step of the process and ask for suggestions for dealing with any problems. At the end of the project, issues are still fresh in the client’s mind. An added benefit is that the timing reduces any perceived threat of retaliation for negative comments.

As a first step, we will send out the existing “yellow cards” with the Certificate of Occupancy. In fall 2004, we will develop a longer set of questions to send out with the C of O.



<sup>10</sup> Legend: I = Implemented (includes testing and continuous improvement); O = Ongoing; S = Scheduled; RA = Requires Approval.

*Follow up:*

- Schedule periodic review of comments.
- Contact clients by phone to acknowledge their comments.
- Contact clients about progress via the Mayor's letter.

**2. Offer clients the option of a "project close-out meeting."**

Applicants and owners with large projects recommended a discussion at the end of the project. This meeting would ensure that all parties have a chance to reflect on "lessons learned." Division Directors will ask the applicant to select people they would like to have in attendance.

**B. Issue: Public Education Needs**

**Employee Feedback**

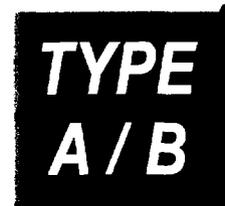
The Building Division has few organized outlets for demonstrating the value of our services to the community. The division needs forums to display improvements and projects, and to inform and educate the public.

**Criteria for good solution--*an effective public education effort will...***

- Utilize existing avenues.
- Reach as many people as possible.
- Reach construction-specific clients.

**Recommendations**

1. Include Building Division information regularly in "Your City" newsletter. (O)<sup>11</sup>
2. Arrange interactive events in public venues. (O)



**Implementation**

Several avenues exist currently that we can use to present information and answer questions. The goals are to:

- Establish a better partnership with the community.
- Educate clients about the role code enforcement professions play in protecting lives and property.
- Provide clients with valuable information and assistance.

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<sup>11</sup> Legend: I = Implemented (includes testing and continuous improvement); O = Ongoing; S = Scheduled; RA = Requires Approval.

## 1. "Your City" Newsletter

The Building Official provides the Mayor's office with a quarterly article. These articles highlight changes, statistics, tips, or other issues that present the work of the Division.

## 2. Public Education Venues

We will develop and schedule opportunities for positive interaction with the public. Using the regional Tri-County outreach program, we can provide information tables and presentations. Venues include Home Depot, Neighborhood Action Committees, Lowe's, Parr Lumber, Beaverton Saturday Market, etc. Division employees will answer questions and provide written materials describing tips, available services and processes. This approach brings government to convenient locations where clients are already focusing on their building projects. Staff could use flex-time, over-time or regular work hours.

### *Follow up*

Provide short surveys or comment cards at the "in-person" venues, and compile feedback periodically for discussion.

## **C. Issue: Ongoing communications and decision making between divisions**

### **Staff Feedback**

Until now, land use, site development, and building process have not had formal communication or process linkages. Once we implement the linkages described in Section II, we will need means for maintaining and improving them. Since solutions can tend to degrade over time, we need to be in a mode of "continuous improvement." Customers' needs and our operating environment will also call for ongoing adjustments.

**Criteria for an effective solution—*effective methods for improving cross-functional coordination will...***

- Be efficient.
- Be used often enough to prevent small problems from getting worse.
- Use systematic problem solving tools.

**TYPE  
A / B**

## Recommendations

1. Facilitate regular “continuous improvement” discussions within the Building Division. **(S)**<sup>12</sup>
2. Host regular “continuous improvement” discussions between CDD Divisions, on cross-functional planning, process and coordination issues. **(S)**
3. Invite participation from other departments and agencies that interact with our process. **(S)**

## Implementation

### **1. Continuous Improvement—Building**

In regular staff meetings, we will analyze efficiency measures and customer feedback gathered over the past quarter. The group will interpret and decide how to improve the process, as needed. Use of a systematic problem solving process is important, so that we clarify and test assumptions and conclusions.

### **2. Inter-divisional continuous improvement**

We will propose to the Development Services and Site Development divisions that we host occasional feedback discussions. Their purpose will be to ensure that processes as a whole work for all customers, internal and external.

### **3. Inter-departmental & inter-agency continuous improvement**

Brief written or phone surveys will help us fine-tune the process to ensure effective service.

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<sup>12</sup> Legend: I = Implemented (includes testing and continuous improvement); O = Ongoing; S = Scheduled; RA = Requires Approval.

## IV. Future Improvements

### A. Issue: Master Permit Option (multi-family)

#### Customer Feedback

Customers have requested that we consider implementing a “Master permit process” for multi-family. Other jurisdictions refer to this option as “model home permit”, “master permit,” and / or “re-issue.” All refer to a second “same as” building, when applicants have already submitted plans for a first building. The customer pays ½ of the fee for the new permit, and avoids a separate submittal. Managers will analyze fee and budget implications.

### B. Issue: Use of technology

#### Customer Feedback

Customers suggested that the Division move toward electronic inspection (e.g., palm pilots). These tools relieve inspectors from writing tasks and faxes (which are often difficult to read). Customers also suggest that Beaverton consider using real-time tracking programs like “Ironspire,” to improve work scheduling accuracy. Correct timing is a very high priority, particularly for time-sensitive work like concrete pours. Customers also want Beaverton to offer clients web-based access to projects as they move through CDD processes.

#### Criteria for good solution—*effective technology will:*

- Allow electronic inspection devices.
- Provide easy customer access to check on project status.
- Offer customers various online options for permit processing.

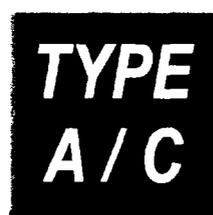
#### Recommendations

The Department is exploring options for replacing its current permit tracking system. An essential feature needed is the ability to incorporate electronic inspection devices.

Using our existing system, The Division has provided access to active permits on the City Web site (See Section III for details). The Division is also developing a Web based inspection request system. This will allow staff to perform faster inspection request retrievals.

Also under development is a web-based project tracking system. This system will allow customers to check the status of project approvals.

Additional features to improve customer service depend upon implementation of a new information system. Our recommendations are as follows.



# Improvement

		Estimated Implementation Date
1.	Provide option for requesting inspections via the web.	October 2004
2.	Develop an automated itemized permit fee paid / balance due worksheet.	December 2004
3.	Post schedule for Local and Regional Public Education and Outreach (e.g., attendance at Home and Garden Show, Permits Protect Booth, City learning Series).	November 2004
4.	Include a web link to the Tri-County "Permits Protect" brochures, through our site.	Fall 2004
5.	Include the following forms on the web: <ul style="list-style-type: none"> <li>• Board of Construction Appeals form</li> <li>• Additional Information Form</li> <li>• Special Inspection Forms</li> </ul>	Fall 2004
6.	Provide web page link to the Construction Contractor's Board.	Fall 2004
7.	Provide Fire Sprinkler and Mechanical (in lieu of plan review) Alteration affidavits.	Winter 2004
8.	Scan inspection notices; provide correction items on Web Inspection Results.	2005
9.	Eliminate duplicate entry by connecting permit system to auto-fill data fields.	2005
10.	Develop a Web based Permit Fee Estimator. Customer will enter: <ul style="list-style-type: none"> <li>• building area for new buildings</li> <li>• number &amp; type of alterations or additions</li> <li>• number and type of plumbing fixtures, electrical service, heating and air conditioning appliances.</li> </ul> <p>The program will calculate an estimate of the building, plumbing, mechanical, electrical and system development fees.</p>	2005
11.	Provide Plan Review Status on the web. Customer enters project number to discover exactly where the plans in the process.	2005
12.	Allow Over-the-Counter type permits to be applied, paid and issued over the Web.	2005
13.	Provide Web access to new address assignments. This allows customer to view recent address assignments and scanned plats.	2005
14.	Provide public access to City address database.	2005
15.	Allow customer to do a search on Permit History.	2005
16.	Post Building Division policies.	2005
17.	Provide construction terminology Q&A list (e.g., joist, beam, rafter, GFCI, AFCI, conductor, circuit, building sewer, building drain, wye, sanitary tee, nominal, etc.)	2005
18.	Provide a prescriptive deck design (plans) for the public to use for designing and--where needed--permitting decks.	2005
19.	Provide prescriptive accessory structure design (plans) for the public	2005

# Improvement

		Estimated Implementation Date
	to use for designing and --where needed--permitting accessory buildings (e.g.--garden sheds, garages, shops, etc).	
20.	Auto print labels from permit system for use with multiple files.	Summer 2004
21.	Automate Field Inspection system / equipment.	2006-2007
22.	Provide Interactive Voice Response System (IVRS), a fully automated inspection request/result system.	2006-2007

## V. Draft Mission Statement

### Customer Feedback

Some customers believe that staff applies different rules to different people or projects. This belief affects the working relationship between staff and clients. Customers want to know that code interpretation is fair and reasonable.

### Staff Feedback

In the past, staff have assumed that effectiveness in their roles as regulators meant strict application of standards. Recently, management has asked staff to engage customers more in problem solving and to explore options with customers.

However, staff continue to feel that expectations for their customer service role could be clearer. In addition, staff see the need for more management support for a higher degree of customer problem solving. Specifically, employees have asked for skills training, coaching, and inclusion in management meetings when problems arise.

Supporting the transition to a new role requires several tools. However, staff have suggested that a clear mission statement could lay a foundation for further change.

### Criteria for good solution—*an effective Building Division mission will...*

- Clarify roles.
- Use simple, understandable language.
- Be accessible to all CDD stakeholders.
- Inspire staff and management.

### Recommendations

1. Work with staff to clarify a meaningful Building Division Mission Statement. (S)<sup>13</sup>
2. Create an environment in alignment with the mission statement. (S)

**TYPE  
A / C**

<sup>13</sup> Legend: I = Implemented (includes testing and continuous improvement); O = Ongoing; S = Scheduled; RA = Requires Approval.

## Implementation

### 1. Agree upon a Division Mission

The purpose of a mission statement is to clarify expectations for staff and clients. An effective mission will support the division's efforts to ensure consistency, and guide staff decision making. A written mission will support management efforts to integrate division goals and values into daily work.

The Division staff will:

1. Engage a participatory process to draft a mission and values statement for the Division.
2. Hang a Mission Statement banner at the entrance to the CDD area. This will clarify to both customers and staff the roles, regulatory responsibilities, goals, and customer service values.
3. Include the statement on the Building Division web page.

### 2. Ensure that staff feel empowered to use the mission as guidance

To build employee confidence in a new problem-solving role, managers need to shift the culture from "risk avoidance." The Division needs a climate of informed risk, and strong management support for staff problem solving with customers. Staff now shares in meetings examples of problem solving that have been successful. This helps the Division as a whole shift to more problem solving and exploration of options with customers. Managers and staff can discuss situations openly that have not worked out as expected, and brainstorm solutions.

Providing support mechanisms gradually shifts from a risk avoidance style to an open, problem-solving climate. This shift depends upon mutual trust among staff and management, and new skills. The Division will provide training for staff and management on how to:

- Incorporate the ideals and goals of the mission into actions.
- Clarify and re-negotiate expectations.
- Address real-life customer situations.
- Use the Mission Statement to assess whether proposed process changes are in line with long-term goals and role.

### ***Follow up***

This training and development work should address both customers' and staffs' concerns about delegation and problem solving. The division will use the end-of-project surveys to gather feedback from clients, staff, and supervisors. Surveys will ask for feedback on the division's work climate and the staff's problem solving confidence.

# Appendix A—Customer Feedback

## CUSTOMER FEEDBACK ON DEVELOPMENT SERVICES AND BUILDING SERVICES

**Please Note:** *Trudy Cooper has summarized the customers' point of view on CDD service issues, as discussed in:*

1. **Meetings held July 14, 16, and 18, 2003, with developers, engineers, architects, and contractors;**
2. **Small group meetings at Customer's locations (for those unable to attend at City Hall)**
3. **individual phone interviews, as requested by customers**

*The following content represents paraphrases of customers' comments and group discussion. Additional perspectives from City management, staff, boards, attorney's office, neighborhood groups and other jurisdictions are also part of the total picture of issues and suggestions. The next steps of implementation involve:*

- *staff analysis and interpretation of the data from all stakeholders,*
- *defining criteria an effective solution must meet, and then*
- *looking at options for process improvements to address needs more effectively.*

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### I. OVERALL ASSESSMENT OF LAND USE AND BUILDING SERVICES & PROCESSES

#### A. Customer Service —the staff is “very good” in customer service

1. **Information, accessibility, and responsiveness**--Staff expertise, skills, and service orientation are very good. The staff is very professional, well educated, responsive and helpful. They present information clearly. For the most part, they are quite accessible. When we call planners, about 75% of the time we get a live person on the phone, not voice mail. Most staff return their calls quickly. We are less likely to get a live person on the phone in the Building Division, but we get return calls quickly when we leave a message.
2. **Staff and Management Problem Solving**--Steve Sparks is very accessible and has been very helpful on projects over the past couple of years since he began. Two out of three times you get Brad at the first phone call, and he returns the third call right away. Both also do the best they can to get things moving when the staff or we bring a problem to his attention for his decision. The staff as a whole is open

to discussion, and spends extra time when they are not swamped. All of the staff appear to be doing the best job they can within a very difficult process.

3. **Front counter**—service at the counter is quick, the people are competent and good to work with.
4. **Plan Review (both Divisions)**—reviewers are thorough to a fault. Time may be at a premium and limit the degree of in-person discussion and problem solving; however, this time is very much needed in the process.
5. **Building Inspections**—inspections are generally very good. The inspectors arrive early, are very hard working, will cover for others' absences. The inspectors are very knowledgeable and professional group. They keep up on new products and are always eager to learn new things. However, service on the inspection end would improve if there were more communication among work groups. (see later sections for details).

**B. Recent changes acknowledged:**

In particular, in the past two months, there has been more advocacy, refreshing efforts to shrink timelines, acknowledgement of tight timelines. (One person said they sent a thank you letter to Colin Cooper about this). When they call and let us see a rough draft of their staff report, this is very helpful.

In Development Services, they are changing the design review process. If you don't like the standard, you can take it to the board.

**C. Purpose of land use and building processes should be to enable the community that Beaverton wants:**

The process is, legitimately, a regulatory process. The staff is very good and very thorough, very informed and knowledgeable of the code. However, the vision toward which Beaverton is moving is far from clear. The process should reflect the vision Beaverton is trying to achieve. From our perspective, Beaverton is an infill community. Infill and redevelopment is a whole different game than new development. We assume the City has an economic development plan and urban core density goals reflecting this awareness, but we have not seen it; whatever we know, we learn from the newspaper. The Round clearly reflects emphasis on an urban core; however, the overall process does not support development of an urban core. Beaverton may want growth officially, but the process complexity discourages developers from building here. Beaverton is not enticing people to the urban core. There is much land that is underutilized. If they were serious about growth, they will be annexing, aggressively. Washington County standards are lower, and they will inherit all this. Dialog with the Mayor about infill and redevelopment is needed.

**D. Developers are taking their investment to other places**

Single family development works well, with the Beaverton processes. Multi-family and commercial do not.

Because of process complexity, some major developers are going other places to invest. Many consultants and contractors try to dissuade owners from building here. Many consultants report that they charge clients 25-50% more than for a comparable project in another jurisdiction. We who have owned here for a long time are still investing. But we are also investing less here than we did earlier. Many developers

have left Beaverton altogether, and will never build here again. Exit interviews with some of them could be helpful feedback for the city.

The City needs to protect itself from some developers and contractors, from bait and switch maneuvers. But they can do that by setting parameters, for example, for the degree of architectural detail, a range of building materials, etc. The detail required from the Beaverton process is not necessary. The detail is designed to protect staff, not the community. Staff need the protection, we suspect, because there are internal consequences whenever there are complaints. Staff wants to "go by the book" in all cases, in order to avoid exposure or personal blame when problems arise. The result is an onerous process that discourages people from investing in Beaverton.

**E. Beaverton's system and work culture aims at eliminating all risk, which is costly for all of us.**

- 1. Numerous rules have evolved incrementally--** The written materials are very good. The website is very good. Staff knows the process well and explains it clearly. However, staff for the land use process appear to have a tremendous fear of back lash from the public. If the Mayor's Office hears about a problem, and fears a hornet's nest, they may tell staff, "don't let this happen again." The result is a process that gradually gets designed to catch everything. This is impossible, expensive, and frustrating for all. What came out of earlier customer feedback was staff obsession with the checklist. All our feedback leads to more bureaucracy, more protection for the City, and higher costs for us. When a new rule is proposed, managers and staff should ask, "is this an isolated incident? Do we really need a rule that will now apply to all?"
- 2. Compared to other jurisdictions, this process is very cautious and formal.** The extensive documentation suggests there have been internal and external consequences for taking risks. This may explain the apparent obsession with the checklist for the land use application; most delays are in the completeness phase. Of course things have to be documented, but the process goes a lot better when they first give us a call, let us know they want to work with us on it. In both Divisions, we also get the impression that staff-to-staff discussion is similarly cautious and constrained. Sometimes a new issue will come up late, that should have come up at pre-app and during the completeness stage. If staffs are feeling anxious about potential consequences, it will be difficult for them to stop identifying issues.
- 3. Staff defers many more decisions** to someone higher in the hierarchy than we encounter in other jurisdictions. What level of confidence is actually needed in order to make a good decision? It appears that the rookies are in the front line jobs. Some jurisdictions put their seasoned people up front. Some jurisdictions who decide for staff development reasons that they don't want to do this, try instead to create linkages by having a "project shepherd." The role is of advocacy, finding the bottlenecks, applying the senior level experience that can get it moving. We would pay extra for that personal advocacy. However, even with a Project Shepherd, the Beaverton *process* would still have to change for customer satisfaction to improve significantly.

They say, "We have to make this bullet proof." No other jurisdictions use this term, and we hear it regularly from Beaverton staff. The result is a much longer time before we are done. If it takes 2 months in the average jurisdiction, it may take 6

months in Beaverton. A project that would take 4 weeks in Hillsboro, will take 3 months in Beaverton.

You can't have a "let's work this out" style like we see in other jurisdictions if you have employees who are afraid of repercussions.

The result in these other jurisdiction is not "bad development." The complexity of Beaverton's processes has grown to protect staff and to try to address every possible negative consequence, not to add value to the project. No process changes will stick if they don't address this organizational culture. Much of it is historical, inherited process from people who have left. Some of it is the natural consequence of staff attempts to prevent problems after having faced personal repercussions from the public and from public bodies . The current staff can probably make some effective changes if that is the clear direction and support they get from decision makers.

