



FINAL AGENDA

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

REGULAR MEETING
MAY 8, 2006
6:30 P.M.

CALL TO ORDER:

ROLL CALL:

PROCLAMATIONS:

Building Safety Week: May 7 - 13, 2006

PRESENTATIONS:

06073 Beaverton Arts Commission's Annual Art Awards

VISITOR COMMENT PERIOD:

COUNCIL ITEMS:

STAFF ITEMS:

CONSENT AGENDA:

Minutes of the Regular City Council Meeting of May 1, 2006

06074 Liquor License Application: Greater Privilege - Thai Kitchen; New Outlet - Urban Rhythms Coffee Co.; Change of Address - Co-Ho Imports Oregon

06075 Boards and Commissions Appointment - Bruce Flath, Beaverton Arts Commission

Contract Review Board:

06076 Bid Award - Sandberg Subdivision Sanitary Sewer Rehabilitation Project

ORDINANCES:

Second Reading:

06072 An Ordinance Annexing Four Parcels Located in the General Vicinity of SW Laurelwood Avenue and SW Hazelnut Lane to the City of Beaverton Expedited Annexation 2006-0001 (Ordinance No. 4391)

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, through our continuing attention to building safety, we enjoy the comfort and peace of mind of structures that are safe and sound; and,

WHEREAS, the City of Beaverton Building Division staff and fire prevention officials are at work year round to guide the safe construction of buildings; and,

WHEREAS, the dedicated members of the International Code Council®, along with the City of Beaverton develop, maintain and enforce modern building codes to safeguard Americans in the buildings where we live, work, play, and learn. These modern building safety codes also include safeguards to protect the public from natural disasters that can occur, such as snowstorms, hurricanes, tornadoes, wildland fires, and earthquakes; and,

WHEREAS, Building Safety Week, sponsored by the International Code Council Foundation, is an excellent opportunity to educate the public and increase public awareness of the role building safety and fire prevention officials, local and state building departments, and federal agencies play in protecting lives and property; and,

WHEREAS, this year's theme, "Building a Safer World Together," encourages all Americans to raise our awareness of building safety and to take appropriate steps to ensure that the places where we live, work, play, and learn are safe. Countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies; and,

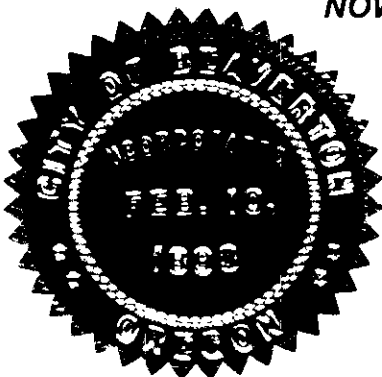
WHEREAS, this year, as we observe Building Safety Week, we ask all Americans to consider projects to improve building safety at home and in the community and to recognize the local building safety and fire prevention officials and the important role they play in public safety.

NOW, THEREFORE, I, ROB DRAKE, MAYOR, of the City of Beaverton, Oregon do hereby proclaim May 7-13, 2006 as:

BUILDING SAFETY WEEK

A handwritten signature in black ink, appearing to read "Rob Drake", written over a horizontal line.

Rob Drake
Mayor



AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Beaverton Arts Commission's Annual Art Awards

FOR AGENDA OF: 05-08-06 **BILL NO:** 06073

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Mayor's/Arts

DATE SUBMITTED: 04-24-06

CLEARANCES:

PROCEEDING: Presentation

EXHIBITS: None

BUDGET IMPACT

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

The Beaverton Arts Commission annually recognizes meritorious achievement in the arts and outstanding support of the arts in Beaverton.

INFORMATION FOR CONSIDERATION:

Outstanding Achievement in the Performing Arts by an Elementary School Student – Angie E. Zhang, Findley Elementary School.

Outstanding Achievement in the Visual Arts by an Elementary School Student – Levi Arthur, Barnes Elementary School.

Outstanding Achievement in the Performing Arts by a Middle School Student (Tie) – Paige Loeffler and Scott Pilette, Cedar Park Middle School.

Outstanding Achievement in the Visual Arts by a Middle School Student (Tie) – Chantalle Guptill and Maya Lall, Arts and Communication Magnet Academy.