## ii. Building Services

### A. Criteria for improving the process

*An effective inspection process will...*

- Allow mode of meeting the code to be flexible.
- Consider our expertise and reputation when suggesting additional proof, re-submittals, etc.
- Consider the criticality of an issue / situation in decision making about how to proceed.

### B. Customer Suggestions for the Building Process (and the rationale for each)

1. **Improve staffing**—Current staff carry an unmanageable workload, which affects service per customer. Staff seems willing to provide consultation at the counter; however, the time available for this seems very limited.
2. **Estimate turnaround**—let customers know an approximate timeframe target for review. In other places, they tell us at the time of application what they estimate it will take for their process, and how much time it will take for a third party review.
3. **Use more reason in Code interpretation**—Enforce the codes, but be reasonable when faced with modifications of old structures. Meeting the intent of the code (fire, life, safety) means that there is more than a single right way to do something. Beaverton's code interpretation is taken to the furthest extent by most staff. Small issues that would be waived for completely legitimate reasons in another jurisdiction will be pushed in Beaverton.
4. **Improve code consistency**—sometimes we have wondered, "are they looking at the same code?" A second reviewer will come up with a list of new issues. Inspectors will fail the reviewers work, and require something different than what is on the approved, stamped plans. Better communications between these groups is needed, to avoid late identification of issues that could have been solved earlier, at a less costly stage.
5. **Consider "Master permit process" for multi-family**—In other jurisdictions, these go by the terms, "model home permit", "master permit," and "re-issue." All refer to a second "same as" building for which plans have already been submitted. The

customer pays ½ of the fee for the new permit, and avoids a separate submittal. This applies primarily to multifamily.

**C. Practices from other jurisdictions that we would like the Building division to consider:**

1. **Communicate estimated turnaround time**—Some jurisdictions let us know what timing to expect.
2. **Ensure access to project status**—Currently, when we ask about project status, staff cannot give us an answer. It appears there is little connection or coordination between reviews. In Salem, Portland, and Washington County, any contact person is accountable for knowing where the project is in the process. IN Washington County, sign offs are done electronically. The applicant can learn not only who has signed off, but what the next steps are.
3. **One stop permit center**—In Portland, for example, a counter person checks the zoning, looks up legals for that lot, etc. If you have already been approved for land use and you are not waiting on anything, you are approved right away. You are able to speak with a planning staff person during that first visit. They have dealt with whatever status issues may exist that discourage more senior people from being available at the counter. In Beaverton, we often have to wait to hear from a senior planner, because the counter person cannot provide the information or decision.
4. **Simplify inspection forms.**  
Inspection forms are a bit extensive. In Portland it is one page; in Beaverton it is a twelve page document. Both jurisdictions get down to the same bottom line, but in Beaverton it is more complex.
5. **Consider “certified master builder” and other inspection approaches.**  
Portland now cross-trains inspectors in sewer and water. Beaverton currently allows a “proxy inspection” for geo-technical. This could be extended to other inspections. The “master builder” can inspect non-structural, anything that does not need a structural engineer. Speeds things up; you can then skip the drywall inspection, etc. *(Note from Building Services: We currently have cross-trained inspectors. We would also allow the Master Builder self-inspection if asked. So far no Master Builder has approached the City.)*
6. **Consider a “project advocate” role.** Portland and other jurisdictions have used some form of this concept. The person in this role has decision authority and moves in quickly to confer with the applicant and the front line staff person. At the outset, counter people give us the business card of the “advocate,” so we will know who to call if we and the staff person later find ourselves in a bottleneck. Issues include problem solving on ways to provide missing information without a complete re-submittal, or to consider what options may be available to meet code in an old building. In Beaverton, we don't know who to call who will be able to make a decision about a problem. If we “go up the line,” we feel we are getting people in trouble. Problem solving and troubleshooting should be considered to be a legitimate part of the process, not a complaint against a staff person.
7. **Inspections Technology**—Inspectors have a lot of jobs and are under a lot of stress. Sometimes the estimated timing is off, and has consequences for us. If for example we have to do a special pour on the concrete, we need somewhere there

right away. Sometimes when they don't show up on time, we have to call of the job. There are methods of real time tracking, as UPS has, that the City could consider, to fine tune abilities to predict and schedule the work. A program called "Ironspire" is designed to streamline on site construction information flow (<http://ironspire.com/products/offering.asp>).

8. **Provide some permits in the field**—currently, if we have overlooked something that needs to be on the electrical permit, we have to go into the City Hall. In Yamhill County for example we just get the permit number over the phone. The inspector brings us the form in the course of his regular rounds to project sites. You get your permit while he is out there.
9. **Encourage customers to work out problems directly with the appropriate staff**—In Portland, for example, the packet includes a list of who does what, with their numbers. They also notify us of personnel changes and replacements. They rotate inspectors, and they notify us of that as well.

# Appendix B

NUMBERS AND PERCENTAGES OF ANSWERS GIVEN														
Q#	A=4		B=3		C=2		D=1		E=0		F=0		NR*	
Q1	138	83.6%	22	13.3%	3	1.8%	0	0.0%	0	0.0%	1	0.6%	1	0.6%
Q2	129	78.2%	21	12.7%	6	3.6%	1	0.6%	2	1.2%	6	3.6%	0	0.0%
Q3	130	78.8%	24	14.5%	6	3.6%	3	1.8%	0	0.0%	2	1.2%	0	0.0%
Q4	132	80.0%	17	10.3%	3	1.8%	4	2.4%	2	1.2%	5	3.0%	2	1.2%
Q5	125	75.8%	20	12.1%	2	1.2%	3	1.8%	1	0.6%	7	4.2%	7	4.2%
Q6	142	86.1%	13	7.9%	5	3.0%	1	0.6%	1	0.6%	1	0.6%	2	1.2%
Q7	142	86.1%	13	7.9%	4	2.4%	1	0.6%	2	1.2%	1	0.6%	2	1.2%
Q8	131	79.4%	18	10.9%	2	1.2%	4	2.4%	2	1.2%	5	3.0%	3	1.8%
Totals	1069	81.0%	148	11.2%	31	2.3%	17	1.3%	10	0.8%	28	2.1%	17	1.3%
Comp. 2003	Down	-1.9%	Up	0.2%	Same	0.0%	Up	0.1%	Up	0.5%	Up	0.3%	Up	0.7%

## "GRADE POINT AVERAGE"

Q. No.	# resp.	A pts.	#resp.	B pts.	# resp.	C pts.	# resp.	D pts.	# resp.		Tot. pts.	tot. resp.	GPA	%	Ltr. Grade
Q1	138	552	22	66	3	6	0	0	1	0	624	164	3.8	95%	A
Q2	129	516	21	63	6	12	1	1	8	0	591	165	3.58	0.8955	B
Q3	130	520	24	72	6	12	3	3	2	0	604	165	3.66	0.9152	A
Q4	132	528	17	51	3	6	4	4	7	0	585	163	3.59	0.8972	B
Q5	125	500	20	60	2	4	3	3	8	0	564	158	3.57	0.8924	B
Q6	142	568	13	39	5	10	1	1	2	0	617	163	3.79	0.9463	A
Q7	142	568	13	39	4	8	1	1	3	0	615	163	3.77	0.9433	A
Q8	131	524	18	54	2	4	4	4	7	0	582	162	3.59	0.8981	B
Totals	1069		148		31		17								
Ave.	134	534.5	18.5	55.5	3.88	7.75	2.13	2.125	4.75	0	597.8	162.9	3.67	0.9174	A-

# Appendix C

## ***BUILDING SERVICES*** ***FEEDBACK FROM INTERNAL CUSTOMERS***

**KEY POINTS** from interviews with staff from Site Development, Finance, Water Division, Development Services:

- **Inter-group communications**—Employees from other departments have a very positive view of the Building staff. Building staff are hard working, competent, cooperative, and open to suggestions.
- **Routing**—“operates like clockwork.” “Fits in well with our timeline.”
- **“Disconnects”**—problems don’t happen very often; however, some staffing interruptions occur because of vacations, and things can slip through a crack. Other disconnections happen in the “gray areas,” where there may be a question as to whether the issue is a matter of private review / plumbing, or whether it is on the public side. Sometimes, one division may be looking at a different set of plans—(e.g., if the architect introduces a change, only an architectural drawing may be re-submitted).
- **Roles**—there is a good problem solving climate between the Divisions and Departments.
  - Sometimes there can be a degree of second guessing when someone new comes mid-way into an issue.
  - Sometimes there are mix-ups about who should be keeping which types of records.
  - Currently, planners are reviewing the tasks that are covered by the code. In the future, some of the work now being done on the Building side may be done by the planners instead (e.g., standards within the development code for solar, set backs, etc., on a residential tenant improvement).
  - In some cases, building staff may have the expectation that staff in Site Development can solve an issue which actually has to involve some additional expertise (e.g., Fire).
- **Staffing**— “They need more support staff.” “CityGate recommended additional staffing, which they still need.”
- **Suggestions from other Divisions & Departments**—
  - Improve awareness re: conditions of approval. More attention needs to be put on getting conditions of approval addressed at each step of the construction—e.g., “a, b, and c have to happen before issuing a building permit,” or “...prior to occupancy, this, this, and this must be done.” “When building #4 goes in, this street has to be complete.” Each project is unique, so it is easy to miss some of these numerous triggers. Are the conditions of approval copied and in the file for the inspectors?
  - Work together to ensure that all involved (from all work areas) have a better understanding of the entire process.

Work together to negotiate support at all levels for the problem solving that is in the gray area. “Sometimes a solution has to be one of ‘the spirit of the code’, not the letter of the code. If we are meeting fire-life-safety concerns, we should have the flexibility to decide adjustments within those parameters. If this is the understanding of our level of discretion at all levels, people will feel confident to do this. If it feels like a personal risk, they will not.

# Appendix D

## *Building Staff Feedback* on Process & Organization Issues

**KEY POINTS** from interviews with Building Staff:

- **Customer Service**—Staff has a generally consistent internal definition of “good customer service.” The staff feel they provide good customer service and customers with whom they interact make positive comments. . Employees do not feel that the Mayor’s Office / management have defined clear, specific expectations for customer service. Staff are unsure what they are specifically supposed to be doing differently when they are told to “improve customer service.” While a part of customer service is “efficiency,” this is not the only value. Providing some consultation is also important.
- **Communication**—Staff note that internal communication, cooperation and problem-solving have improved since the Sr. Building Inspector left and regular staff meetings began. The communication and relationship between the two groups have also improved. Employees see few barriers to continued improvement.
- **Staff Meetings**— Staff meetings are described as informative, helpful and valuable, where people can express ideas and suggestions. The agendas and emailed meeting notes are appreciated. Still, the time required for the meetings is difficult because of the high workloads. Is it possible to provide comp. time to allow a full workday or have leads attend and pass information on when that makes sense?
- **Turn Around Times**--Turn around times are consistently met in Inspections. Plan Review targets for single family, Tenant Improvements and Commercial are not met as consistently. Employees are not tracking turnaround systematically, but are basing these estimates on observation.
- **Understaffing**—All areas are understaffed. Workloads have increased significantly and staff has decreased. Staff wonder how long they can maintain this pace. Most note that support staff have been especially hard hit. Some suggest that workloads justify the addition of a structural engineer and an additional inspector. Problems with turnaround could be solved with these additions. Having a structural engineer also adds confidence, and would eliminate the need to send out to a third party P.E.
- **Scanning, Filing, Archiving, etc.** — are not getting done. Time is wasted trying to locate unfiled plans. Are we missing out on fees by not closing out permits, dealing with expired permits, etc.? What is our liability if there is a fire? Can/should the archive department do archiving? What resources can we count on for this?
- **Third Party Review** --Instituted to save time and costs, but that has not been the case. Plans examiners end up reviewing much of the work in detail because of continuing errors and omissions. The idea of evening out peaks and valleys in workload with contract labor is a sound idea; however other options might be more effective.
- **Thoroughness of review**--There were differing opinions on whether the level of detail involved in current reviews can be reduced to speed up the process and still insure “conformance with the code.” Must engineer’s calculations be redone? Are there areas that will not have a significant impact on health, fire and safety that can be scrutinized in less detail? Can inspectors cover some?
- **Consistency between plans examiners and inspectors**—many expect the problems that customers have raised about “late identification of issues” to be significantly less, due to

recent staffing changes. Inspectors have less tension about repercussions if they do not make the strictest of interpretations in every case.

- **Department Mission / Goals:** Some suggest using staff meetings to discuss overall goals and roles. Some of the questions that might be further explored include:
  - Within the role as “regulators,” is the goal “reasonable code enforcement?” And if so, what does that mean? Does it mean, “meet fire-life-safety minimums,” or, “find different ways to meet the letter of the regulations?” Does it mean, “Make exceptions, when requested by upper management?”
  - What does “tri-county consistency of interpretation and process” really mean? Is this a directive? Why is this not statewide?
  - Since customers have the option of appealing to the Mayor, the result is that some shop for the answers they want, undermining consistency. The department manages this dynamic by adhering to the practice of strict, “to the letter” interpretations, until challenged. What other options can reduce the tendency to create adversarial relations between customers, staff, and Mayor’s Office? What actual risks are involved?
- **Relationship with the Mayor’s Office**—the Department as a whole is in a reactive mode in relation to problem solving. It may be possible to shift this style to involve more contact with the Mayor so he can learn more about our goals and roles outside of a specific problem. It may be possible to negotiate with the Mayor for a new practice in initiating action on customer complaints. This would involve redirecting the customer to the appropriate person and promising to check in with them later to see how it was resolved.
- **Building Official**--Staff appreciate the increased contact and communications with Brad. Most feel he is overworked and should have a dedicated support staff, particularly now that he has additional work associated with the staff meetings. Some also question how much autonomy he has to run the department. Many are concerned with his role in maintaining CRW.
- **Senior Building Inspector Position**--Can we make an organizational change to decrease workload rather than filling this position? (i.e. Three leads doing most supervision, with additional support staff hired for inspectors and Brad.) If filled, the person needs people skills. To what degree should this position be in the field?
- **Computer System**--Having an effective IVRS / data management system would have a *significant* effect on improving service. (i.e. printed phone ins, tracking signoffs, etc.) The current CRW software is inadequate, limited, and unreliable. It is hard to retrieve data, hard to generate reports, and it won’t balance. Upgrades are not current. Brad is planning how to make the transition to a new system. Brad is also requesting ISD to help provide some web request and tracking options.
- **Process and Organizational Improvements**--Comments ranged from "re-look at how we do everything" to "things are running pretty well now." Current efforts to streamline and reduce redundancies seem to be going well. Most see few barriers to a more cooperative way of working than was the case in the recent past. Some suggest supervisory and group skill building.

Specific suggestions for improvements included:

- Email/web inspection requests
- Counter check sheets for missing items
- Rewarding complete applications
- Decreasing detail required in reviews
- Routing on, if waiting for info
- Cross-training

## DRAFT

BEAVERTON CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 12, 2005

### 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, September 12, 2005, at 6:37 p.m.

### ROLL CALL:

Present were Mayor Drake, Couns. Catherine Arnold, Betty Bode, Dennis Doyle, Fred Ruby and Cathy Stanton. Also present were City Attorney Alan Rappleyea, Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/Maintenance Director Gary Brentano, Library Director Ed House, Human Resources Director Nancy Bates, Deputy Police Chief Chris Gibson, Site Development Engineer Jim Duggan and Deputy City Recorder Cathy Jansen.

### PROCLAMATIONS:

Mayor Drake proclaimed September 2005 as National Alcohol and Drug Addiction Recovery Month, Prostate Cancer Awareness Month, and Disaster Preparedness Month.

### PRESENTATION:

05168 Recognition of Jim Duggan for Receiving the 2005 Government Engineer of the Year Award

Mayor Drake said the City was recognizing Site Development Engineer Jim Duggan who was selected as the 2005 Government Engineer of the Year for the Oregon Section of the American Society of Civil Engineers (ASCE). He said Mr. Duggan received this award from his professional peers in ASCE; and ASCE represented 2,000 engineers in Oregon and 140,000 engineers world wide. He said Mr. Duggan had been with the City for over twenty years. He said he thought the City had an excellent staff and considering all the issues staff dealt with, they did an outstanding job. He said Mr. Duggan was a star among stars. He said the award would be formally presented to Mr. Duggan on September 15, 2005, at the ASCE meeting.

Mayor Drake and the Council congratulated Mr. Duggan and thanked him for his excellent work.

Mr. Duggan thanked Mayor Drake and the Council. He said he was surprised to learn last week that he had been nominated and received the award. He said he had enjoyed working for the City and every time he considered leaving, his supervisors convinced him to stay. He said his years with the City had been a blessing for him and his family.

#### VISITOR COMMENT PERIOD:

Henry Kane, Beaverton, said he submitted a letter to Metro asking that Metro retain bond expert Standard & Poors to issue a preliminary report on whether or not a responsible lender would approve a loan to construct two toll lanes on Highway 217. He said he was concerned that the Highway 217 Project Advisory Committee (PAC) would be pressured into recommending toll roads that were not feasible. He spoke about construction, maintenance and operation costs for toll roads, and said several toll road operations throughout the country had failed. He said once people reviewed the evaluation of Alternatives A and B done by consultant G. Machan, they would find the general purpose lane would be far superior and the toll lane would be miserable. He said the State of Oregon cannot lend its credit to a toll road operator to make up the difference between revenue and construction/maintenance costs.

#### COUNCIL ITEMS:

Coun. Ruby said he enjoyed visiting the new Cooper Mountain Preserve Area that the Mayor wrote about in *The Oregonian* a few weeks ago. He said this was the new park being developed by Metro under the Greenspaces initiative and he was able to visit it when Metro held an introductory program two weeks ago. He said it was a beautiful area with views of the Tualatin Valley, trails and a lot of wildlife. He said when it is completed in two years, it will be a marvelous addition to the Greenspaces Program.

Coun. Arnold said on Sunday, September 25, 2005, at 1:00 p.m., at the Tualatin Hills Nature Park there would be a celebration to recognize the purchase of the Mount Williams Property, which will become another City park.

Coun. Bode said Beaverton's Celebration Parade would be this Saturday, September 17, 2005, rain or shine. She said it would start at 10:00 a.m., and the route was along Erickson Avenue to Broadway Street. She said there were 100 entries and four bands. She said it would be a good day to go to the parade and the Farmer's Market.

Coun. Doyle said the Tualatin Hills Park & Recreation District would hold an antique motorcycle and car show on September 17, 2005. He said this event was a good complement to the parade. He encouraged everyone to attend the parade, car show, and Farmer's Market, noting this would be a fun-filled weekend.

Coun. Stanton said she could not attend the Get Centered Vancouver this Thursday. She said she would attend the Regional Mayors and Chairs Forum at the Zoo. She said on Thursday, September 22, 2005, at 7:30 a.m., the Westside Economic Alliance Breakfast Forum would be held at the Kingstad Center and the topic would be Highway 217. She said this would be a good place to get information on Highway 217.

STAFF ITEMS:

There were none.

ACTION ITEMS:

Travis Marley Permit Fee Waiver Request

Coun. Doyle MOVED, SECONDED by Coun. Stanton, that Council approve Travis Marley's permit fee waiver request, in the amount of \$401.30, for Marley's Eagle Scout Dugout Project at Hiteon School, per the memorandum from Mayor Drake dated September 8, 2005 (in the record).

Coun. Doyle said he was happy to make this motion. He said this was an excellent project and Travis Marley was to be commended for the hard work he did to pull this project together. He also commended the area businesses that made donations to this project and he thanked staff for helping Mr. Marley.

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

Appointment to Tualatin Hills Park & Recreation District Master Plan Committee

Mayor Drake said the City received a letter from the Tualatin Hills Park & Recreation District asking that a City Councilor volunteer to serve on the Tualatin Hills Park & Recreation District Comprehensive Master Plan and Trails Master Plan Committee. He said Coun. Doyle volunteered to serve as liaison to that Committee. He asked for Council consensus.

There was Council consensus to approve this appointment.

CONSENT AGENDA:

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

Minutes for the Regular Meeting of August 15, 2005

05157 Liquor License: New Outlet - Black Bear Diner, Valley Theatre Pub, Mak Wine Company, Waka Sushi Restaurant; Greater Privilege - Friends Café & Pub

05158 A Resolution Authorizing the Issuance of Water Revenue Bonds in One or More Series in an Aggregate Principal Amount Not Exceeding \$15,000,000 (Resolution No. 3829)

05159 Compensation Approval

05160 Traffic Commission Issues No. TC 573, 578 and 579

- 05161 Approval of the Intergovernmental Agreement for the Office of Consolidated Emergency Management in Washington County and Authorize the Mayor to Sign the Agreement (Resolution No. 3830)

Contract Review Board:

- 05162 Waiver of Solicitation Process - Contract Award for a Secured Wireless Data Communication System from Washington County Contracts 25063P and 25064P
- 05163 Appointment of Bond Counsel and Financial Advisor for a Proposed Water Revenue Bond Issue

Coun. Doyle said he was happy with the Traffic Commission's decision after revisiting the issue of the center turn lane on SW Greenway Avenue. He said he thought the Commission understood the Council's concerns about the center lane. He said regarding the flashing yellow lights at Hall Boulevard and Denny Road (page 6 of the Traffic Commission minutes) he wanted to commend staff for removing those signals as he was almost hit at that intersection twice. He said he appreciated staff taking the initiative for that action.

Coun. Doyle said, though he was not at the August 15, 2005 meeting, he found the discussion on disaster preparedness interesting and prophetic especially with the recent events in Louisiana and Mississippi. He said he was glad the City and region were on top of the issue of disaster preparedness training. He noted the difficulties faced in the south and said it was good that the City continued to stay up to date in its training and planning.

Couns. Doyle and Stanton noted there were two corrections in the minutes which they gave to the Deputy City Recorder.

Question called on the motion. Couns. Arnold, Bode, Doyle, Ruby and Stanton voting AYE, the MOTION CARRIED unanimously. (5:0) Couns. Arnold and Doyle abstained from voting on the August 15, 2005 Minutes as they were not at that meeting.

ORDINANCES:

Coun. Doyle MOVED, SECONDED by Coun. Bode, that the rules be suspended, and that the ordinances embodied in Agenda Bills 05164, 05165, 05166 and 05167, 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, Bode, Doyle, Ruby and Stanton voting AYE, the MOTION CARRIED unanimously. (5:0)

First Reading:

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

- 05164 TA 2005-0001 (2005 Omnibus) (Ordinance No. 4365)
- 05165 An Ordinance Relating to the Emergency Management Code, Amending Beaverton Code Section 2.01.020 (Ordinance No. 4366)

05166 An Ordinance Annexing One Parcel Located at 11915 Walker Road to the City of Beaverton: Annexation 2005-0007 (Ordinance No. 4367)

05167 An Ordinance Amending Beaverton City Code Chapter 5 by Adding Provisions Memorializing the City of Beaverton Police Department and Establishing the Department within the City Code (Ordinance No.4368)

Coun. Doyle noted for the record that the parcel on Walker Road was being annexed at the request of the owner.

#### ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 7:00 p.m.

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Catherine Jansen, Deputy City Recorder

#### APPROVAL:

Approved this    day of    , 2005.

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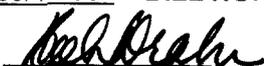
Rob Drake, Mayor

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** A Resolution of Intent to Condemn Property Located at 12750 SW Farmington Road, Beaverton, Washington County, Oregon for Public Use.

**FOR AGENDA OF:** 09/19/05 **BILL NO:** 05171

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CA's US

**DATE SUBMITTED:** 09/12/05

**CLEARANCES:** None

**PROCEEDING:** Consent.

**EXHIBITS:** Resolution

**BUDGET IMPACT**

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

The City is negotiating the purchase of a site on Farmington Road formerly occupied by Ringo's Tavern for use, when assembled with other properties acquired earlier, for a public health clinic, public housing and possible related uses. We have offered from the outset to acquire the property under "threat" of condemnation as to do so allows the owner to exchange this property for other (privately-acquired) property under federal tax laws. The owner has asked that the City proceed to threaten to take the property under its powers of condemnation.

**INFORMATION FOR CONSIDERATION:**

This Resolution is *pro forma* in all acquisitions of property for public use that are not acquired by purely voluntary purchase and sales agreements. There are no adverse consequences to enactment of this Resolution given that the City already has negotiated a right of entry for the property and has thus committed to this acquisition. We expect that this will be the last step in finalizing a purchase without need to file a condemnation lawsuit.

**RECOMMENDED ACTION:**

Pass resolution.

RESOLUTION NO. 3831

**A RESOLUTION OF INTENT TO CONDEMN PROPERTY LOCATED AT 12750 SW FARMINGTON ROAD, BEAVERTON, WASHINGTON COUNTY, OREGON FOR PUBLIC USE.**

**WHEREAS**, The Council has authorized the acquisition of private property in the block bordered by SW Farmington Road, SW First Street, SW Angel Avenue and SW Main Avenue so as to assemble those properties with existing public property to make available a site for construction of a public health clinic, public housing and related uses; and,

**WHEREAS**, The City is engaged in good faith negotiations with the owner of real and personal property located at 12750 SW Farmington Road and legally described as Lots 2, 3 and 4, Block 8, Beaverton, Washington County, Oregon to that property and the improvements thereon for public use, and in the course of those negotiations the City has offered to purchase the property under threat of condemnation so as to assist the owner with acquiring replacement property, now, therefore,

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

The Council hereby declares its intent to acquire in eminent domain, all of that real and personal property located at 12750 SW Farmington Road and legally described as Lots 2, 3 and 4, Block 8, Beaverton, Washington County, Oregon. This Resolution may be recorded in the deed records of Washington County, Oregon.

ADOPTED by the Council this \_\_\_\_\_ day of September, 2005.

APPROVED by the Mayor this \_\_\_\_\_ day of September, 2005.

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

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

ATTEST:

APPROVED:

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

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

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** Intergovernmental Agreement Between  
TriMet and the City of Portland for Transit  
Policing

**FOR AGENDA OF:** 09-19-05 **BILL NO:** 05172

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** City Attorney 

**DATE SUBMITTED:** 09-13-05

**CLEARANCES:** Finance   
Police

**PROCEEDING:** CONSENT AGENDA

**EXHIBITS:** Intergovernmental Agreement

**BUDGET IMPACT**

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

The TriMet Transit Police Division includes sworn officers from the City of Beaverton, City of Portland, City of Gresham, City of Milwaukie, City of Tigard, Multnomah County and Washington County. This Division provides police protection for transit facilities in the Metro area.

**INFORMATION FOR CONSIDERATION:**

The agreement provides for two full time City of Beaverton police officers to be assigned to the Transit Police Division. The City will charge all costs for these two officers plus 10% overhead, to the City of Portland. The City of Portland coordinates billing with TriMet. The City officers will remain City officers and will not be considered employees of TriMet. TriMet Transit Police Division will provide the daily supervision of Beaverton Police officers assigned to the Division. The term of this agreement is for one year through June 30, 2006 and is automatically renewed for successive one-year terms for ten years.

**RECOMMENDED ACTION:**

Approve the intergovernmental agreement and authorize the Mayor to sign it.

## **INTERGOVERNMENTAL AGREEMENT**

**This Agreement is among the Tri-County Metropolitan Transportation District of Oregon (TriMet), the City of Beaverton (Beaverton) and the City of Portland (Portland), pursuant to authority granted in ORS Chapter 190.**

The purpose of this Agreement is to provide two (2) officers (2.0 FTE) to the TriMet Transit Police Division, which is operated and administered by the Portland Police Bureau under a separate contract between TriMet and Portland. TriMet, through Portland, will compensate Beaverton for the services of the officers assigned to the Transit Police Division.

The parties agree as follows:

1. **TERM:** The initial term of this Agreement shall be from July 1, 2005 through June 30, 2006, and shall automatically renew for successive one year terms through June 30, 2010, unless terminated sooner under the terms of this Agreement.
2. **RESPONSIBILITIES OF PARTIES:** See attached Exhibit 1.
3. **TERMINATION:** This Agreement may be terminated as follows:
  - a. Any party may terminate this Agreement for its convenience and without penalty upon thirty (30) days written notice of its intention to terminate.
  - b. If TriMet is unable to appropriate sufficient funds to pay Beaverton for its services under this Agreement, TriMet must notify Beaverton and Portland and the Agreement terminates as of the end of the last fiscal year for which such appropriations are available.
  - c. Any obligations arising prior to the date of termination survive the termination, including any obligation to defend and indemnify any other jurisdictions.
4. **INDEMNIFICATION:**

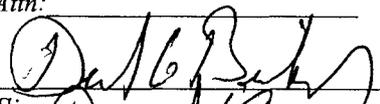
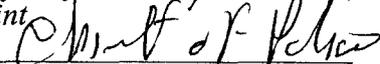
Portland and Beaverton will be responsible for the work of the officers assigned to the TriMet Transit Police Division.

Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, Beaverton shall indemnify, defend and hold harmless TriMet and Portland from and against all liability, loss, and costs arising out of or resulting from the acts of Beaverton, its officers, employees, and agents in the performance of this Agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, TriMet shall indemnify, defend, and hold harmless Beaverton and Portland from and against all liability, loss, and costs arising out of or resulting from the acts of TriMet, its officers, employees, and agents in the performance of this Agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, Portland shall indemnify, defend, and hold harmless Beaverton and TriMet from and against all liability, loss, and costs arising out of or resulting from the acts of Portland, its officers, employees, and agents in the performance of this Agreement.

5. **INSURANCE:** Each party shall be responsible for providing workers' compensation insurance as required by law. No party shall be required to provide or show proof of any other insurance coverage.
6. **ADHERENCE TO LAW:** Each party must comply with all federal, state, and local laws and ordinances applicable to this Agreement.
7. **ACCESS TO RECORDS:** Each party must have access to the books, documents, and other records of the other parties related to this Agreement for the purpose of examination, copying, and audit, unless otherwise limited by law.
8. **SUBCONTRACTOR AND ASSIGNMENT:** No party shall subcontract or assign any part of this Agreement without the written consent of the other parties.
9. **ENTIRE AGREEMENT:** This Agreement and Exhibits 1 and 2 constitute the entire agreement between the parties. This Agreement may be modified or amended only by the written agreement of the parties.
10. **ATTORNEY FEES:** In the event a lawsuit is filed to obtain performance of any kind under this Agreement, the prevailing party is entitled to additional sums as the court may award for reasonable attorney fees, all costs, and disbursements, including attorney fees, costs, and disbursements on appeal.
11. **SEVERABILITY:** The parties agree that, if any term of this Agreement is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms will not be affected.
12. **NOTICES:** The parties must send any notices, bills, invoices, reports, or other written communications required by this Agreement through the United States Mail, first-class postage paid, or personally delivered to the addresses below:

**BEAVERTON**  
 City of Beaverton  
 4755 SW Griffith Drive  
 Beaverton, OR 97005

Attn: \_\_\_\_\_

  
 \_\_\_\_\_  
 Signature  
  
 \_\_\_\_\_  
 Print  
  
 \_\_\_\_\_  
 Title

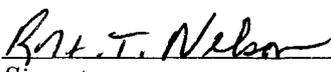
Approved as to form:

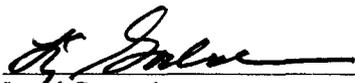
\_\_\_\_\_  
 Beaverton Counsel

By: \_\_\_\_\_  
 Mayor

**TRIMET**  
 4012 SE 17<sup>th</sup>  
 Portland, OR 97202

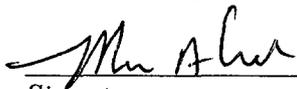
Attn: Robert T. Nelson

  
 \_\_\_\_\_  
 Signature  
 ROBERT T. NELSON  
 \_\_\_\_\_  
 Print  
 EXECUTIVE DIRECTOR, OPERATIONS  
 \_\_\_\_\_  
 Title

  
 \_\_\_\_\_  
 Legal Counsel

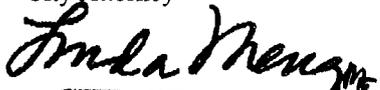
**PORTLAND**  
 Bureau of Police  
 1111 SW 2<sup>nd</sup> Avenue  
 Portland, OR 97204

Attn: Commander Crebs

  
 \_\_\_\_\_  
 Signature  
 MICHAEL A. CROSS  
 \_\_\_\_\_  
 Print  
 COMMANDER  
 \_\_\_\_\_  
 Title

By: \_\_\_\_\_  
 Mayor

**APPROVED AS TO FORM**  
 City Attorney

  
 \_\_\_\_\_  
 CITY ATTORNEY

## EXHIBIT 1

### TRANSIT POLICE DIVISION OPERATIONS

#### 1. SERVICE LEVEL

For the term of this Agreement, Beaverton will provide two (2) full-time officers (FTE) for assignment to the Transit Police Division (hereinafter "Division"). On an annual basis, the parties will agree upon the level of police service including personnel, equipment, and related support, to be provided to the Division. Beaverton personnel assigned to the Division will remain employees of Beaverton and will not be considered employees or agents of TriMet or the City of Portland (Portland). For purposes of this Agreement, the officers assigned to the Division will be referred to as assigned to the TriMet Transit Police Division.

#### 2. OPERATIONS

- a. Deployment: The parties recognize that they have legitimate interests in the management and deployment of officers assigned to the Division. The parties will work together to ensure that the allocation and deployment of police personnel assigned to the Division shall be consistent with TriMet's System Security Plan.
- b. Specialty Assignment: The parties recognize the value of police specialty assignments and training. TriMet reserves the right, however, to limit the number of officers assigned to the Division who hold specialty status and require specialized training.
- c. Daily Operation: The Division's sergeants and command personnel will provide supervision of Beaverton officers for the daily operation of the Division.
- d. General Orders, Standard Operation Procedures, and Testing: All officers assigned to the Division will remain subject to the General Orders and training requirements of Beaverton. Additionally, all officers assigned to the Division will abide by the Division's Standard Operating Procedures.
- e. Selection and Assignment: The command personnel of Beaverton, TriMet, and Portland will jointly select and assign officers to the Division. The relevant command personnel will make every effort to select the most qualified available officer making application for assignment to the Division.
- f. Agency Cooperation and Coordination:
  - (1) The parties will work closely and continuously communicate with each other to ensure that the resources, strategies, work force deployment, and initiatives of TriMet, Portland, and Beaverton are coordinated and effective.
  - (2) The Commander, TriMet Transit Police Division, or his/her designee, will coordinate contact with the parties to insure that the resources, strategies, work force deployment, and initiatives of the Division and those of the respective law enforcement agencies are coordinated and effective.

- (3) Beaverton agrees to work cooperatively in an effort to increase reporting of TriMet related incidents. Beaverton agrees to provide to the Division TriMet coded reports, data, and records. TriMet agrees to make available to Beaverton, through the Division, particular date reports, records, etc. that will assist in fulfilling the mission as outlined in this document.

g. Officer Seniority

Determination of officer seniority for purposes of making shift, vacation, holiday, and overtime assignments shall be according to the attached Exhibit 2.

3. REIMBURSEMENT OF COSTS

- a. Costs: Beaverton must pay the salaries, overtime, insurance, retirement, and other benefits of its respective officers serving in the TriMet Transit Police Division. Beaverton must bill the Portland Police Bureau, Fiscal Division, monthly for the salaries, overtime, insurance, retirement, other benefits and Indirect (overhead not to exceed 10%) charges incurred by Beaverton to provide personnel. Billings will be sent to: PPB Fiscal Division, 1111 SW 2<sup>nd</sup> Avenue, Portland, OR 97204. Portland agrees to compensate Beaverton within 30 days after receiving the bill.
- b. Amount: Before April 1<sup>st</sup> of each year of this Agreement, Portland and Beaverton must submit to TriMet a proposed annual budget for services under this contract for next fiscal year (July 1 through the following June 30). The parties will then agree on the compensation to be paid by TriMet for services to Portland and Beaverton under this Agreement. If the parties cannot agree on such compensation by April 1<sup>st</sup> of each year of this Agreement or at anytime during the term of this Agreement, any party may elect to terminate this Agreement for its convenience and without penalty in accordance with the Termination provision in this Agreement.

## EXHIBIT 2

### TRANSIT DIVISION PERSONNEL OPERATIONS

It is the intent of this Agreement: (1) to recognize that the TriMet Transit Police Division (Division) is staffed by police officers from many jurisdictions, each covered by their respective collective bargaining agreements, but that shifts, days off, vacations and overtime need to be assigned in a fair and equitable manner; (2) to provide for assignment of shifts, days off, vacations and overtime by seniority; (3) to allow for the change of shift hours of operation and to re-allocated positions and days off within certain shifts to maintain an appropriate balance of field strength.