Outstanding Achievement in the Performing Arts by a High School Student – Timothy Holmsley, Westview High School.

Outstanding Achievement in the Visual Arts by a High School Student (Tie) – Rebecca Begis, Arts and Communication Magnet Academy and Amanda Foster, Southridge High School.

Volunteers of the Year – Kathy Marsh, Denny Lumsden and Charmaine Anderson

Art in the Community Award – Visual Arts – Painter's Showcase

Art in the Community Award – Performing Arts – Jinn Davis for bringing live, musical concerts to Beaverton school children during lunch.

Art Leadership Award – Misty Cassidy, Art Literacy Coordinator, Chehalem Elementary School

Business of the Year – Emily Andrews Potrait Design

Organization of the Year – Tualatin Hills Park and Recreation District in recognition of their Concert in the Park Series & Artist Gallery at Cedar Hills Recreation Center.

President's Award – Beverly Hahn, Chico's Fund-raiser

RECOMMENDED ACTION:

Hear Presentation

DRAFT

BEAVERTON CITY COUNCIL
REGULAR MEETING
MAY 1, 2006

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, May 1, 2006 at 6:30 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Catherine Arnold, Betty Bode (Coun. Bide left the meeting at the beginning of the executive session), Bruce Dalrymple, Dennis Doyle and Cathy Stanton (Coun. Stanton arrived during executive session). Also present were City Attorney Alan Rappleyea, Chief of Staff Linda Adlard, Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Public Works Director Gary Brentano, Library Director Ed House, Human Resources Director Nancy Bates, Deputy Police Chief Chris Gibson, Development Services Manager Steve Sparks and City Recorder Sue Nelson.

PROCLAMATIONS:

Mayor Drake proclaimed April 30-May 6, 2006 as Municipal Clerks Week. He complimented City Recorder Sue Nelson and her staff for their excellent work.

Mayor Drake proclaimed May 14-21, 2006 as Emergency Medical Services Week, and he introduced Megan Tatum and Bob Miles, from Metro West Ambulance.

Emergency Medical Technician (EMT) Megan Tatum said Metro West Ambulance has provided ambulance service in Oregon since 1953. She said she was honored that the City trusted Metro West Ambulance to serve the community and she looked forward to continuing the relationship. She said Emergency Medical Services Week would be May 14-21, 2006, and the proclamation and recognition of EMT staff was very important to all the professionals who worked in this industry. She said Washington County had one of the best emergency health care systems in Oregon. She said emergency medical staff included EMTs, fire and police department staff, and emergency room staff. She said their goal was to meet the emergency needs of the community in a compassionate, timely and professional manner. On behalf of all emergency personnel in Beaverton, she thanked Mayor Drake for the proclamation and for the City's continued support of emergency medical workers.

Mayor Drake presented the proclamation to Mr. Miles and said the City appreciated their good work.

Mayor Drake proclaimed May 1-7, 2006 as Cover the Uninsured Week.

Coun. Bode said there are over 80,000 uninsured individuals in Washington County. She said when the Virginia Garcia Health Care Clinic opened in Beaverton two years ago, it qualified as a federally-qualified health care clinic because it met the federal guidelines for the number of people in the community who lived below the poverty level. She referred to an article by Janis Berger, Administrator at Providence St. Vincent's Hospital, that documented the Clinic since it opened two years ago, and it has served over 20,000 uninsured patients. She said Lifeworks Northwest, Community Action and the Hillsboro Central Health Clinic also serve the uninsured. She said it was a sad commentary for the whole country that proclamations such as Cover the Uninsured Week were needed.

VISITOR COMMENT PERIOD:

There were none.

COUNCIL ITEMS:

There were none.

STAFF ITEMS:

There were none.

CONSENT AGENDA:

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

Minutes of the City Council Regular Meeting of April 17, 2006

06066 Liquor Licenses: Change of Ownership - Shell Station 311; Shell Station 312; and Shell Station 320

06067 Approval of the City of Beaverton 2006 Action Plan Submission to Washington County

06068 Traffic Commission Issue No.: TC 592 - Speed Limit on SW Barrows Road

Contract Review Board:

06069 Extension of Current Retainer Agreements for Professional Services in Support of the FY 2006/07 Capital Improvements Plan

06070 Bid Award of Independent Dump Trucks Contracted Hourly

Question called on the motion. Couns. Arnold, Bode, Dalrymple and Doyle voting AYE, the MOTION CARRIED unanimously. (4:0)

Coun. Doyle said he was glad to see the Traffic Commission move forward with lowering the speed limit on SW Barrows Road. He referred to a fatal accident on that road recently and said he hoped decreasing the speed limit would result in drivers paying closer attention on that curved road. He said he heard from several people who were happy that the speed limit was lowered.