#### THE PARTIES AGREE THAT:

1. Current and future Beaverton officers assigned to the Division will use their Beaverton date of hire seniority as the means to select shifts, days off, vacations and overtime.
2. Current and future Beaverton officers assigned to the Division will abide by the provisions of this Exhibit 2.
3. Seniority shall be defined as the length of uninterrupted service by the officer in his/her agency within the officer's Civil Service classification following the officer's most recent appointment. Time spent in the Armed Forces, on military leaves of absence, other authorized leaves and time lost because of duty-connected disability shall be included in length of service. If an officer who has been promoted reverts to a position s/he formerly held, the officer's seniority shall be the sum of the seniority earned in the promotional class and in the class to which the officer reverts.
4. Subject to manpower needs and maintaining efficiency of the Division/Detail, seniority shall be the prime factor in the selection of shifts and days off provided the officer is otherwise qualified. Seniority shall govern in the selection of vacation and holidays.
5. In the case of voluntary transfer and/or assignment, the seniority of an officer shall apply immediately to the officer's choice concerning holidays and vacations. The transferring officer may not use seniority to bump another officer's shift or days off until 45 days from the date of the written request.
6. In case of involuntary transfer and/or assignment, the seniority of an officer shall apply immediately to the officer's choice concerning holidays and vacation. In the event of an involuntary transfer, the Division shall accommodate the shift and/or days off preferences of transferring officers immediately, and shall not involuntarily bump any other officer for at least thirty (30) days from the time the bumped officer receives notice of the bump. The transferring officer may not use seniority to bump another officer's shift or days off until 30 days from the date of the written request.
7. For the purposes of this Agreement, the phrase "Transferring Officer" shall refer to an officer desiring to change shifts, days off or assignments, or an officer who is involuntarily transferred.
8. The Division shall prepare a form to be used by officers desiring to transfer from one shift, assignment, or day off configuration to another within the same reporting unit. For the purposes of this Agreement, this form shall be referred to as the "Transfer Request Form." The Transfer Request Form shall contain a place for transferring officers to indicate their preferences with respect to shifts and days off.

9. A transferring officer may complete a Transfer Request Form at any time. If the officer is seeking or anticipating a transfer, the officer shall file the Transfer Request Form with a Division Lieutenant. If the officer is seeking a change in days off or shifts which do not involve a transfer between reporting units, the Transfer Request Form shall be filed with the officer's shift commander. The Division will forward a copy of the Transfer Request Form to the location of the anticipated transfer.
10. In the event of a change in days off or shifts that do not involve a change in reporting units, the time frames referred to in Section 5 and 6 of this Exhibit 2 shall begin to run when the transferring officer submits the Transfer Request Form.
11. When the Division knows that an officer's preferences as indicated on a Transfer Request Form will result in the displacement of the shift or days off of another officer (referred to herein as the Transferred Officer), the Division shall notify the Transferred Officer as soon as possible of the fact that he or she may be bumped.
12. The Division shall accommodate the shift and/or days off preferences of transferring officers on a faster time schedule than that contained in Sections 5 and 6 of this Exhibit 2, if, in the Division's judgment, it is operationally sound to do so, provided that no other affected officer is bumped from his or her days off or shift who objects to the accommodation.
13. An officer may exercise seniority to bump another officer for shift and days off only once in ninety (90) days.
14. **Vacations.** Employees shall be allowed to select two vacation periods on the basis of seniority. Each vacation period must be of a minimum duration of one day. Vacation time shall be scheduled by the Division with due consideration being given to requests from officers which shall be determined among officers of equal rank by seniority; provided, however, that each officer shall be permitted to exercise the right of seniority only once each year. The sign-up deadline for the exercise of seniority in the selection of vacations shall be March 15 for the calendar year running from April 15 through April 14 of the following year.
15. **Holiday Assignment.** Where the shift strength is reduced or increased on holidays, consistent with the needs of the Division, assignments shall be offered to the most senior officer. Except for an emergency, the Division shall provide a minimum of ten (10) days' notice of any deviation from normal shift strength so that officers may plan the use of their time.
- A. Where shift strength is reduced, the most senior officer scheduled for duty on the shift shall be offered the option of working or not. Where shift strength is increased, the most senior officer on the shift shall be offered the option of working or not.
  - B. For purposes of this section, New Year's Eve and Christmas Eve shall be treated as holidays.
16. **Seniority for Vacation Purposes upon Transfer.** If an officer is involuntarily transferred, the Division shall honor the officer's pre-selected vacation times, and shall not disrupt the pre-selected vacation time for other officers in the division to which the officer is involuntarily transferred. If an officer accepts a voluntary transfer, the Division shall attempt to accommodate, to the extent possible, the officer's pre-selected vacation times.

17. **Shift Overtime.** Where the overtime is not directly related to activities begun by an officer during the officer's regular shift, and where the planned overtime is anticipated to be four (4) hours or more in duration, the overtime shall be offered, in the order of seniority, to officers in the Division. Once each eligible officer has had the opportunity to work shift overtime in a pay period, officers may once again use their seniority to work shift overtime as described above, and the seniority list shall rotate in the same fashion thereafter. The Division shall maintain a list in each reporting unit upon which officers must place their names indicating a willingness to work shift overtime. If an officer is incorrectly passed over for shift overtime, the officer shall be allowed to work a makeup overtime assignment within the next two pay periods following the discovery of the error. The officer and the Division shall mutually agree upon the makeup overtime assignment, which shall not displace another officer's already-selected overtime assignment. An officer who has been incorrectly passed over shall not be otherwise entitled to compensation for the missed overtime.

18. An officer will normally be given adequate advance notice of any change in the officer's regular hours of work, except where an emergency (an emergency is defined as an unforeseen event affecting the Division's ability to perform its mission) exists. Notice given less than forty-eight (48) hours (or seventy-two [72] hours under the Four-Ten Plan) before the officer is to begin work under the changed schedule entitles the officer to compensation at the overtime rate for those hours not exceeding eight (8) hours that are earlier, later, or different from the hours the officer last worked in a work day. A police officer is not entitled to compensation under the overtime rate if the officer is otherwise entitled to compensation under the same hours of work, or if shift changes are the result of a voluntary transfer or promotion.

All other terms and conditions of any current Collective Bargaining Agreement between the Beaverton Police Officer's Association and the City of Beaverton shall remain in effect as to other issues not addressed by this Exhibit 2.

ORDINANCE NO. **179503**

\*Authorize Intergovernmental Agreements with TriMet and the City of Beaverton for the Police Bureau to manage TriMet Transit Police (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. TriMet is in the process of executing new agreements with the jurisdictions participating in TriMet Transit Police. The new agreements are between TriMet, Portland and each of the jurisdictions separately.
2. The Transit Police Division includes sworn officers from the City of Beaverton, City of Gresham, City of Milwaukie, The City of Tigard, Multnomah County and Washington County. All of the jurisdictions wish to continue to participate in the Transit Police.
3. The City of Beaverton agrees to enter into a new agreement to be effective July 1, 2005 and terminate June 30, 2006 with automatic renewal for successive one-year terms until June 30, 2010 unless terminated sooner under the terms of the agreement.
4. The subsidiary agreement requires Beaverton to bill the City monthly for the cost of salaries, overtime, insurance, retirement, other benefits and indirect expenditures (overhead not to exceed 10% of direct expenditures) incurred to provide personnel for the Transit Police.
5. The new prime agreement will require the City to bill TriMet monthly for reimbursement of the funds paid to Beaverton plus 2% of the amount of Beaverton's direct costs and for the cost of the City providing personnel to staff the Transit Police. It is the intent of all parties that TriMet cover the costs of the jurisdictions to participate in the Transit Police.

NOW, therefore, the Council directs:

- a. The Mayor, City Auditor and the Transit Police Commander are hereby authorized execute the agreements between TriMet, Beaverton and the City of Portland Attached as Exhibit A.

Section 2. The Council declares that an emergency exists because delay in proceeding with this agreement will unnecessarily deprive TriMet, Beaverton and the City of Portland of the mutual benefits of this agreement; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by Council: **AUG 17 2005**

Mayor Tom Potter

Prepared by; Steven Hendricks  
July 21, 2005

Gary Blackmer  
Auditor of the City of Portland

By 

Deputy

## AGENDA BILL

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** Revised Bid Award – Bel Aire Storm  
Drain and Sanitary Sewer  
Improvements, Project No. 8049

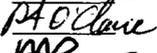
**FOR AGENDA OF:** 09/19/05 **BILL NO:** 05173

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Engineering 

**DATE SUBMITTED:** 09/06/05

**CLEARANCES:**

Purchasing   
Finance   
City Attorney   
Operations   
Water Division 

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

**EXHIBITS:** 1. Funding Plan  
2. Letter from Contractor  
3. Agenda Bill No. 05151

### **BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$1,722,527	BUDGETED \$1,543,500*	REQUIRED \$179,027

\* Project budgeted Account Numbers 502-75-3811-682 (\$693,500), Sewer Fund, Sewer Collection System Program; 513-75-3915-682 (\$400,000), Storm Drain Fund, Storm Drainage Miscellaneous Conveyances (SDC); 513-75-3950-682 (\$400,000), Storm Drainage Maintenance and Replacement Program; 513-75-3917-682 (\$50,000), Storm Water Miscellaneous Quality (SDC). Appropriation detail is shown on the attached Funding Plan.

### **HISTORICAL PERSPECTIVE:**

On August 15, 2005, Council considered Agenda Bill No. 05151 (attached). The Council, acting as Contract Review Board, found that Moore Excavation, Incorporated, was the lowest responsible bidder submitting the lowest responsive bid for the project and authorized a contract in an amount not to exceed \$1,700,000, with the stipulation that the scope of the work and the stated price could be successfully reduced through negotiation with Moore to the Mayor's satisfaction and in a form approved by the City Attorney.

The Bel Aire Storm Drain and Sanitary Sewer Improvement Project No. 8049 is intended to make needed repairs and replacements of the storm drain and sanitary sewer systems located in the Bel Aire neighborhood as described in the attached agenda bill.

### **INFORMATION FOR CONSIDERATION:**

Following action by the Council on August 15, 2005, staff attempted to negotiate with Moore Excavation, Incorporated, to achieve the price authorized by the Council. The amount of \$1.7 million was recommended to Council in Agenda Bill No. 05151 as a price point which staff expected to achieve at the time the agenda bill was written. Since then, based on the negotiations with Moore Excavation, especially in the last days leading up to this agenda bill recommendation, the contractor convinced staff that the cost of fuel, PVC plastic pipe materials and construction equipment are contributing reasons for not being able to reach the target price of \$1.7 million. Moore Excavation also stated that when quotes were recently requested from

suppliers for substituted equivalent project materials as revised by the City, that material prices in general had already risen since the original bid was prepared. Some of the explanation behind the increased costs is the result of current world oil prices and influences of impacts from the recent Gulf Coast hurricane Katrina disaster.

Although staff was unable to come to agreement on a modified scope that reduced the price to the exact amount of \$1,700,000 as authorized by the Council, after numerous discussions Moore Excavation, Incorporated, has reduced its price to the amount of \$1,722,526.66. Staff believes this figure is a fair and reasonable price for the revised scope of work modified through value engineering.

Staff has considered the alternative of rejecting the bids and re-bidding the project. However, staff is not recommending the alternative of rejecting bids due to a more pessimistic cost outlook for at least the remainder of 2005, concerning the costs of fuel and materials, which make up a large part of this type of construction costs.

Therefore, staff recommend that the Council award a contract for \$1,722,526.66 to Moore Excavation, Incorporated, as shown in the attached letter. Funding for the project requires a revised appropriation of \$179,027, which is available from the System Development and Replacement Contingencies of the Sewer and Storm Drain Funds as outlined in the attached Funding Plan.

**RECOMMENDED ACTION:**

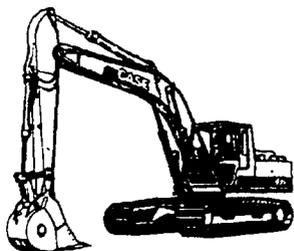
Council, acting as Contract Review Board, approve a contract with Moore Excavation, Incorporated, for the revised amount of \$1,722,527 for the scope of work negotiated by staff in a form approved by the City Attorney; and direct the Finance Director to include the additional \$179,027 appropriation as outlined in the attached Funding Plan in the next supplemental budget.

## Revised Bid Award – Bel Aire Storm Drain and Sanitary Sewer Improvements, Project No. 8049

# Funding Plan

Construction Improvements	Budget Account	Budgeted Amount	Additional Appropriation Required	Expenditure Required
<b>Sanitary Sewer Improvements - Schedule "A"</b>	502-75-3811-682    1)	693,500	\$89,527    5)	\$783,027
	513-75-3915-682    2)	400,000	\$44,750    6)	\$444,750
<b>Storm Drainage Improvements - Schedule "B"</b>	513-75-3950-682    3)	400,000	\$44,750    7)	\$444,750
	513-75-3917-682    4)	50,000	\$0	\$50,000
<b>Total</b>		<b>\$1,543,500</b>	<b>\$179,027</b>	<b>\$1,722,527</b>

- 1) 502-75-3811-682, Sewer Fund, Sewer Collection System Program, Construction
- 2) 513-75-3915-682, Storm Drain Fund, Storm Drainage Miscellaneous Conveyance (SDC), Construction
- 3) 513-75-3950-682, Storm Drain Fund, Storm Drainage Maintenance and Replacement Program, Construction
- 4) 513-75-3917- 682, Storm Drain Fund, Storm Water Miscellaneous Quality (SDC), Construction
- 5) 502-85-0753-994, Sewer Fund Contingency (Dedicated, SDC)
- 6) 513-85-0734-994, Storm Drain Fund Contingency (Dedicated, SDC)
- 7) 513-85-0734-994, Storm Drain Fund Contingency (Dedicated, Replacement)



# MOORE EXCAVATION, INC.

Office: (503) 252-1180 • Fax: (503) 252-1730  
Mailing: P.O. Box 30569, Portland, OR 97294 • Office: 17090 N.E. San Rafael  
OR CCB# 28397 • WA #MOORE1166BR • NM #86330

September 6, 2005

Ben Shaw Project Manager  
4755 w. Griffith Drive  
Beaverton, OR 97076

RE: Bel-Aire Storm and Sanitary Improvements

Ben,

I am in receipt of your deductions and cost associated with those items. I have re-visited these numbers with Brian. We have made the adjustments and at this time we are in agreement the total reduction amount being \$ 119,850.00.

I have the following breakdown for your consideration:

**Item #1:** Lump sum deduction of <\$916.00>

**Bid Item A-1:** Reduced <\$ 15,000.00> by reducing the quantity of units.

**Bid Item A-2:** Reduced by <\$ 7,410.00> by deleting the scope of work.

**Bid Item A-20:** Delete Scope reduced by <\$ 10,600.00>

**Bid Item A -22:** Delete scope reduced by <\$ 4,220.00>

**Bid Items:** Change Concrete pipe to ADS N-12 HDPE unit prices.

**B-1: \$ 175.00**

**B-2: \$ 160.00**

**B-3: \$ 152.00**

**B-4: \$ 145.00**

**B-5: \$ 131.00**

**B-6: \$ 135.00**

**B-7: \$ 145.00**

**B-8: \$ 125.55**

\*\*Reduced <\$47,204.00> by changing the concrete pipe to ADS N-12 HDPE.

**Bid Items B-20 thru B-25:** Reduced <\$34,500.00> by deleting the grout abandonment of the existing lines and capping them incidentally to the catch basin work.

Moore Excavation would agree to a total contract amount of: **\$1,722,526.66**. Given our correspondence and understanding of the scope changes and based on the above figures.

I look forward to speaking with you on this matter. Please contact me in my office at 503-252-1180.

Sincerely,

A handwritten signature in black ink that reads 'Roy V. Moore'. The signature is written in a cursive, flowing style.

Roy V. Moore  
President

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** Bid Award – Bel Aire Storm Drain and Sanitary Sewer Improvements, Project No. 8049

**FOR AGENDA OF:** 8/15/05 **BILL NO:** 05151

**Mayor's Approval:** [Signature]

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

**DATE SUBMITTED:** 8-05-05

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

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

- EXHIBITS:**
1. Location Map
  2. Bid Summary
  3. Funding Plan

**BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$1,700,000	BUDGETED \$1,543,500*	REQUIRED \$156,500

\* Project budgeted Account Numbers 502-75-3811-682 (\$693,500), Sewer Fund, Sewer Collection System Program; 513-75-3915-682 (\$400,000), Storm Drain Fund, Storm Drainage Miscellaneous Conveyances (SDC); 513-75-3950-682 (\$400,000), Storm Drainage Maintenance and Replacement Program; 513-75-3917-682 (\$50,000), Storm Water Miscellaneous Quality (SDC). Appropriation detail is shown on the attached Funding Plan.

**HISTORICAL PERSPECTIVE:**

As identified in the 2004 Sanitary Sewer Collection System Master Plan prepared by Tetra Tech/KCM, and the 2004 Bel Aire Creek Drainage Study prepared by David Evans and Associates (DEA), the storm drain and sanitary sewer systems in the project area shown on Exhibit 1 are in need of repair or replacement with larger diameter pipe to prevent damage to adjacent properties by providing additional capacity. The Bel Aire Storm Drain and Sanitary Sewer Improvement Project No. 8049 is intended to make the needed repairs and replacements.

The sanitary sewer portion of this project is the continuation of the program to relieve the surcharging conditions (during heavy rainfall due to infiltration) in the basin that began with the Denney West Sanitary Sewer Project, completed in 2003. That project increased the capacity of the Bel Aire neighborhood sanitary sewer collection system from the Fanno Creek Interceptor to Blakeney Avenue. The storm drainage portion of this project will address the flooding issues identified in the DEA drainage report and modify the outlet structure of the Green Lane Detention Pond to partially fulfill the anticipated future wetland mitigation requirement of the SW 125<sup>th</sup> Avenue Extension project.

The project is included in the 2005/06 fiscal year Capital Improvement Plan and consists of 3,790 lineal feet of sanitary sewer mainline pipe, 3,901 lineal feet of storm drainage pipe, 44 manholes, and a storm water treatment structure.

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**INFORMATION FOR CONSIDERATION:**

On October 4, 2004 the Council awarded a contract for the design of these improvements to DEA. The firm completed the construction plans and specifications, including a formal cost estimate of \$1,458,072.50. The Project was advertised for bid in the Daily Journal of Commerce on June 27, 2005. A mandatory pre-bid meeting was held on July 12, 2005 and seven construction firms attended. On July 20, 2005 four bids were received and opened: Moore Excavation Incorporated of Portland submitted the lowest bid in the amount of \$1,842,376.66. The three lowest bids were within \$52,000 of each other, which tends to indicate that the bids received are competitive bids reflecting actual market prices for construction.

The \$384,304.16 difference between the lowest bid and the formal project cost estimate provided by DEA is most likely due to the increased price of fuel, cement and reinforcing steel. With its bid, Moore Excavation Incorporated also submitted required information such as the bidder responsibility form and the tentative construction schedule. Staff has reviewed the submittals and references and recommends that the Council find that Moore Excavation Incorporated is the lowest responsive, responsible bidder.

Oregon law (ORS 279C.340) and the Beaverton Purchasing Code (BPC section 49-0430) allow negotiations with the lowest responsible bidder submitting the lowest responsive bid to attempt to bring the project within the City's pre-bid cost estimate through value engineering. Value engineering is the identification of alternative methods, materials and systems that provide for comparable function at reduced cost. The scope of the project may also be adjusted to better fit the City's budget, but cannot significantly change such that the City would have expected other bidders to have participated in the bidding process had the change in the project's scope been made during the solicitation process rather than during negotiation. Such negotiations already are in progress and the "not to exceed" amount of the contract award represents a price point that staff expects to achieve in negotiations. Staff is confident that the reduced scope and price of the work will not constitute a significant change such as to require rejection of all bids and a new invitation to bid on a different scope of work.

Funding for the additional "not to exceed" \$156,500 appropriation is available from the System Development and Replacement Contingencies of the Sewer and Storm Drain Funds as outlined in the attached Funding Plan.

City staff would like to issue a Notice to Proceed to Moore Excavation Incorporated for this project on or about August 24, 2005, with completion within two hundred eighty-five (285) days. This means the project's estimated substantial completion date would be May 29, 2006.

**RECOMMENDED ACTION:**

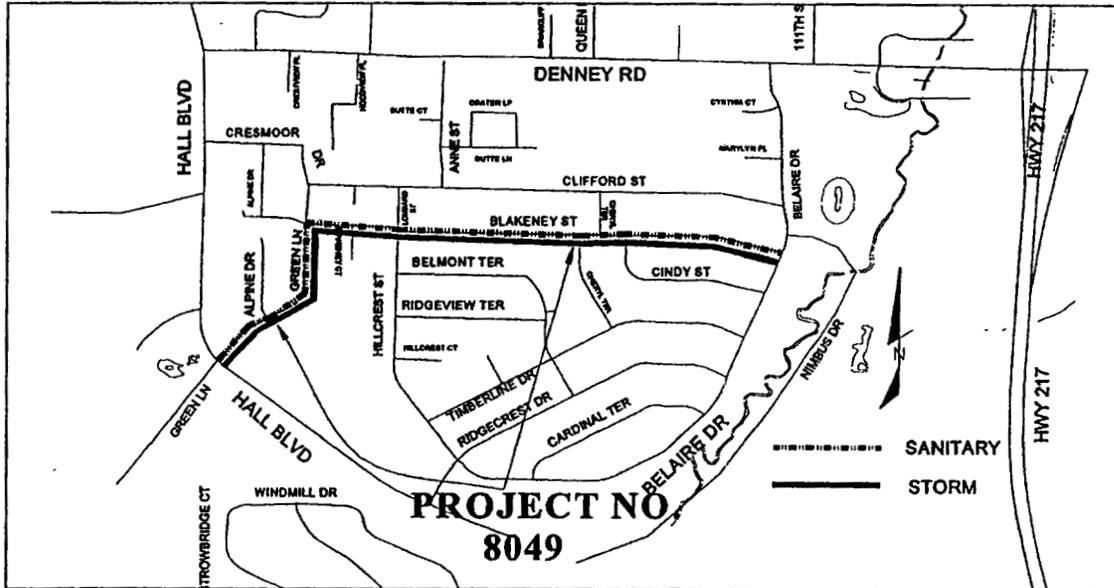
Council, acting as Contract Review Board, should find Moore Excavation, Incorporated is the lowest responsible bidder submitting the lowest responsive bid for the Project and should authorize a contract in an amount not to exceed \$1,700,000.00, with the scope of the work and the price to be reduced after negotiation with Moore to the Mayor's satisfaction and in a form approved by the City Attorney; and, direct the Finance Director to include the additional not to exceed \$156,000 appropriation as outlined in the attached Funding Plan in the next supplemental budget.

**Project Data**

Storm

**Project Number:** 8049  
**Project Name:** BelAire Creek Storm Drainage/Blakeney Trunk Sanitary Sewer Improvements  
**Project Description:** Storm drainage: Construct 2295 feet of 36-inch and 1,530 feet of 30-inch storm drain main line, a Vortechs storm water quality structure, 536 feet of 10" and 12" storm drainage laterals, and 24 storm drain manholes. Sanitary sewer: Replace approximately 2,650 feet of 12-inch, 1,055 feet of 10-inch, and 85 feet of 8-inch sanitary sewer main line, 20 manholes, and 1,870 feet of 4" and 6" service laterals.

Map:



**Project Justification:** This project was identified in the 2004 Sanitary Sewer Collection System Master Plan prepared by Tetra Tech/KCM, and the 2004 BelAire Creek Drainage Study prepared by David Evans and Associates. The project is intended to relieve flooding of the surface streets and surcharging of the sanitary sewer system. The 8" sanitary sewer pipe under the north sidewalk along Blakeley St was constructed with the Cresmoor Subdivision in the early 1960s. Also at this time BelAire Creek was put into a pipe that runs mostly along back lot lines just to the north of Blakeney. The area contributing flow to these pipes west of Hall Blvd has had an increase in the number of homes and an increase in the amount of impervious cover.

**Project Status:** Project is under design by David Evan & Assoc. Design is scheduled to be complete by June 2005 and construction to begin in the summer/fall of 2005.

**Estimated Date of Completion:** 06/30/2006

**Estimated Project Cost:** \$1,810,000

**First Year Budgeted:** FY04/05

**Funding Data:**

<u>Project No.</u>	<u>Fund No.</u>	<u>Fund Name</u>	<u>Amount</u>	<u>FY</u>
8049	3811	Sewer SDC	\$730,000	FY2005/06
	3915	Storm SDC Conveyance	\$410,000	FY2005/06
	3917	Storm SDC Water Quality	\$50,000	FY2005/06
	3950	Storm Maint/Replacement	\$410,000	FY2005/06
<b>Total for FY:</b>			<b>\$1,600,000</b>	

BID SUMMARY

CITY OF BEAVERTON

TO: Mayor & City Council

FROM: Purchasing Division

SUBJECT: Bid Opening

Bids were opened on JULY 20, 2005 at 2:00 PM in the FINANCE CONFERENCE ROOM

For: BEL AIRE STORM AND SANITARY SEWER IMPROVEMENT PROJECT 2005-06

Witnessed by: BEN SHAW

VENDOR NAME AND CITY, STATE	BID BOND	ADDEN ACK	SCHEDULE "A"	SCHEDULE "B"	BID AMOUNT
K& R PLUMBING CONSTRUCTION INC CLACKAMAS, OR	X	X	\$925,495.00	\$928,707.30	\$1,894,202.30
RCI CONSTRUCITON GROUP PORTLAND, OR	X	X	\$889,707.00	\$1,127,870.00	\$2,056,940.00
MOORE EXCAVATION INC PORTLAND OR	X	X	\$790,326.66	\$1,012,050.00	\$1,842,376.66
CANBY EXCAVATING INC CANBY, OR	X	X		\$1,062,290.75	\$1,880,034.05

The Purchasing process has been confirmed.

Signed: *Larry L Muralt*  
Purchasing Division-Finance Dept.

The above amounts have been checked: YES NO

Date: 7-20-05

## Bid Award – Bel Aire Storm Drain and Sanitary Sewer Improvements, Project No. 8049

### Funding Plan

Construction Improvements	Budget Account	Budgeted Amount	Additional Appropriation Required	Expenditure Required
<b>Sanitary Sewer Improvements - Schedule "A"</b>	502-75-3811-682    1)	693,500	\$67,000    5)	\$760,500
<b>Storm Drainage Improvements - Schedule "B"</b>	513-75-3915-682    2)	400,000	\$44,750    6)	\$444,750
	513-75-3950-682    3)	400,000	\$44,750    7)	\$444,750
	513-75-3917-682    4)	50,000	\$0	\$50,000
<b>Total</b>		<b>\$1,543,500</b>	<b>\$156,500</b>	<b>\$1,700,000</b>

- 1) 502-75-3811-682, Sewer Fund, Sewer Collection System Program, Construction
- 2) 513-75-3915-682, Storm Drain Fund, Storm Drainage Miscellaneous Conveyance (SDC), Construction
- 3) 513-75-3950-682, Storm Drain Fund, Storm Drainage Maintenance and Replacement Program, Construction
- 4) 513-75-3917-682, Storm Drain Fund, Storm Water Miscellaneous Quality (SDC), Construction
- 5) 502-85-0753-994, Sewer Fund Contingency (Dedicated, SDC)
- 6) 513-85-0734-994, Storm Drain Fund Contingency (Dedicated, SDC)
- 7) 513-85-0734-994, Storm Drain Fund Contingency (Dedicated, Replacement)

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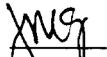
**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** TA 2005-0001 (2005 Omnibus)

09/19/05  
**FOR AGENDA OF:** ~~09-12-05~~ **BILL NO:** 05164

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CDD 

**DATE SUBMITTED:** 8-30-05

**CLEARANCES:** City Attorney   
Dev. Serv. 

**PROCEEDING:** First Reading  
Second Reading and Passage

- EXHIBITS:**
1. Ordinance
  2. Land Use Order No. 1814
  3. Draft PC Minutes dated 08-24-05
  4. Staff Report dated 08-03-05

**BUDGET IMPACT**

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

On August 24, 2005, the Planning Commission held a public hearing to consider TA 2005-0001 (2005 Spring Omnibus) that proposes to amend selected sections of the Beaverton Development Code currently effective through Ordinance 4295 (April 2004) to clarify approval criteria, specify the applicability of certain regulations, renumber and reorder certain regulations, relocate certain sections, and remove certain sections. Affected chapters of the Development Code include, Chapter 10 (General Provisions), Chapter 20 (Land Uses), Chapter 40 (Applications), Chapter 50 (Procedures), Chapter 60 (Special Regulations), and Chapter 90 (Definitions). At the recommendation of staff the Planning Commission removed Section 1 because it did not provide the clarity that was intended and added Section 25 to further clarify Landscape Tree mitigation. Following the close of the public hearing on August 13, 2005, the Planning Commission voted 6-0 to recommend approval of the proposed Omnibus Text Amendment, as memorialized in Land Use Order No. 1814.

**INFORMATION FOR CONSIDERATION:**

Attached to this Agenda Bill is an Ordinance including the proposed text, Land Use Order No. 1814, the draft Planning Commission meeting minutes, staff report and memo.

**RECOMMENDED ACTION:**

Staff recommend the City Council approve the recommendation of the Planning Commission for TA 2005-0001 (2005 Omnibus) as set forth in Land Use Order No. 1814. Staff further recommends the Council conduct a First Reading of the attached ordinance.

Second Reading and Passage

ORDINANCE NO. 4365

AN ORDINANCE AMENDING ORDINANCE NO. 2050,  
THE DEVELOPMENT CODE, CHAPTER'S:  
10, 20, 40, 50, 60, and 90;  
TA 2005-0001 (2005 Omnibus).

**WHEREAS**, the purpose of the 2005 Spring Omnibus Development Code Text Amendment is to amend selected sections of the Beaverton Development Code currently effective through Ordinance 4295 (April 2004) to clarify approval criteria, specify the applicability of certain regulations, renumber and reorder certain regulations, relocate certain sections, and remove certain sections. Affected chapters of the Development Code include, Chapter 10 (General Provisions), Chapter 20 (Land Uses), Chapter 40 (Applications), Chapter 50 (Procedures), Chapter 60 (Special Regulations), and Chapter 90 (Definitions),

**WHEREAS**, pursuant to Section 50.50.5 of the Development Code, the Beaverton Development Services Division, on August 3, 2005 published a written staff report and recommendation a minimum of seven (7) calendar days in advance of the scheduled public hearing before the Planning Commission on August 24, 2005; and,

**WHEREAS**, the Planning Commission held a public hearing on August 13, 2005 and approved the proposed 2005 Spring Omnibus Development Code Text Amendment based upon the criteria, facts, and findings set forth in the staff report dated August 3, 2005, as amended at the hearing; and

**WHEREAS**, on August 24, 2005, the Planning Commission conducted a public hearing for TA 2005-0001 (2005 Omnibus) at the conclusion of which the Planning Commission voted to recommend to the Beaverton City Council to adopt the proposed amendments to the Development Code as summarized in Planning Commission Land Use Order No. 1814; and,

**WHEREAS**, no written appeal pursuant to Section 50.75 of the Development Code was filed by persons of record for TA 2005-0001 (2005 Omnibus) following the issuance of the Planning Commission Land Use Order No. 1814; and,

**WHEREAS**, the City Council adopts as to criteria, facts, and findings, described in Land Use Order No. 1814 dated September 2, 2005 and the Planning Commission record, all of which the Council incorporates by this reference and finds to constitute an adequate factual basis for this ordinance; and now therefore,

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

**Section 1.** Ordinance No. 2050, effective through Ordinance No. 4295, the Development Code, is amended to read as set out in Exhibit "A" of this Ordinance attached hereto and incorporated herein by this reference.

**Section 2.** All Development Code provisions adopted prior to this Ordinance which are not expressly amended or replaced herein shall remain in full force and effect.

**Section 3. Severance Clause.** The invalidity or lack of enforceability of any terms or provisions of this Ordinance or any appendix or part thereof shall not impair or otherwise affect in any manner the validity, enforceability or effect of the remaining terms of this Ordinance and appendices and said remaining terms and provisions shall be construed and enforced in such a manner as to effect the evident intent and purposes taken as a whole insofar as reasonably possible under all of the relevant circumstances and facts.

First reading this 12<sup>th</sup> day of September, 2005.

Passed by the Council this \_\_\_ day of \_\_\_\_\_, 2005.

Approved by the Mayor this \_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

APPROVED:

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

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

1 Old text has strike through and new text is grey scale.

2

3 Section 1 – Removed by Planning Commission

4

5 Section 2: The Development Code, Ordinance No. 2050, Ordinance  
6 4332, Chapter 10, General Provisions, Sections 10.25, will be amended  
7 to read as follows:

8

9

\*\*\*\*\*

10

11 **10.25. Classification of Districts**

12

13

\*\*\*\*\*

14

**ZONING DISTRICT**

**ABBREVIATION**

15

16

**Multiple Use Districts**

17

18

Station Area - Multiple Use

SA-MU

19

Station Area - Medium Density Residential

SA-MDR

20

Station Community - Multiple Use

SC-MU

21

Station Community - High Density Residential

SC-HDR

22

Station Community - Employment

SC-E

23

Corridor – Multiple Use

C-MU

24

Town Center - Multiple Use

TC-MU

25

Town Center - High Density Residential

TC-HDR

26

Town Center - Medium Density Residential

TC-MDR

27

Regional Center - Transit Oriented

RC-TO

28

Regional Center - Old Town

RC-OT

29

Regional Center - East

RC-E

30

31

\*\*\*\*\*

32

1 **Section 3: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 10, General Provisions, Sections 10.95.2.B.2, will be**  
3 **amended to read as follows:**

4  
5  
6 \*\*\*\*\*

7  
8 **10.95. Development Review Participants**

9  
10 **2. Planning Commission.**

11  
12 **A. Membership**

13  
14 \*\*\*\*\*

15  
16 **B. Responsibilities and Authority**

17  
18 \*\*\*\*\*

19  
20 2. The Planning Commission shall act on the behalf of  
21 the City on the following applications: Major  
22 Adjustment, ~~Major Adjustment—Regional Center~~  
23 ~~and South Tektronix Station Community~~, Major  
24 Modification of a Conditional Use, Conditional Use,  
25 Preliminary Planned Unit Development, Final  
26 Planned Unit Development, Flexible Setback(s) for  
27 a Proposed Land Division, Flexible Setback(s) for a  
28 Proposed Annexation, Zero Side or Zero Rear Yard  
29 Setback(s) for a Proposed Residential Land  
30 Division, Tree Plan Three, Variance, Wireless  
31 Facility Three, and appeals of some decisions of the  
32 Director.

33  
34 \*\*\*\*\*  
35

1 **Section 4: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 10, General Provisions, Sections 10.95.3.B.2, will be**  
3 **amended to read as follows:**

4  
5  
6 \*\*\*\*\*

7  
8 **10.95. Development Review Participants**

9  
10 \*\*\*\*\*

11  
12 **3. Board of Design Review.**

13  
14 A. Membership

15 \*\*\*\*\*

16  
17  
18 B. Responsibilities and Authority

19 \*\*\*\*\*

- 20  
21 2. The Board of Design Review shall review proposals  
22 and make necessary decisions delegated to them by  
23 this Code concerning design and aesthetic aspects  
24 of proposals. The Board of Design Review shall act  
25 on the behalf of the City on the following  
26 applications: Major Adjustment, ~~Major Adjustment~~  
27 ~~Regional Center and South Tektronix Station~~  
28 ~~Community~~, Design Review Three, Major  
29 Alteration of a Landmark, Demolition of a  
30 Landmark, New Construction in a Historic District,  
31 Tree Plan Three, Variance, and appeals of some  
32 decisions of the Director.