EXECUTIVE SESSION:

Mayor Drake explained that the Council was adjourning to an executive session to discuss litigation prior to the public hearing.

Coun. Doyle MOVED, SECONDED by Coun. Bode, that Council move into 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. Couns. Arnold, Bode, Dalrymple and Doyle voting AYE, the MOTION CARRIED unanimously. (4:0)

The executive session convened at 6:45 p.m.

Coun. Cathy Stanton arrived during the executive session.

The executive session adjourned at 7:15 p.m.

The regular meeting reconvened at 7:15 p.m.

PUBLIC HEARING:

06071 Measure 37 Claim (Randy Francis)

Mayor Drake explained the City had informally reached an agreement with Mr. Francis concerning his Measure 37 Claim. He reviewed the process for the hearing: first the staff report would be heard; then the City Attorney would explain the proposed settlement; testimony would then be heard followed by Council questions. He said the hearing would then be closed and Council would make its decision.

Development Services Manager Steve Sparks reviewed the Measure 37 Claim by Randy Francis. He said there were 22 individual properties that were divided into three groups. He said the first group was the Beaverton Ford Dealership between Canyon Road, Hall Boulevard and Watson Avenue; the second group was Beaverton Hyundai Dealership between Farmington Road and Tualatin Valley Highway; the third group was the Beaverton Nissan Dealership on the corner of Tualatin Valley Highway and Tualaway Avenue. He said the Hyundai and Nissan sites were zoned General Commercial and the Ford Dealership was zoned Regional Center Transit Oriented. He said the main component of the claim was zoning and landscaping regulations that may have impacted the ability to have a car lot. He said an agreement had been reached on the claim.

City Attorney Alan Rappleyea said when the Measure 37 Claim was filed it was very broad addressing many Code regulations. He said staff had met with Mr. Francis and reviewed the Code provisions to determine the main regulations that concerned Mr. Francis. He said the first issue of concern was a condition of approval placed on a prior

land use decision for the Hall Boulevard/Watson Avenue triangular property. He said that condition required a 52-foot easement for a sewer line that had been there for 50 years and never had an easement. He said this impacted the property and Mr. Francis was seeking relief from that condition. He said the first provision in the settlement agreement was that the 52-foot easement would be modified to a 26-foot easement, and this condition would terminate in the Year 2030 (the end of the current lease on the property). He said the modification to the condition was placed in the land use file.

Rappleyea said Mr. Francis's second concern was landscaping requirements that prevented the viewing of vehicles on the property and affected vehicle sales. He said staff agreed to not apply the regulations that blocked the visibility of vehicles for sale. He said the third issue was the limitations regarding parking vehicles in the floodplain. He said staff agreed to modify the regulations so vehicles could be parked on the floodplain site and an emergency vehicle removal plan would have to be developed that would make it possible to evacuate the vehicles within two hours of a flood advisory from the National Weather Service. He said Mr. Francis agreed with this provision as it was in his best interest to remove the vehicles from the site if there was a flood.

Rappleyea said Mr. Francis's major concern was the restrictions on vehicle sales, lease or rentals uses, that required that expansion of those uses be enclosed within a building, and the restriction on major automobile use. He said Mr. Francis was concerned that the current vehicle sales would be a non-conforming use, and he wanted to make it a conforming use. He said the City was hopeful that this area may redevelop to more intense uses in the future, and vehicle sales would be an easy transition to more intense uses. He said these were the provisions of the settlement agreement.

Rappleyea said as part of the consideration of this claim, Mr. Francis would withdraw all claims on the Hyundai and Nissan Dealership properties and forego all Measure 37 claims on the Beaverton Ford Property. He said Mr. Francis and staff agreed to the settlement.

Mayor Drake opened the public hearing.

Joseph Schaeffer, Portland, land use consultant for Mr. Francis and Randy Francis, Wilsonville, claimant, introduced themselves.

Mr. Francis said in dealing with this claim his intent was to allow the business to continue as it had in the past and still comply with City regulations. He said City staff was very helpful in explaining what could and could not be done. He complimented the City Attorney and Community Development Director Joe Grillo. He said they reached an appropriate settlement. He complimented the Mayor and City Council for all they had done for the City over the years.

Mayor Drake said he appreciated Mr. Francis's spirit in trying to find a resolution. He complimented Mr. Francis as one who has always worked cooperatively to find effective solutions. He said Measure 37 left many questions unanswered and he had hoped the courts would do more. He said at the last session the Legislature failed to do its job of further refining issues from Measure 37. He noted the City Council makes decisions on many issues at every meeting and said he was proud that the Council does not defer decisions or try to hand them off to others. He said he was proud of the professional

attitude by staff, Mr. Francis and Mr. Schaeffer in resolving this claim. He said he hoped all future claims would end as satisfactorily as this one, where the property owner's and the community's needs are successfully met. He thanked everyone for all their efforts.

Coun. Stanton referred to the emergency vehicle evacuation plan required for the floodplain parcel and asked who would know where the keys would be for the many vehicles on the lot so in an emergency the site could be evacuated in two hours.

Francis said they have a computer key system; the number of the vehicle is entered into the computer and the key comes out. He said they could clear their property quickly and easily.

Mayor Drake asked if anyone wished to testify on this matter.

Don Delzer, Beaverton, said he had been a Beaverton resident for 16 years on Tualaway. He requested clarification on the landscaping changes that were planned. He referred to Beaverton being a Tree City USA and said one of the attractive features of the Nissan Dealership site was that it has many mature trees. He asked about the plan for this site.

Rappleyea said the settlement provides that the City would not apply landscape regulations that would substantially block the viewing of vehicles for sale on the property. He said this was for new landscaping. He said this would not involve cutting down trees. He said it would also not allow putting up hedges of trees.

Delzer asked if there were plans to remove the fence between Canyon Road and the Nissan Dealership.

Rappleyea said this settlement only deals with the Beaverton Ford properties downtown. He said as part of the settlement Mr. Francis removed the claims on the Nissan and Hyundai Dealerships properties, so the existing Code would continue to apply on those sites.

There being no further comment, Mayor Drake closed the hearing.

Rappleyea explained if the Council wished to approve this settlement, the proper motion would be to authorize the Mayor to enter into the settlement agreement.

Coun. Doyle **MOVED, SECONDED** by Coun. Dalrymple, that Council authorize the Mayor to enter into the settlement agreement as contained in Agenda Bill 06071, Exhibit 1.

Coun. Doyle thanked Mr. Francis, Mr. Schaeffer and City staff for how they handled this claim; narrowing the claim down to the real issues of concern. He said this was using common sense and he congratulated everyone for successfully getting through an unchartered path.

Coun. Stanton thanked Mr. Francis for his willingness to cooperate and commitment to the community. She said she really appreciated that Mr. Francis wanted to keep doing

business as usual; that he did not seek additional concessions and that he was willing to work with the City to achieve that.

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

ORDINANCES:

Coun. Doyle MOVED, SECONDED by Coun. Stanton, that the rules be suspended, and that the ordinance embodied in Agenda Bill 06072 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, Dalrymple, Doyle, and Stanton voting AYE, the MOTION CARRIED unanimously. (4:0)

First Reading:

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

06072 An Ordinance Annexing Four Parcels Located in the General Vicinity of SW Laurelwood Avenue and SW Hazelnut Lane to the City of Beaverton Expedited Annexation 2006-0001 (Ordinance No. 4391)

OTHER BUSINESS

Coun. Stanton referred to the payday loan issue that Council considered under a work session at the last meeting. She said the Legislature passed a payday loan regulation bill to be effective July 2007. She said she had asked Rappleyea to do a presentation to Council on the City's options to enact regulations in the interim, so the City would not have to wait for the State's regulations in 2007. She said Rappleyea said he would have something next Monday night.

Coun. Stanton noted she missed the consideration of the Consent Agenda. She said she had concerns regarding Agenda Bill 06070, Bid Award of Independent Dump Trucks Contracted Hourly. She said this contract award allowed for contract changes without the Council approval. She said she wanted the Council to see the contract changes, not for approval but to be aware of how the contract is amended.