33  
34  
35 \*\*\*\*\*

1 **Section 5: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 20, Land Uses, Sections 20.05.10.2.B.13, 20.05.15.2.B.13,**  
3 **and 20.05.20.2.B.13, will be amended to read as follows:**

4  
5 **20.05 Residential Land Use Districts**

6  
7 \*\*\*\*\*

8 **20.05.10 Urban Low Density (R-10) District**

9 \*\*\*\*\*

10 **20.05.10.1 Purpose**

11 \*\*\*\*\*

12 **20.05.10.2 District Standards and Uses**

13 \*\*\*\*\*

14 **A. Permitted Uses**

15 \*\*\*\*\*

16 **B. Conditional Uses**

17 \*\*\*\*\*

- 18 13. Two attached dwellings, only in the ~~Central~~  
19 Beaverton Downtown Regional Center area shown  
20 on ~~Map 2~~ Figure III-1 in the Comprehensive Plan  
21 (ORD 3236) (See also Special Regulations Section.)  
22 [ORD 4224; August 2002]

23  
24 \*\*\*\*\*

25  
26 **20.05.15. Urban Standard Density (R7) District**

27 \*\*\*\*\*

28 **20.05.15.1 Purpose**

29 \*\*\*\*\*

30 **20.05.15.2 District Standards and Uses**

31  
32 \*\*\*\*\*

33 **A. Permitted Uses**

34 \*\*\*\*\*

35 **B. Conditional Uses**

36 \*\*\*\*\*

1                                   13.    Two attached dwellings, only in the ~~Central~~  
2                                   Beaverton Downtown Regional Center area shown  
3                                   on ~~Map 2~~ Figure III-1 in the Comprehensive Plan  
4                                   (ORD 3236) (See also Special Regulations Section.)  
5                                   [ORD 4224; August 2002]

6   \*\*\*\*\*

7  
8   **20.05.20    Urban Standard Density (R5) District**

9   \*\*\*\*\*

10   **20.05.20.1   Purpose**

11   \*\*\*\*\*

12   **20.05.20.2   District Standards and Uses**

13                                   \*\*\*\*\*

14   **A.               Permitted Uses**

15                                   \*\*\*\*\*

16   **B                Conditional Uses**

17                                   \*\*\*\*\*

18                                   13.    Two attached dwellings, only in the ~~Central~~  
19                                   Beaverton Downtown Regional Center area shown  
20                                   on ~~Map 2~~ Figure III-1 in the Comprehensive Plan  
21                                   (ORD 3236) (See also Special Regulations Section.)  
22                                   [ORD 4224; August 2002]

23  
24   \*\*\*\*\*

1 **Section 6: The Development Code, Ordinance No. 2050, Ordinance**  
 2 **4332, Chapter 20, Land Uses, Sections 20.05.50.3.C.2., will be amended**  
 3 **to read as follows:**

4  
 5  
 6 **20.05.50 Site Development Requirements**

7  
 8 **1. Lot Area**

9 \*\*\*\*\*

10 **2. Lot Dimensions**

11 \*\*\*\*\*

12 **3. Yard Setbacks (in feet)**

13 **A. Front**

14 \*\*\*\*\*

15 **B. Side**

16 \*\*\*\*\*

17 **C. Rear**

18

		<u>RA</u>	R10	R7	R5	<u>R4</u>	R3.5	R2	R1
C. Rear									

1. Dwelling or building	100	25	25	25	15	15	15	15
[ORD 4038; March 1999]								
[ORD 4047; May 1999] [ORD 4107; May 2000]								
2. Garage	20	5 20	5 20	5 20	10*	5	10	10
[ORD 4038; March 1999]								
[ORD 4047; May 1999] [ORD 4107; May 2000]								
3. Garage with door	n/a	n/a	n/a	n/a	24	24	24	24
elevation facing alley* [ORD 4107; May 2000]								

19  
 20 \* If alley present, setback measured from garage door  
 21 elevation to opposite side of the alley right of way or  
 22 access easement line. [ORD 4047; May 1999] [ORD  
 23 4107; May 2000] [ORD 4224; August 2002]

24  
 25 \*\*\*\*\*

1 **Section 7: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 40, Applications, Sections 40.10.15.1.A.2, 40.10.15.2,**  
3 **40.10.15.3.A.2, and 40.10.15.4, will be deleted to read as follows:**

4  
5  
6 **40.10. ADJUSTMENT**

7  
8 **40.10.05. Purpose.**

9 \*\*\*\*\*

10 **40.10.10. Applicability.**

11 \*\*\*\*\*

12 **40.10.15. Application.**

13 \*\*\*\*\*

14 **1. Minor Adjustment.**

15  
16 A. Threshold. An application for Minor Adjustment shall be  
17 required when one or more of the following thresholds  
18 apply:

19  
20 1. Involves up to and including a 10% adjustment  
21 from the numerical Site Development  
22 Requirements specified in Chapter 20 (Land Uses).

23  
24 ~~2. Involves up to and including a 10% adjustment~~  
25 ~~from the numerical Development Standards for~~  
26 ~~Major Pedestrian Routes specified in Section~~  
27 ~~20.20.60.D.3 of this Code.~~

28 \*\*\*\*\*

29  
30 ~~2. Minor Adjustment All Regional Center zones and South~~  
31 ~~Tektronix Station Community Major Pedestrian Routes.~~

32  
33 ~~A. Threshold. An application for Minor Adjustment~~  
34 ~~Regional Center and South Tektronix Station Community~~  
35 ~~Major Pedestrian Routes shall be required when the~~  
36 ~~following threshold applies:~~

37  
38 ~~1. Involves an adjustment of up to and including 25%~~  
39 ~~of numerical Development Standards for Major~~  
40 ~~Pedestrian Routes specified in Section 20.20.60.B.3~~  
41 ~~or Section 20.20.60.E.3 of this Code.~~

42  
43 ~~B. Procedure Type. The Type 2 procedure, as described in~~  
44 ~~Section 50.40 of this Code, shall apply to an application~~  
45 ~~for Minor Adjustment Regional Center and South~~  
46 ~~Tektronix Station Community Major Pedestrian Routes.~~  
47 ~~The decision making authority is the Director.~~

1  
2 C. ~~Approval Criteria.~~ In order to approve a Minor  
3 Adjustment Regional Center and South Tektronix  
4 Station Community Major Pedestrian Routes application,  
5 the decision making authority shall make findings of fact  
6 based on evidence provided by the applicant  
7 demonstrating that all the following criteria are satisfied:  
8

- 9 1. ~~The proposal satisfies the threshold requirements~~  
10 ~~for a Minor Adjustment Regional Center and~~  
11 ~~South Tektronix Station Community Major~~  
12 ~~Pedestrian Routes application.~~  
13  
14 2. ~~All City application fees related to the application~~  
15 ~~under consideration by the decision making~~  
16 ~~authority have been submitted.~~  
17  
18 3. ~~Granting the adjustment will equally or better~~  
19 ~~meet the purpose of the District subarea~~  
20 ~~requirement, standard or regulation to be modified.~~  
21  
22 4. ~~The proposal will be consistent with the desired~~  
23 ~~character of the area.~~  
24  
25 5. ~~If more than one (1) adjustment is being requested,~~  
26 ~~the cumulative effect of the adjustments will result~~  
27 ~~in a project which is still consistent with the overall~~  
28 ~~purpose of the zone.~~  
29  
30 6. ~~City designated scenic resources and historic~~  
31 ~~resources, if present, are preserved.~~  
32  
33 7. ~~Any impacts resulting from the adjustment are~~  
34 ~~mitigated to the extent practical.~~  
35  
36 8. ~~Applications and documents related to the request,~~  
37 ~~which will require further City approval, shall be~~  
38 ~~submitted to the City in the proper sequence.~~  
39

40 D. ~~Submission Requirements.~~ An application for a Minor  
41 Adjustment Regional Center and South Tektronix  
42 Station Community Major Pedestrian Routes shall be  
43 made by the owner of the subject property, or the owner's  
44 authorized agent, on a form provided by the Director and  
45 shall be filed with the Director. The Minor Adjustment  
46 Regional Center and South Tektronix Station Community  
47 Major Pedestrian Routes application shall be

1 accompanied by the information required by the  
2 application form, and by Section 50.25 (Application  
3 Completeness), and any other information identified  
4 through a Pre Application Conference.  
5

6 ~~E. Conditions of Approval. The decision making authority  
7 may impose conditions on the approval of a Minor  
8 Adjustment Regional Center and South Tektronix  
9 Station Community Major Pedestrian Routes application  
10 to ensure compliance with the approval criteria.~~

11  
12 ~~F. Appeal of a Decision. Refer to Section 50.65.~~

13  
14 ~~G. Expiration of a Decision. Refer to Section 50.90.~~

15  
16 ~~H. Extension of a Decision. Refer to Section 50.93.~~

17  
18 \*\*\*\*\*

19 **3. Major Adjustment.**

20  
21 A. Threshold. An application for Major Adjustment shall be  
22 required when one or more of the following thresholds  
23 apply:  
24

25 1. Involves an adjustment of more than 10% and up to  
26 and including 50% adjustment from the numerical  
27 Site Development Requirement specified in  
28 Chapter 20 (Land Uses).  
29

30 2. ~~Involves an adjustment of more than 10% and up to  
31 and including 50% adjustment from the numerical  
32 Development Standards for Major Pedestrian  
33 Routes specified in Section 20.20.60.D.3 of this  
34 Code.~~

35  
36 \*\*\*\*\*

37  
38 ~~4. **Major Adjustment All Regional Center zones and South  
39 Tektronix Station Community Major Pedestrian Routes**~~

40  
41 ~~A. Threshold. An application for Major Adjustment -  
42 Regional Center and South Tektronix Station Community  
43 Major Pedestrian Routes shall be required when one or  
44 more of the following thresholds apply:~~

45  
46 1. ~~Involves an adjustment of more than 25% to a  
47 numerical Development Standards for Major~~

1 Pedestrian Routes specified in Section 20.20.60.B.3  
2 or 20.20.60.E.3.

3  
4 2. ~~Involves an adjustment to a non-numerical~~  
5 ~~Development Standards for Major Pedestrian~~  
6 ~~Routes specified in Section 20.20.60.B.3 or Section~~  
7 ~~20.20.60.E.3.~~

8  
9 3. ~~Involves multiple Minor Adjustment Regional~~  
10 ~~Center and South Tektronix Station Community~~  
11 ~~Major Pedestrian Routes applications.~~

12  
13 B. ~~Procedure Type. The Type 3 procedure, as described in~~  
14 ~~Section 50.45 of this Code, shall apply to an application~~  
15 ~~for Major Adjustment Regional Center and South~~  
16 ~~Tektronix Station Community Major Pedestrian Routes.~~  
17 ~~Upon determination by the Director, the decision making~~  
18 ~~authority will be either the Planning Commission or the~~  
19 ~~Board of Design Review. The determination will be based~~  
20 ~~upon the nature and characteristics of the proposal.~~

21  
22 C. ~~Approval Criteria. In order to approve a Major~~  
23 ~~Adjustment Regional Center and South Tektronix~~  
24 ~~Station Community Major Pedestrian Routes application,~~  
25 ~~the decision making authority shall make findings of fact~~  
26 ~~based on evidence provided by the applicant~~  
27 ~~demonstrating that all the following criteria are satisfied:~~

28  
29 1. ~~The proposal satisfies the threshold requirements~~  
30 ~~for a Major Adjustment Regional Center and~~  
31 ~~South Tektronix Station Community Major~~  
32 ~~Pedestrian Routes application.~~

33  
34 2. ~~All City application fees related to the application~~  
35 ~~under consideration by the decision making~~  
36 ~~authority have been submitted.~~

37 3. ~~Granting the adjustment will equally or better~~  
38 ~~meet the purpose of the District subarea~~  
39 ~~requirement, standard or regulation to be modified.~~

40  
41 4. ~~The proposal will be consistent with the desired~~  
42 ~~character of the area.~~

43  
44 5. ~~If more than one (1) adjustment is being requested,~~  
45 ~~the cumulative effect of the adjustments results in~~  
46 ~~a project which is still consistent with the overall~~  
47 ~~purpose of the zone.~~  
48

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33

- ~~6. City designated scenic resources and historic resources are preserved.~~
- ~~7. Any impacts resulting from the adjustment are mitigated to the extent practical.~~
- ~~8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.~~

~~D. Submission Requirements. An application for a Major Adjustment Regional Center and South Tektronix Station Community Major Pedestrian Routes shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Major Adjustment Regional Center and South Tektronix Station Community Major Pedestrian Routes application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre Application Conference.~~

~~E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Major Adjustment Regional Center and South Tektronix Station Community Major Pedestrian Routes application to ensure compliance with the approval criteria.~~

~~\_\_\_\_\_ F. Appeal of a Decision. Refer to Section 50.70.~~

~~\_\_\_\_\_ G. Expiration of a Decision. Refer to Section 50.90.~~

~~\_\_\_\_\_ H. Extension of a Decision. Refer to Section 50.93~~

\*\*\*\*\*

1 **Section 8: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 40, Applications, Sections 40.15.15.2.A.5., will be**  
3 **deleted to read as follows:**

4  
5 **Major Modification of a Conditional Use Permit**

6  
7 **40.15. Conditional Use**

8  
9 **40.15.05 Purpose**

10 \*\*\*\*\*

11 **40.15.10 Applicability**

12 \*\*\*\*\*

13 **40.15.15. Application**

14  
15 **1. Minor Modification of a Conditional Use**

16 \*\*\*\*\*

17 **2. Major Modification of a Conditional Use**

18 **A. Threshold.**

19 \*\*\*\*\*

20 ~~5. — Modification of one or more conditions of approval which apply to an~~  
21 ~~approved Conditional Use.~~

22 \*\*\*\*\*  
23

1 **Section 9: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 40, Applications, Sections 40.20.10.4.C, 40.20.15.1.A.f,**  
3 **40.20.15.1.C, 40.20.15.1.C.6, 40.20.15.2.A, 40.20.15.2.A.8, 40.20.15.2.C, and**  
4 **40.20.15.3.C, will be amended to read as follows:**

5  
6 **40.20 Design Review**

7 \*\*\*\*\*

8 **40.20.05 Purpose**

9 \*\*\*\*\*

10 **40.20.10.4 Applicability.**

- 11  
12 C. Proposed redevelopment of existing structures, where demolition  
13 of up to and including 25% of the area of the existing structure is  
14 proposed, and where improvements are proposed to be located  
15 within the area of demolition, new design standards or design  
16 guidelines are not applicable. If demolition is proposed greater  
17 than 25% up to and including 50% of the existing structure, and  
18 where improvements are proposed to be located within the area  
19 of demolition, 10% of the overall construction budget for new  
20 building improvements will be required to be devoted to  
21 improving portions of the building, site, or both so as to meet  
22 applicable design standards or design guidelines. If demolition  
23 is proposed greater than 50% of the area of the existing  
24 structure, the full redevelopment project is subject to all  
25 applicable design standards or design guidelines.

26  
27 \*\*\*\*\*

28  
29 **40.20 Design Review**

30 \*\*\*\*\*

31 **40.20.15. Application.**

32  
33 **1. Design Review Compliance Letter.**

- 34  
35 A. Threshold. An applicant may utilize the Design Review  
36 Compliance Letter process when the application is limited  
37 to one or more of the following categories of proposed  
38 action:

- 39  
40 1. Minor design changes to existing building or site  
41 including, but not limited to:

42 \*\*\*\*\*  
43

- f. Modification of up to 15 percent the on-site landscaping with no reduction in required landscaping.
- j. Removal of up to 5 Landscape Trees

\*\*\*\*\*

**40.20.15.1. Design Review Compliance Letter**

B. Procedure Type

\*\*\*\*\*

C. Approval Criteria - In order to approve a Design Review Compliance Letter application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

\*\*\*\*\*

- 6. If applicable through Section 20.20.15.2, the proposed addition to an existing building, and only that portion of the building containing the proposed addition, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:
  - a. Building articulation and variety.
  - b. Roof forms.
  - c. Building materials.
  - d. Perimeter/foundation landscaping requirements.
  - e. Screening roof-mounted equipment requirements.
  - f. Screening loading areas, solid waste facilities and similar improvements.
  - g. Lighting requirements.
  - h. Pedestrian circulation

\*\*\*\*\*

**40.20.15. Application.**

**2. Design Review Two.**

A. Threshold. An application for Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal:

1 \*\*\*\*\*

2 8. Removal of more than five (5) and up to and including  
3 ten (10) Landscape Trees on a site within a one  
4 calendar year period.

5

6 \*\*\*\*\*

7 B. Procedure Type

8 \*\*\*\*\*

9 C. Approval Criteria - In order to approve a Design Review  
10 Two application, the decision making authority shall  
11 make findings of fact based on evidence provided by the  
12 applicant demonstrating that all the following criteria are  
13 satisfied:

14 \*\*\*\*\*

15

16 **40.20.15.3.C**

17

18 A. Threshold

19 \*\*\*\*\*

20 B. Procedure Type

21 \*\*\*\*\*

22 C. Approval Criteria - In order to approve a Design Review  
23 Three application, the decision making authority shall  
24 make findings of fact based on evidence provided by the  
25 applicant demonstrating that all the following criteria are  
26 satisfied:

27

28

29 \*\*\*\*\*

1 **Section 10: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 40, Applications, Sections 40.20.15.3.C, will be amended**  
3 **to read as follows:**

4  
5 \*\*\*\*\*

6  
7 **40.20.15.3.C.      Approval Criteria.**

8  
9  
10           5.      For additions to or modifications of existing  
11                    development, the proposal is consistent with all  
12                    applicable provisions of Sections 60.05.35 through  
13                    60.05.50 (Design Guidelines) or can demonstrate  
14                    that the additions or modifications are moving  
15                    towards compliance of specific Design Guidelines if  
16                    any of the following conditions exist:

- 17  
18                    a.      A physical obstacle such as topography or  
19                    natural feature exists and prevents the full  
20                    implementation of the applicable guideline;  
21                    or  
22  
23                    b.      The location of existing structural  
24                    improvements prevent the full  
25                    implementation of the applicable guideline;  
26                    or  
27  
28                    c.      The location of the existing structure to be  
29                    modified is more than 300 feet from a public  
30                    street.

31  
32                    ~~If the above listed conditions are found to exist and~~  
33                    ~~it is not feasible to locate a proposed addition in~~  
34                    ~~such a way that the addition abuts a street, then~~  
35                    ~~all applicable design standards except the following~~  
36                    ~~must be met:~~

- 37  
38                    ~~d.      If in a Multiple-Use District, building~~  
39                    ~~location, entrances and orientation along~~  
40                    ~~streets, and parking lot limitations along~~  
41                    ~~streets (Standards 60.05.15.6 and 60.05.20.8)~~  
42  
43                    ~~e.      If in a Multiple-Use or Commercial District,~~  
44                    ~~ground floor elevation window requirements~~  
45                    ~~(Standard 60.05.15.8).~~

1 **Section 11: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 40, Applications, Sections 40.55.10, will be amended to**  
3 **read as follows:**

4  
5 \*\*\*\*\*

6 **40.55.10. Applicability.**

7  
8 A Parking Determination may be requested in writing to establish a  
9 required off street parking ratio or specific number of off street parking  
10 spaces for use not specifically listed in Section 60.30 (Off Street  
11 Parking) of this Code, to share required parking spaces, and to  
12 determine the existence of excess required parking.

13  
14 \*\*\*\*\*

15  
16 **Section 12: The Development Code, Ordinance No. 2050, Ordinance**  
17 **4332, Chapter 40, Permits and Applications, Section 40.80.15.1.C.8.,**  
18 **will be amended to read as follows:**

19  
20 **40.80. Temporary Use**

21 \*\*\*\*\*

22 **40.80.15 Application**

23 **1. Temporary Mobile Sales**

24 **A. Threshold**

25 \*\*\*\*\*

26 **B. Procedure Type**

27 \*\*\*\*\*

28 **C. Approval Criteria**

29 \*\*\*\*\*

30 **8. The proposal will not be located within the vision**  
31 **clearance area of an intersection as specified under**  
32 **Section ~~60.55.50~~ in the Engineering Design Manual**  
33 **and Standard Drawings.**

34  
35  
36 \*\*\*\*\*

1 **Section 13: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 50, Procedures, Section 50.20.1 shall be amended to**  
3 **read as follows:**

4  
5 \*\*\*\*\*

6 **50.20 Pre-Application Conference**

7  
8 1. With the exception of an application filed by the City, a pre-application  
9 conference shall be required for all proposals which require Type 2, Type 3, or  
10 Type 4 applications. An applicant may choose to forgo the required pre-  
11 application conference for a Type 2 application upon completion of a form for  
12 that purpose provided by the Director. A pre-application conference is  
13 optional for an applicant for proposals which require only Type 1  
14 applications.

15  
16 \*\*\*\*\*

17  
18 **Section 14: The Development Code, Ordinance No. 2050, Ordinance**  
19 **4332, Chapter 50, Procedures, Section 50.40.10.B shall be amended to**  
20 **read as follows:**

21  
22 \*\*\*\*\*

23 **50.40. Type 2**

24 \*\*\*\*\*

25 50.40.10. Within approximately fourteen (14) calendar days after the  
26 Facilities Review Committee technical meeting, the Director  
27 shall issue a written decision on the application to the applicant,  
28 the property owner, the NAC in which the subject property is  
29 located, and interested parties that submitted written comments  
30 prior to or on the comment closing date; provided, [ORD 4265;  
31 September 2003]

32  
33 A. The decision making authority shall consider the  
34 application, the applicant's supplement to or amendment  
35 of the application, if any, and the timely and relevant  
36 comments on the application. The decision making  
37 authority may consider comments and responses received  
38 from the applicant, the public, or both after the comment  
39 closing period on the proposal; and

40  
41 B. An applicant may request in writing a continuance of  
42 time, not to exceed a total of ~~180~~ 240 calendar days from  
43 the date the application was determined to be or deemed  
44 complete. The decision making authority shall issue a  
45 decision prior to the conclusion of the continuance of time.

46 \*\*\*\*\*

1 **Section 15: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 50, Procedures, Section 50.90.1.B, shall be**  
3 **amended to read as follows:**

4 \*\*\*\*\*

5 **50.90. Expiration of a Decision**

6 1. Except as otherwise specifically provided in a specific decision or in this  
7 Code, a final decision made pursuant to this Chapter shall expire  
8 automatically on the following schedule unless the approval is enacted  
9 either through construction or establishment of use within the specified  
10 time period.

11  
12 A. Five (5) years from the effective date of decision: Final Planned  
13 Unit Development (40.15.15.6) where phasing of the development  
14 is proposed.

15  
16 B. Two (2) years from the effective date of decision:

17  
18 Accessory Dwelling Unit (40.05.15.1)

19 Administrative Conditional Use (40.15.15.3)

20 Alteration of a Landmark (40.35.15.1)

21 Conditional Use (40.15.15.4)

22 Demolition of a Landmark (40.35.15.3)

23 Design Review Two (40.20.15.2)

24 Design Review Three (40.20.15.3)

25 Emergency Demolition of a Landmark (40.35.15.2)

26 Expedited Land Division (40.45.15.7)

27 Final Land Division (40.45.15.6)

28 Final Planned Unit Development (40.15.15.6) when there is no  
29 phasing to the development

30 Flexible Setback for Individual Lot With Endorsement  
31 (40.30.15.1)

32 Flexible Setback for Individual Lot Without Endorsement  
33 (40.30.15.2)

34 Flexible Setback for a Proposed Residential Land Division  
35 (40.30.15.3)

36 Flexible Setback for a Proposed Annexation (40.30.15.4)

37 Lot Line Adjustment (40.45.15.1)

38 Major Adjustment (40.10.15.3)

39 ~~Major Adjustment—All Regional Center zones and South~~  
40 ~~Tektronix Station Community Major Pedestrian Routes~~  
41 ~~(40.10.15.4)~~

42 Major Modification of a Conditional Use (40.15.15.2)

43 Minor Adjustment (40.10.15.1)

44 ~~Minor Adjustment—All Regional Center zones and South~~  
45 ~~Tektronix Station Community Major Pedestrian Routes~~  
46 ~~(40.10.15.2)~~

47 Minor Modification of a Conditional Use (40.15.15.1)

48 \*\*\*\*\*

1 **Section 16: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 50, Procedures, Section 50.93.4 shall be amended to**  
3 **read as follows:**

4  
5 \*\*\*\*\*

6 **50.93. Extension of a Decision**

7 \*\*\*\*\*

8 4. ~~An application for an extension shall be granted if the applicant~~  
9 ~~demonstrates that it complies with the following:~~ In order to  
10 approve an extension of time application, the decision making  
11 authority shall make findings of fact based on evidence provided  
12 by the applicant demonstrating that all the following criteria are  
13 satisfied:

- 14
- 15 A. It is not practicable to commence development within the  
16 time allowed for reasons beyond the reasonable control of  
17 the applicant.
  - 18
  - 19 B. There has been no change in circumstances or the  
20 applicable regulations or Statutes likely to necessitate  
21 modification of the decision or conditions of approval since  
22 the effective date of the decision for which the extension is  
23 sought.

24  
25 \*\*\*\*\*

26 **Section 17: The Development Code, Ordinance No. 2050, Ordinance**  
27 **4332, Chapter 60, Special Requirements, Section 60.05.35.6.C, will**  
28 **be amended to read as follows:**

29  
30 \*\*\*\*\*

31 **60.05 Design Review**

32 \*\*\*\*\*

33 **60.05.35. Building Design and Orientation Guidelines**

34 \*\*\*\*\*

35 **6. Building Location and Orientation in Multiple Use and**  
36 **Commercial districts.**

37 \*\*\*\*\*

- 38 C. On Class 1 Major Pedestrian Routes, building entrances should  
39 be oriented to streets, or have reasonably direct pedestrian  
40 connections to streets and pedestrian and transit facilities.  
41 (Standard 60.05.15.6.C and D)

42 \*\*\*\*\*

1 **Section 18: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 60, Special Requirements, Section 60.30.10.10.F., will**  
3 **be amended to read as follows:**

4  
5 \*\*\*\*\*

6 **60.30. Off-Street Parking**

7 \*\*\*\*\*

8 **60.30.10.10. Off Street Parking exceptions**

9 \*\*\*\*\*

10 F. For uses located within a 1/4 mile radius of a transit stop,  
11 as measured from any portion of a parcel to the centerline  
12 of the nearest adjacent public right of way or the center of  
13 the station platform, the provision of bicycle parking may  
14 be used to reduce minimum vehicle parking requirements  
15 at a rate of two long-term bicycle parking spaces per  
16 vehicle space, but not more than five percent of the total  
17 number of required vehicle parking spaces. The property  
18 owner shall provide a parking analysis demonstrating  
19 that the vehicle parking demand will be met with the  
20 reduced number of vehicle spaces. Bicycle parking used  
21 to reduce vehicle parking spaces shall be covered long-  
22 term bicycle parking consistent with Engineering Design  
23 Manual and Standard Drawings. ~~Section 60.55.65 of this~~  
24 ~~Code .~~

25  
26 \*\*\*\*\*

27 **Section 19: The Development Code, Ordinance No. 2050, Ordinance**  
28 **4332, Chapter 60, Special Requirements, Section 60.30.15.8 and**  
29 **Section 60.40.35.2 will be amended to read as follows:**

30  
31 **60.30. Off-Street Parking**

32 \*\*\*\*\*

33 **60.30.15. Off-Street Parking Lot Design**

34 \*\*\*\*\*

35 8) Parking lots in conjunction with government and public buildings, as  
36 defined by Chapter 11 ~~31~~ of the International ~~Uniform~~ Building Code, are to  
37 include parking for the handicapped as required in that chapter. These  
38 special spaces may be included within the total spaces required. (ORD 3494)

1 \*\*\*\*\*

2 **60.40. Sign Regulations**

3 \*\*\*\*\*

4 **60.40.35 Commercial, Industrial, and Multiple Use Zones**

5 1. Wall Sign

6 \*\*\*\*\*

7 2. Projecting Sign and Awning. Commercial buildings within the  
8 Multiple Use zoning districts which have the front building line  
9 within five (5) feet of the public right-of-way shall be permitted  
10 one (1) projecting sign on the front building face in lieu of a  
11 freestanding sign. All projecting signs and awnings must  
12 conform to the latest edition of the International ~~Uniform~~  
13 Building Code in meeting wind and deadload requirements and  
14 must be adequately maintained to prevent deterioration which  
15 could be a hazard to pedestrian traffic beneath the sign.  
16 Projecting signs and awnings shall project no more than eight  
17 (8) feet or two-thirds (2/3) of the width of the sidewalk or to  
18 within two (2) feet of the curb, whichever is less, and contain no  
19 more than thirty-two (32) square feet per face. Projecting signs  
20 and awnings shall have an underneath clearance of eight (8)  
21 feet. (ORD 3374) [ORD 4058, August 1999] [ORD 4107; May  
22 2000]

23 \*\*\*\*\*

24 \*\*\*\*\*  
25 **Section 20: The Development Code, Ordinance No. 2050, Ordinance**  
26 **4332, Chapter 60, Special Requirements, Section 60.35.15.1.A-C., will**  
27 **be amended to read as follows:**

28  
29  
30 **60.35 Planned Unit Development**

31 \*\*\*\*\*

32 **Section 60.35.15. Common Open Space**

- 33  
34 1. A PUD shall be required to provide common open space  
35 according to the following rates:  
36  
37 A. ~~An~~ Area equal to at least twenty percent (20%) of the  
38 subject site when the site is up to and including 10 acres  
39 in size.  
40  
41 B. ~~An~~ Area equal to at least fifteen percent (15%) of the  
42 subject site when the site is more than 10 acres and up to  
43 and including 50 acres in size.

1  
2 C. An Area equal to at least ten percent (10%) of the subject  
3 site when the site is more than 50 acres in size.

4 \*\*\*\*\*

5 **Section 21: The Development Code, Ordinance No. 2050, Ordinance**  
6 **4332, Chapter 60, Special Regulations, Section 60.50.20, shall be**  
7 **amended to read as follows:**

8  
9  
10 **60.50 Special Use Regulations**

11 \*\*\*\*\*

12 **60.50.20. Fences.** Fences in any district may be constructed at the lot  
13 line; provided, however, that fences shall comply ~~to~~ with all  
14 applicable vision clearance standards established in ~~Section~~  
15 ~~60.55.50.1~~ the Engineering Design Manual for setback and  
16 height limits. (ORD 3162; March 1980) (ORD 3287; October  
17 1982)

18  
19 \*\*\*\*\*

20 **Section 22: The Development Code, Ordinance No. 2050, Ordinance**  
21 **4332, Chapter 60, Special Regulations, Section 60.55.30.2., shall be**  
22 **amended to read as follows:**

23  
24 \*\*\*\*\*

25 **60.55. Transportation Facilities**

26 \*\*\*\*\*

27 **60.55.30 Street Widths**

28 \*\*\*\*\*

- 29 2. In Station Areas, Station Communities, Town Centers, and  
30 Regional Centers, the decision-making authority may approve  
31 alternative sidewalk widths consistent with the requirements of  
32 section ~~20.20.50 and 20.20.60~~ 60.05 and may waive the  
33 requirement for planter strips.

34 \*\*\*\*\*

1 **Section 23: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 60 Special Regulations, Section 60.70.35.19, shall be**  
3 **amended to read as follows:**

4  
5 **60.70 Wireless Communications Facilities**

6 \*\*\*\*\*

7 **60.70.35 Development Standards for WCF**

8 \*\*\*\*\*

9 **19. Specific Development Standards – WCF in Public Road**  
10 **Right-of-Way.** The following standards are specific to the  
11 installation of WCF on street lights in public road rights-of-ways  
12 ~~on streetlights~~, excluding street lights on power poles, traffic  
13 signal lights, and high voltage power utility poles, and are in  
14 addition to the other development standards specified in this  
15 section of the Code:

16  
17 \*\*\*\*\*

18 **Section 24: The Development Code, Ordinance No. 2050,**  
19 **Ordinance 4332, Chapter 90, Definitions, shall be amended to add the**  
20 **following definitions that read as follows:**

21  
22 \*\*\*\*\*

23 **Child Care Facility – See Nursery, day, or child care.**

24 \*\*\*\*\*

1 **Section 25: The Development Code, Ordinance No. 2050, Ordinance**  
2 **4332, Chapter 60, Section 60.60.25.9.B., shall be amended to read as**  
3 **follows:**

4  
5 **60.60.25.9**

6  
7 \*\*\*\*\*

- 8  
9 9. The following standards apply to the replacement of a Landscape Tree:
- 10  
11 A. A replacement tree shall be a substantially similar species or a tree  
12 approved by the City considering site characteristics.
- 13  
14 B. If a replacement tree of the species of the tree removed or damaged  
15 is not reasonably available, the City may allow replacement with a  
16 different species.
- 17  
18 C. Replacement of a Landscape Tree shall be based on ~~total linear~~  
19 ~~DBH calculations~~ at a one-to-one ratio depending upon the  
20 capacity of the site to accommodate replacement tree or unless  
21 otherwise specified through development review. Replacement of  
22 tree on a one-to-one basis shall be as follows:
- 23  
24 1. ~~Calculate the sum of the total linear DBH measurement of~~  
25 ~~the tree to be removed.~~
- 26  
27 2. ~~The total linear DBH measurement of t~~The tree to be  
28 removed shall be replaced with tree at least 1.5 caliper  
29 inches in diameter. ~~The total caliper inches of the~~  
30 ~~replacement tree shall be at least equal to the sum total of~~  
31 ~~the linear DBH measurement of the removed tree.~~

32  
33  
34  
35  
36  
37  
38 \*\*\*\*\*

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

9/19/2005

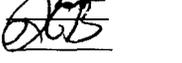
**SUBJECT:** An Ordinance Relating To The Emergency Management Code, Amending Beaverton Code Section 2.01.020

**FOR AGENDA OF:** ~~9-12-2005~~ **BILL NO:** 05165

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Emergency Management 

**DATE SUBMITTED:** 8-2-05

**CLEARANCES:** Chief of Staff   
City Attorney   
Finance   
Operations   
Police 

**PROCEEDING:** ~~First reading~~  
Second Reading and Passage

**EXHIBITS:** Ordinance  
DHS Letter to Governors

**BUDGET IMPACT**

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

Homeland Security Presidential Directive (HSPD) – 5 directed the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). The intent of NIMS is to provide a consistent nationwide template to enable Federal, State, local, and tribal governments, and private-sector and nongovernmental organizations to work together effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incident, regardless of cause, size, or complexity, including acts of catastrophic terrorism. The Directive further requires that federal departments and agencies make adoption of the NIMS by State, tribal, and local organizations a condition for federal preparedness assistance (i.e., grants) beginning in FY2005. The Secretary of the Department of Homeland Security's letter to the Governors outlines several compliance requirements for the current federal fiscal year including the formal adoption of NIMS by states, territories, tribes and local entities.

**INFORMATION FOR CONSIDERATION:**

This system is built upon the basic elements of the National Interagency Incident Management System (NIIMS) that the City previously adopted as the foundation for its incident command, coordination, and support activities; so the change to NIMS will have only a minor impact. The City also incorporated the Incident Command System (ICS), which is an integral part of NIMS, in the City's Emergency Management Code in 2004, meeting the federal government's compliance requirements for that year. The City is the recipient of numerous federal grants each year and non-adoption could result in the loss of eligibility for several of them including the Emergency Management Performance Grant (EMPG), Pre-Disaster Mitigation, Urban Area Security Initiative (UASI), Law Enforcement Terrorism Prevention Program (LETPP), and State Homeland Security Program (SHSP), which could create a significant financial impact on several City programs.

**RECOMMENDED ACTION:**

~~First reading~~  
Second Reading and Passage

AN ORDINANCE RELATING TO THE EMERGENCY  
MANAGEMENT CODE, AMENDING BEAVERTON CODE  
SECTION 2.01.020

**WHEREAS**, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) to standardize and enhance incident management procedures; and

**WHEREAS**, the National Incident Management System provides a structure and process to effectively coordinate responders from multiple disciplines and levels of government and to integrate them with resources from the private sector and non-governmental organizations; and

**WHEREAS**, failure to adopt and use the National Incident Management System may preclude the City from receiving federal preparedness grants or reimbursement for costs expended during major emergency and disaster response and recovery operations;

**WHEREAS**, The change will have minimal impact on the majority of the City departments and programs since the new system is built upon the basic elements of the National Interagency Incident Management System (NIIMS) that the City previously adopted as the foundation for its incident command, coordination and support activities, now, therefore,

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

**Section 1.** Beaverton Code Section 2.01.020 is amended as follows, with deleted material ~~lined through~~ and new matter in **bold**:

2.01.020 ~~Adoption of an Incident Command System~~ **the National Incident Management System**. The City adopts the principles and policies of the ~~Incident Command System (ICS)~~ of the National Incident Management System (NIMS) ~~as a model for managing emergencies within its jurisdiction as~~ **the foundation for its incident command, coordination, and support activities**.

**A. A core component of NIMS is the Incident Command System (ICS). The City will utilize ICS to manage major emergencies and disasters operations within its jurisdiction.**

**B. City Staff responsible for managing and/or supporting major emergency and disaster operations will be provided appropriate training on NIMS and its core components.**

First reading this 12<sup>th</sup> day of September, 2005.

Passed by the Council this \_\_\_\_ day of \_\_\_\_\_, 2005.

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

APPROVED:

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

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



# Homeland Security

September 8, 2004

Dear Governor:

In Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the President directed me to develop and administer the National Incident Management System (NIMS). The NIMS provides a consistent nationwide approach for Federal, State<sup>1</sup>, territorial, tribal, and local<sup>2</sup> governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. On March 1, 2004, the Department of Homeland Security (DHS) issued the NIMS to provide a comprehensive national approach to incident management, applicable at all jurisdictional levels and across functional disciplines. HSPD-5 also required DHS to establish a mechanism for ongoing coordination to provide strategic direction for, and oversight of, the NIMS. To this end, the NIMS Integration Center (NIC) was established to support both routine maintenance and the continuous refinement of the NIMS.

All Federal departments and agencies are required to adopt the NIMS and use it in their individual domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation activities, as well as in support of all actions taken to assist State or local entities. The NIC is working with Federal departments and agencies to ensure that they develop a plan to adopt NIMS and that all fiscal year (FY) 2005 Federal preparedness assistance program documents begin the process of addressing State, territorial, tribal, and local NIMS implementation.

This letter outlines the important steps that State, territorial, tribal, and local entities should take during FY 2005 (October 1, 2004- September 30, 2005) to become compliant with the NIMS.