Public Works Director Gary Brentano said three years ago, when the City began street paving staff learned quickly the City did not have enough trucks to haul asphalt to the jobs. He said they contacted independent trucking firms to see if they would provide hauling services and they agreed to do so at a rate of \$50.00 per hour. He said this was done on a contingency basis because the number of trucks needed varies per job; contracting this service provides flexibility and saves the City a great deal of money. He said it also reduces criticism from having City crews do most of the work; private businesses can participate in these projects. He said it was a benefit for everyone involved. He said the contract before Council was essentially the same as the contract from three years ago. He said staff would be willing to review any contract changes with the Council.

Coun. Stanton said the agenda bill states the "City shall have the option" to make contract changes. She said she would like to be kept informed of how the contract may change. She asked when a truck was rented did the vehicle use the City's fuel.

Brentano replied that was not the case, the hauler provides their own labor, fuel, insurance and driver. They are contracting out their equipment and the operator for the purposes of transporting whatever the City needs.

ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 7:55 p.m.

Sue Nelson, City Recorder

APPROVAL:

Approved this day of , 2005.

Rob Drake, Mayor

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: LIQUOR LICENSE APPLICATION: **FOR AGENDA OF:** 05/08/06 **BILL NO:** 06074

GREATER PRIVILEGE **MAYOR'S APPROVAL:** *[Signature]*
 Thai Kitchen
 2840 SW Cedar Hills Boulevard **DEPARTMENT OF ORIGIN:** Police *[Signature]*

NEW OUTLET **DATE SUBMITTED:** 04/25/06
 Urban Rhythms Coffee Co.
 12600 SW Crescent Street #110

CHANGE OF ADDRESS
 Co-Ho Imports Oregon
 16851 NW Cornell Road #1003

PROCEEDING: Consent Agenda **EXHIBITS:** None

BUDGET IMPACT

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

HISTORICAL PERSPECTIVE:

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

INFORMATION FOR CONSIDERATION:

Ticha and Vivat Pienpakdee have made application for Greater Privilege for their restaurant, Thai Kitchen. It is requesting to change from a Limited On-Premises Sales License to a Full On-Premises Sales License. The restaurant operates seven days a week serving lunch from 11:00 a.m. to 4:00 p.m. and dinner from 4:00 p.m. to 10:00 p.m. A Full On-Premises Sales License allows the sale of distilled spirits, malt beverages, wine and cider for consumption at the licensed business.

Urban Rhythms Coffee Co., LLC is opening a new establishment and has made application for a Limited On-Premises Sales License and an Off-Premises Sales License under the trade name of Urban Rhythms Coffee Co. The establishment will serve sandwiches, salads, pastries, and coffee. It will operate seven days a week, Monday through Thursday, 6:00 a.m. to 6:00 p.m., Friday, 6:00 a.m. to 10:00 p.m., Saturday, 8:00 a.m. to 10:00 p.m., and Sunday, 10:00 a.m. to 4:00 p.m. No entertainment will be offered. A Limited On-Premises Sales License allows the sale of malt beverages, wine, and cider for consumption at the licensed business, and the sale of kegs of malt beverages to go. A Full On-Premises Sales License allows the sale of distilled spirits, malt beverages, wine and cider for consumption at the licensed business.

GFA Corporation is moving their current establishment and has made application to transfer their Wholesale Malt Beverage and Wine Sales License and a Certificate of Approval under the trade name of Co-Ho Imports Oregon. They will be moving from their current location at, 10905 SW Denney Rd #D-82 to 16851 NW Cornell Road #1003. A Wholesale Malt Beverage and Wine Sales License allows

the importation, storage, transportation and wholesale sale of malt beverages and wine to OLCC licensees and limited retail sales to the public. A Certificate of Approval allows an out-of-state manufacturer, or an importer of foreign wine or malt beverages, to import wine and malt beverages to Oregon licensees.

RECOMMENDED ACTION:

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

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Boards and Commissions Appointment –
Bruce Flath, Beaverton Arts Commission

FOR AGENDA OF: 05-08-06 **BILL NO:** 06075

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Mayor's
Office/Neighborhood Program

DATE SUBMITTED: 05/01/06

CLEARANCES:

PROCEEDING: CONSENT AGENDA

EXHIBITS: Application for new appointment

BUDGET IMPACT

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

HISTORICAL PERSPECTIVE:

Michelle Sterkowicz, permanent member of the Beaverton Arts Commission, has submitted her resignation effective May 31, 2006. Mayor Rob Drake is recommending that Bruce Flath, currently an alternate member of the Beaverton Arts Commission, be appointed as a permanent member. Mr. Flath's term will be effective June 1, 2006 and will expire on December 31, 2007.

RECOMMENDED ACTION:

Confirm recommended appointment to the Beaverton Arts Commission.

Community Database
Web Application Request Detail Listing
Application # 76

Status: Processed

Choice #1: Library Advisory Board

Choice #2: Beaverton Arts Commission

First Name: Bruce **Last:** Flath **Customer #:** 4152

Street: _____ **Home Phone:** _____

City: _____ **Work Phone:** _____ **Extension:** _____

State: _____ **Zip:** _____ **E-Mail:** _____

City Resident: **How Long:** 8 years -- have Portland mailing address **Employer:** _____

Keep Name on List (if not appointed) **Position:** Cataloger

Heard How? Announcement on city website

Background: Mostly library administration and automation. Have also taught English as a Second Language; was president of the board of the Beaverton Literacy Council. Have served as chair or president of several professional organizations and committees. Knowledgeable about parliamentary procedure; was vice-president of the San Francisco chapter of the National Association of Parliamentarians.

Skills: Have MLIS from UC Berkeley. Served as library director for two libraries, including Garden Home Community Library. Active in professional library associations both in California and Oregon. Sat on the board of the Beaverton Literacy Council and served as its president for one year.

Motivation: I'm very interested in the future of libraries and hope that I might be able to lend my expertise in library administration to help shape the future of the Beaverton City library. Beaverton offers a great opportunity for providing first-class library services to a growing and changing community in a time when the library and information worlds are also changing. I enjoy the challenge of working with groups of people to consider and decide on alternative futures and the Library Board would provide me with the opportunity to serve in that way. I also simply want to give to the city some of my time in exchange for some of the services it has provided me in the past.

Goals: Beaverton is already a growing community, both in terms of population and business, but I feel that it also needs to grow a sense of identity. It needs to be more than "just the city to the west of Portland". One way that it could shape its identity would be in how it meets the challenges of a diverse community. Providing innovative ways to connect all segments of the community, public and private, high-tech and low-tech, could help set off Beaverton from other Oregon cities as well as encourage businesses and outside talent to invest in the city. I think that the Library could play an important part of this effort and therefore I would like to be a part of it.

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Bid Award – Sandberg Subdivision
Sanitary Sewer Rehabilitation Project

FOR AGENDA OF: 05-08-06 **BILL NO:** 06076

Mayor's Approval: *[Signature]*

DEPARTMENT OF ORIGIN: Public Works *[Signature]*

DATE SUBMITTED: 05-02-06

CLEARANCES: Purchasing *[Signature]*
Finance *[Signature]*
City Attorney *[Signature]*
Capital Proj *[Signature]*
Water *[Signature]*

PROCEEDING: Consent Agenda
(Contract Review Board)

- EXHIBITS:**
1. CIP Project Data Sheet/Map
 2. Bid Summary
 3. Funding Plan

BUDGET IMPACT

EXPENDITURE REQUIRED *	AMOUNT BUDGETED *	APPROPRIATION REQUIRED *
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* See attached Funding Plan (Exhibit 3).

HISTORICAL PERSPECTIVE:

The Sandberg Subdivision Sanitary Sewer Rehabilitation project is included in the FY 2005/06 Capital Improvements Plan (CIP) under CIP Project Number 6012 (Exhibit 1).

The Sandberg Subdivision consists of approximately 60 homes and apartments located on Maple Avenue, Larch Drive, Beech Drive and Larch Lane. The subdivision was constructed in the early 1950's and the public utilities such as sanitary sewer, water and storm drainage are in need of replacement or rehabilitation.

The capital improvement work in the Sandberg Subdivision is scheduled to occur in three phases.