The NIMS provides the framework for locals, tribes, territories, States, and the Federal Government to work together to respond to any domestic incident. Many of the NIMS requirements are specific to local jurisdictions. In order for NIMS to be implemented

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<sup>1</sup> As defined in the Homeland Security Act of 2002, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States." 6 U.S.C. 101 (14)

<sup>2</sup> As defined in the Homeland Security Act of 2002, Section 2(10): the term "local government" means "(A) county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments... regional or interstate government entity, or agency or instrumentality of a local government; an Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation, and a rural community, unincorporated town or village, or other public entity." 6 U.S.C. 101(10)

successfully across the nation, it is critical that States provide support and leadership to tribal and local entities to ensure full NIMS implementation. We are looking to you and your State Administrative Agency (SAA) to coordinate with the State agencies, tribal governments, and local jurisdictions to ensure NIMS implementation. Given the importance and urgency of this effort, Federal, State, territorial, tribal, and local entities should begin efforts to implement the NIMS, if such efforts are not already underway.

Implementation of and compliance with the NIMS is critical to ensuring full and robust preparedness across our nation. HSPD-5 established ambitious deadlines for NIMS adoption and implementation. FY 2005 is a start up year for NIMS implementation and full compliance with the NIMS is not required for you to receive FY 2005 grant funds. Since FY 2005 is a critical year for initial NIMS adoption, you should start now by prioritizing your FY 2005 preparedness assistance (in accordance with the eligibility and allowable uses of the grant) to facilitate its implementation. The NIC is working with the Federal departments and agencies to identify all of preparedness assistance programs. The NIC will then provide this information to the States, territories, tribes, and local governments.

To the maximum extent possible, States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation and institutionalization across the entire response system during FY 2005. This memorandum highlights the important features of NIMS implementation that should receive special emphasis in FY 2005, but does not represent all of the actions necessary to fully implement the NIMS.

The NIMS is the nation's first-ever standardized approach to incident management and response. The NIMS unifies Federal, State, territorial, tribal, and local lines of government into one coordinated effort. This integrated system makes America safer by establishing a uniform set of processes, protocols, and procedures that all emergency responders, at every level of government, will use to conduct response actions. This system ensures that those involved in emergency response operations understand what their roles are and have the tools they need to be effective.

This system encompasses much more than the Incident Command System (ICS), although ICS is a critical component of the NIMS. It also provides a common foundation for training and other preparedness efforts, communicating and sharing information with other responders and with the public, ordering resources to assist with a response effort, and for integrating new technologies and standards to support incident management. For the first time, all of the nation's emergency responders will use a common language, and a common set of procedures when working individually and together to keep America safe. The NIMS ensures that they will have the same preparation, the same goals and expectations, and most importantly, they will be speaking the same language.

**Minimum FY 2005 NIMS Compliance Requirements:**

State and territory level efforts to implement the NIMS must include the following:

- **Incorporating NIMS into existing training programs and exercises**
- **Ensuring that Federal preparedness funding (including DHS Homeland Security Grant Program, Urban Area Security Initiative (UASI) funds) support NIMS implementation at the State and local levels** (in accordance with the eligibility and allowable uses of the grants)
- **Incorporating NIMS into Emergency Operations Plans (EOP)**
- **Promotion of intrastate mutual aid agreements**
- **Coordinating and providing technical assistance to local entities regarding NIMS**
- **Institutionalizing the use of the Incident Command System (ICS)**

At the State, territorial, tribal, and local levels, jurisdictions should support NIMS implementation by:

- **Completing the NIMS Awareness Course: “National Incident Management System (NIMS), An Introduction” (IS 700)**

This independent study course developed by the Emergency Management Institute (EMI) explains the purpose, principles, key components, and benefits of NIMS. The course also contains "Planning Activity" screens, allowing participants an opportunity to complete some planning tasks during the course. The planning activity screens are printable so that they can be used after the course is complete. The course is available on-line and will take between forty-five minutes to three hours to complete. The course is available on the EMI web page at: <http://training.fema.gov/EMIWeb/IS/is700.asp>.

- **Formally recognizing the NIMS and adopting the NIMS principles and policies**  
States, territories, tribes, and local entities should establish legislation, executive orders, resolutions, or ordinances to formally adopt the NIMS. The NIC will provide sample language and templates to assist you in formally adopting the NIMS through legislative and/or executive/administrative means.

- **Establish a NIMS baseline by determining which NIMS requirements you already meet**

We recognize that State, territorial, tribal, and local entities have already implemented many of the concepts and protocols identified in the NIMS. The 2004 DHS Homeland Security Grant Program encouraged grantees to begin utilizing the NIMS concepts, principles, terminology, and technologies. The NIC is developing the NIMS Capability Assessment Support Tool (NIMCAST). The NIMCAST is a web-based self-assessment system that States, territories, tribes, and local governments can use to evaluate their incident response and management capabilities. This useful tool identifies the

requirements established within the NIMS and can assist you in determining the extent to which you are already compliant, as well as identify the NIMS requirements that you are not currently meeting. As gaps in compliance with the NIMS are identified, States, territories, tribes, and local entities should use existing initiatives, such as the Office for Domestic Preparedness (ODP) Homeland Security grant programs, to develop strategies for addressing those gaps. The NIC will formally pilot the NIMCAST with a limited number of States in September. Upon completion of the pilot, the NIC will provide all potential future users with voluntary access to the system. Additional information about the NIMCAST tool will be provided later this year.

- **Establishing a timeframe and developing a strategy for full NIMS implementation**

States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation during FY 2005. To the extent that full implementation is not possible during FY 2005, Federal preparedness assistance must be leveraged to complete NIMS implementation by FY 2006. By FY 2007, Federal preparedness assistance will be conditioned by full compliance with the NIMS. Again, in order for NIMS to be implemented successfully across the nation, it is critical that States provide support and leadership to tribal and local entities to ensure full NIMS implementation. States should work with the tribal and local governments to develop a strategy for statewide compliance with the NIMS.

- **Institutionalizing the use of the Incident Command System (ICS)**

If State, territorial, tribal, and local entities are not already using ICS, you must institutionalize the use of ICS (consistent with the concepts and principles taught by DHS) across the entire response system. The 9/11 Commission Report recommended national adoption of the Incident Command System (ICS) to enhance command, control, and communications capabilities. All Federal, State, territory, tribal, and local jurisdictions will be required to adopt ICS in order to be compliant with the NIMS. Additional information about adopting ICS will be provided to you by the NIC.

**FY 2006 and FY 2007 Requirements:**

In order to receive FY 2006 preparedness funding, the minimum FY 2005 compliance requirements described above must be met. Applicants will be required to certify as part of their FY 2006 grant applications that they have met the FY 2005 NIMS requirements. Additional information about NIMS compliance and resources for achieving compliance will be forthcoming from the NIC. In addition, FY 2005 Federal preparedness assistance program documents will address State and local NIMS compliance. The NIC web page, [www.fema.gov/nims](http://www.fema.gov/nims), will be updated regularly with information about the NIMS and guidance for implementation. The NIC may be contacted at the following:

Gil Jamieson, Acting Director  
NIMS Integration Center  
500 C Street, SW  
Washington, DC 20472  
(202) 646-3850  
[NIMS-Integration-Center@dhs.gov](mailto:NIMS-Integration-Center@dhs.gov)  
web page: [www.fema.gov/nims](http://www.fema.gov/nims)

Thank you for your support in implementing the NIMS. I look forward to continuing our collective efforts to better secure the homeland and protect our citizens and appreciate all of your hard work in this important endeavor.

Sincerely,



Tom Ridge

cc: State Administrative Agency  
State Emergency Management Director  
State Homeland Security Advisor  
DHS Directorates and Offices  
Homeland Security Advisory Council

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

09/19/05

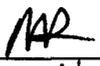
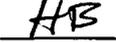
**SUBJECT:** An Ordinance Annexing One Parcel  
Located at 11915 SW Walker Road to the  
City of Beaverton: Annexation 2005-0007

**FOR AGENDA OF:** ~~09/12/05~~ **BILL NO:** 05166

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CDD 

**DATE SUBMITTED:** 08/16/05

**CLEARANCES:** City Attorney   
Planning Services 

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

**EXHIBITS:** Ordinance  
Exhibit A - Map  
Exhibit B - Legal Description  
Exhibit C - Staff Report

**BUDGET IMPACT**

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

This request is to annex one tax parcel located at 11915 SW Walker Road to the City of Beaverton. The property is approximately 0.22 acres and is developed with a single family house. The property owners have consented to the annexation and no electors reside on the property. This consent allows this to be processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045 and no public hearing is required.

**INFORMATION FOR CONSIDERATION:**

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

Beaverton Code Section 9.06.035A provides the City Council the option of adding property to an appropriate Neighborhood Association Committee (NAC) area at the time of annexation. This parcel is not currently within a NAC. The Neighborhood Office is recommending that this parcel not be added to a NAC at this time.

Staff recommends that the City Council adopt an ordinance annexing the referenced property, effective 30 days after Council approval and the Mayor's signature on this ordinance or the date the ordinance is filed with the Secretary of State as specified by ORS 222.180, whichever is later.

**RECOMMENDED ACTION:**

~~First Reading~~  
Second Reading and Passage

**ORDINANCE NO. 4367**

AN ORDINANCE ANNEXING ONE PARCEL LOCATED AT  
11915 SW WALKER ROAD TO THE CITY OF BEAVERTON:  
ANNEXATION 2005-0007

- WHEREAS,** This expedited annexation was initiated under authority of ORS 222.125, whereby the owner of the property, with no electors, has consented to annexation; and
- WHEREAS,** This property is in Beaverton's Assumed Urban Services Area and Policy 5.3.1.d of the City's acknowledged Comprehensive Plan states: "The City shall seek to eventually incorporate its entire Urban Services Area."; and
- WHEREAS,** This property is in area "A" as set forth in the "Beaverton-Washington County Intergovernmental Agreement Interim Urban Service Plan" and, as prescribed by the agreement, the Washington County Board of Commissioners has agreed not to oppose annexations in area "A"; and
- WHEREAS,** Council Resolution No. 3785 sets forth annexation policies for the City and this action implements those policies; now, therefore,

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

- Section 1.** The property shown on Exhibit A and more particularly described in Exhibit B is hereby annexed to the City of Beaverton, effective 30 days after Council approval and signature by the Mayor or the date the ordinance is filed with the Secretary of State as specified by ORS 222.180, whichever is later.
- Section 2.** The Council accepts the staff report attached hereto as Exhibit C, and finds that:
- a. This annexation is consistent with provisions in the agreement between the City and the Tualatin Valley Water District adopted pursuant to ORS 195.065 that are directly applicable to this annexation; and
  - b. This annexation is consistent with the City-Agency agreement between the City and Clean Water Services.
- Section 3.** The Council finds this annexation will promote and not interfere with the timely, orderly, and economic provision of public facilities and services, in that:
- a. The property will be withdrawn from the Washington County Urban Road Maintenance District and the Washington County Enhanced Sheriff Patrol District ;
  - b. The City having annexed into the Tualatin Valley Fire and Rescue District in 1995, the property to be annexed by this Ordinance shall remain within that district; and
  - c. The property will remain within the boundaries of the Tualatin Valley Water District.

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

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

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

First Reading September 12th, 2005  
Date

Second Reading and Passed \_\_\_\_\_  
Date

Approved by the Mayor \_\_\_\_\_  
Date

ATTEST:

APPROVED:

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

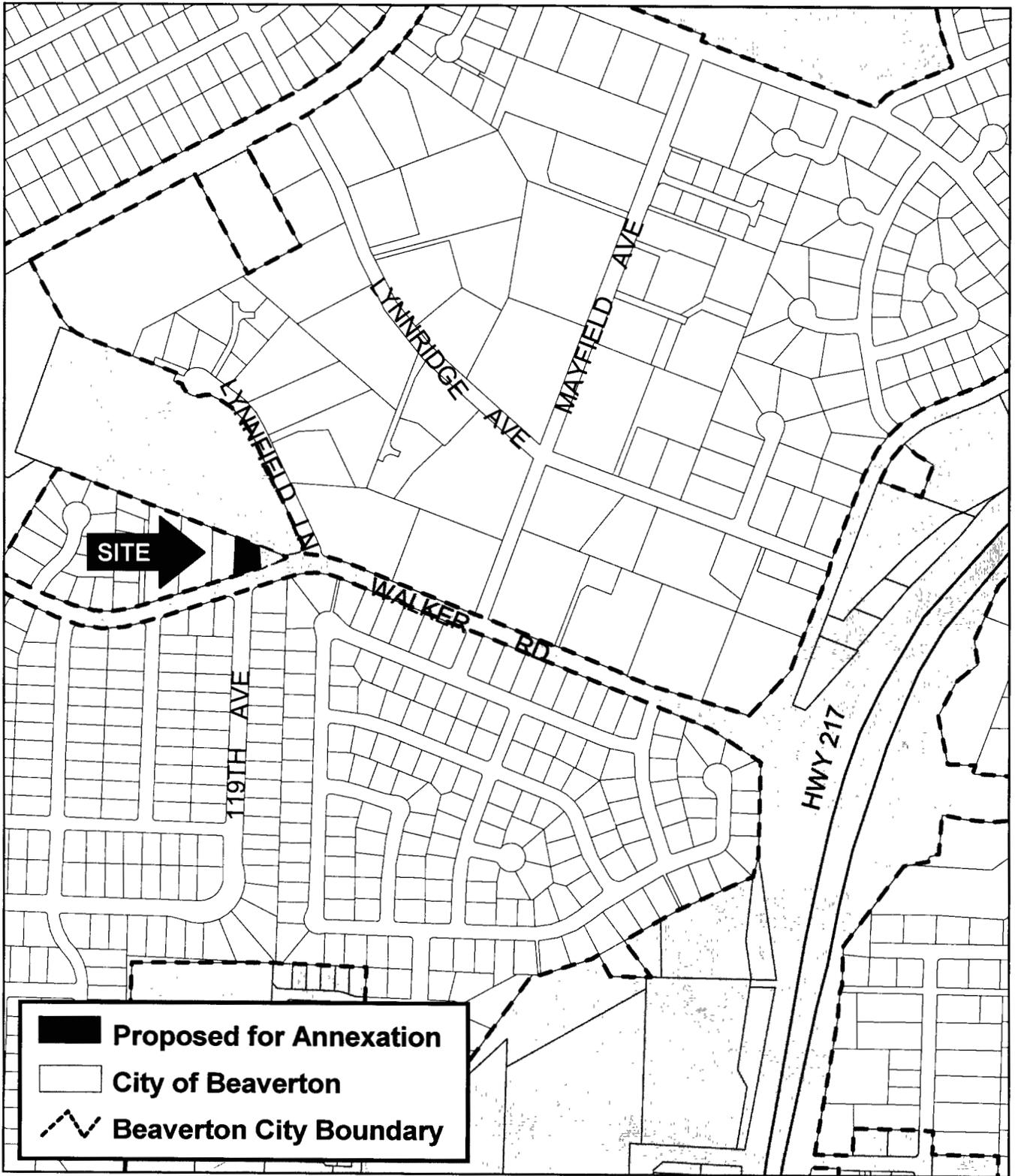
\_\_\_\_\_  
ROB DRAKE, Mayor

# VICINITY MAP

Ordinance No.

4367

# EXHIBIT "A"



CITY OF BEAVERTON

## 11915 SW Walker Road

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Services Division

6/15/05

Map #

1S110BD-11700

N



Application #

ANX2005-0007

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

09/19/05

**SUBJECT:** An Ordinance Amending Beaverton City Code Chapter 5 by Adding Provisions Memorializing the City of Beaverton Police Department and Establishing the Department within the City Code.

**FOR AGENDA OF:** ~~09-12-05~~ **BILL NO:** 05167

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** City Attorney 

**DATE SUBMITTED:** 08-30-05

**CLEARANCES:** Police 

**PROCEEDING:** ~~First Reading~~

**EXHIBITS:** Ordinance

Second Reading and Passage

**BUDGET IMPACT**

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

This Ordinance has been created to maintain the Beaverton Police Department as an accredited law enforcement agency. Law enforcement agencies in Oregon may work with the Oregon Accreditation Alliance (OAA) to achieve this desired status.

As the Oregon Accreditation Alliance explains in their materials, the alliance "was formed in April, 2001. It was created under the direction and authority of the Oregon Association Chief's of Police, the Oregon State Sheriff's Association and the Association of Public Safety Communications Officials.

In July, 2001 the OAA joined an alliance with the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) in Fairfax, Virginia. The alliance mutually supports and endorses the continued improvement of law enforcement and emergency communications services by establishing professional standards of accountability, management and operations."

**INFORMATION FOR CONSIDERATION:**

This Ordinance constitutes an official writing of the City Council that establishes the office of Police Chief and memorializes the existence of the Police Department within the City. The Ordinance specifically satisfies one of the 149 accreditation standards.

**RECOMMENDED ACTION:**

~~First Reading~~

Second Reading and Passage

ORDINANCE NO. 4368

An Ordinance Amending Beaverton City Code Chapter 5 by Adding Provisions Memorializing the City of Beaverton Police Department and Establishing the Department Within the City Code.

WHEREAS, the Beaverton Police Department has historically existed as an essential attribute of government arising out of authority found in the common law of England as incorporated into the law of the State of Oregon, the inherent prerogative of a sovereign authority to muster persons-at-arms to keep the public peace, and also out of the police power reserved to the States under the 10<sup>th</sup> Amendment to the United States Constitution and contained in the Oregon Revised Statutes; and

WHEREAS, no formal document has reduced to writing the inherent authority of the Mayor and Council to assemble a police force; and

WHEREAS, this lack of a written document is a procedural impediment for the ongoing accreditation process of the Beaverton Police Department, which accreditation is required under provisions of statewide law including ORS 181.640 and rules promulgated thereunder; and

WHEREAS, the City Council concludes that to ensure the successful completion and renewal of the accreditation process, and the benefits provided by the same, it is appropriate to create a formal document memorializing the existence of the Beaverton Police Department as presently constituted, retaining the same, and enumerating the office of Chief of Police as the head of that Department, now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

**Section 1.** The Beaverton Code is amended by adding new provisions to Chapter 5, Public Protection, as follows under the heading “Police Department:”

“POLICE DEPARTMENT

5.01.010. Authority. The City Council hereby memorializes the existence of its Police Department as presently constituted, and provides that the same is continued undiminished under this Ordinance. The Police Department remains a city “department” as that phrase is used at Beaverton Code section 1.01.020.

5.01.020 Purpose. The Beaverton Police Department shall exercise, without alteration, all powers and duties previously held to enforce all applicable ordinances and other laws. These powers include, but are not limited to, detecting and preventing crime, apprehending offenders,