Phase 1 is primarily sanitary sewer and consists of the contract work being awarded. The project includes the rehabilitation of 3,370 feet of 8-inch sanitary sewer main line and 3,886 feet of 4-inch and 6-inch sanitary sewer laterals. Also included is the replacement of 229 feet of 4-inch and 166 feet of 6-inch waterlines located along side and back property lines that will be done in conjunction with the sanitary sewer work. Clean Water Services will pay half of the sanitary sewer replacement costs as part of a CWS program to reduce inflow and infiltration (the entry of ground water in to the sanitary sewer pipes) in aging sections of the sanitary sewer system. The CWS reimbursement will occur after Phase 1 is complete. Phase 1 is scheduled to begin on May 22, 2006 and be complete by July 22, 2006.

Phase 2 includes waterline replacement and storm drainage replacement. Phase 2 will be constructed by City forces beginning on July 1, 2006. Approximately 2,358 feet of old 6-inch cast iron water pipe will be replaced with ductile iron pipe. In addition, the existing undersized storm drain system will be replaced with 2,500 feet of storm drain pipe and associated manholes and catch basins. Phase 2 is scheduled to be complete by November 30, 2006.

Phase 3 is street rehabilitation that will also be completed by City forces after the underground work is complete.

INFORMATION FOR CONSIDERATION:

The invitation for bid was advertised in the *Daily Journal of Commerce* on April 11, 2006. A mandatory pre-bid meeting was held on April 18, 2006. Five contractors attended the pre-bid meeting. Two (2) bids were received and opened on April 27, 2006 at 2:00 p.m. in the Finance Department conference room (Exhibit 2). K&R Plumbing of Clackamas, Oregon, submitted the lowest responsive bid in the amount of \$488,777.90. The overall bid amount is \$94,204 or 19% less than the Engineer's Estimate (Exhibit 3). The biggest reason for the difference between the Engineer's Estimate and the low bid was the unit prices for Pipe Bursting, a specialty type work for which the Engineer's estimate was conservatively high. For example, the Engineer's Estimate for 4-inch Pipe Bursting was \$35.00 per foot whereas the price bid was \$26.50 per foot.

Staff reviewed the qualifications of K&R Plumbing and investigated their performance with three previous customers. They received very high marks from all customers. In addition, K&R Plumbing completed a challenging sanitary sewer rehabilitation project (pipe burst of a sanitary sewer main line under Beaverton Creek) for the City in a satisfactory manner. Staff finds K&R Plumbing has satisfied the bid requirements to construct utility improvements in a built-up, urban environment.

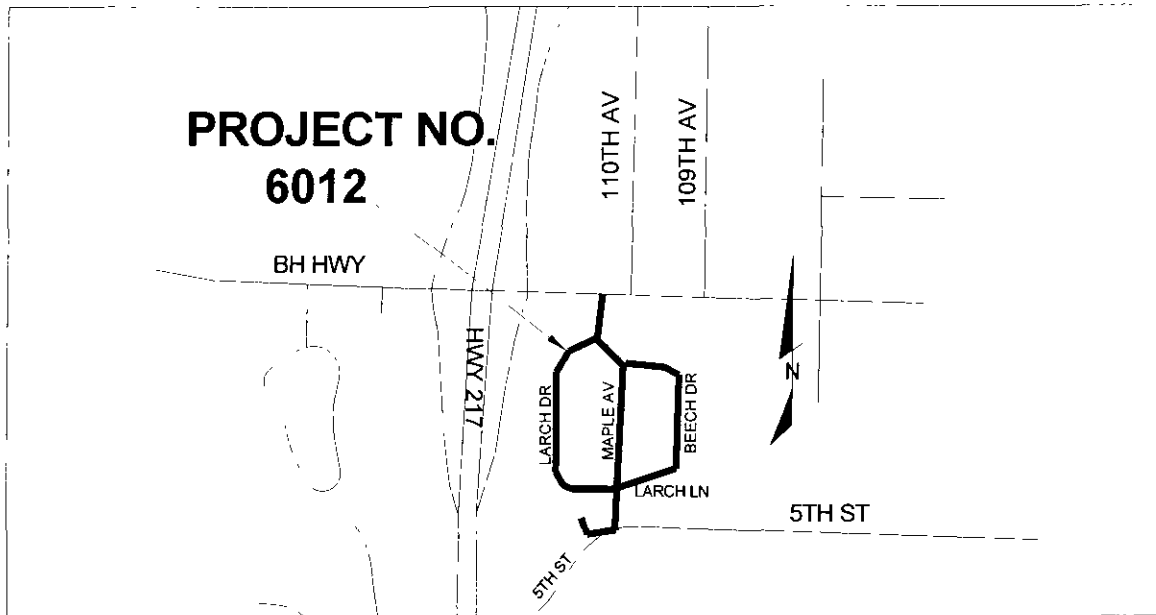
With City Council approval of the bid award, a Notice to Proceed (NTP) would be issued to the Contractor on or about May 22, 2006. The project contract requires substantial completion, which includes all work other than punch-list corrections and final cleanup, within 60 days of the NTP. This means the project's estimated substantial completion date is July 22, 2006.

RECOMMENDED ACTION:

Council, acting as Contract Review Board, award the bid to K&R Plumbing in the amount of \$488,777.90, in a form approved by the City Attorney, as the lowest responsive bid received for the Sandberg Subdivision Sanitary Sewer Rehabilitation Project.

Project Number: 6012
Project Name: Larch, Beech, Maple Area (Sandberg) Utility Improvements
Project Description: Replace water, sanitary sewer, and storm drain utilities in the Sandberg Subdivision on Larch Dr, Larch Ln, Beech Dr and Maple Ave. Repave the streets after the utility work is complete.

Map:



Project Justification: Existing water, sanitary sewer, storm drain utilities have reached the end of their useful life and are in need of replacement. The street pavement is in need of an AC overlay. Replace and repair aging underground utilities prior to a street overlay scheduled as part of the overall project.

Project Status: FY05/06: Complete project design and community involvement and begin construction. Jun-Sep 05: Property owners contacted concerning proposed project impacts on private property. FY06/07: Complete construction. City to pay for replacement of storm and water lines, road reconstruction and half of sanitary sewer improvements (mains and laterals). Clean Water Services to pay for the other half of the sanitary improvements which are needed to reduce inflow and infiltration. Project is coordinated with the FY06/07 Street Rehabilitation Program. Phase 1 includes sanitary sewer improvements and is scheduled to be constructed by Contract forces May-July 2006. Phase 2 is water and storm drainage improvements and is scheduled to be constructed by City forces Jul-Nov 2006. Phase 3 is street rehabilitation and is also scheduled to be completed by City forces following the completion of Phase 1 and 2 utility improvements.

Estimated Date of Completion: 06/30/2007

Estimated Project Cost: \$1,648,000

First Year Budgeted: FY02/03

Funding Data:

<u>Project No.</u>	<u>Fund No.</u>	<u>Fund Name</u>	<u>Amount</u>	<u>FY</u>
6012	3701	Water Improvements	\$70,000	FY2005/06
	3811	Sewer SDC	\$35,000	FY2005/06
	3850	Sewer Maint/Replacement	\$608,818	FY2005/06

3915	Storm SDC Conveyance	\$58,000	FY2005/06
3950	Storm Maint/Replacement	\$58,000	FY2005/06
3701	Water Improvements	\$190,000	FY2006/07
3811	Sewer SDC	\$5,000	FY2006/07
3850	Sewer Maint/Replacement	\$133,000	FY2006/07
3915	Storm SDC Conveyance	\$185,000	FY2006/07
3950	Storm Maint/Replacement	\$224,000	FY2006/07
CWS	Clean Water Services	\$300,000	FY2006/07
		-	
	Total for FY:	\$1,866,818	

BID SUMMARY

CITY OF BEAVERTON

TO: Mayor & City Council

FROM: Purchasing Division

SUBJECT: Bid Opening

Bids were opened on APRIL 27TH, 2005 at 2:00 PM in the **FINANCE CONFERENCE ROOM**

For: **"SANDBERG SUBDIVISON SS REHABILITATION PROJECT" FY 2005-06**

Witnessed by: JIM BRINK

EXHIBIT 2

VENDOR NAME AND CITY, STATE	BID BOND	ADDENDUM	ODOT QUAL	BID AMOUNT
K & R PLUMBING CLACKAMAS OR	X	X	X	\$488,777.90
LANDIS & LANDIS PORTLAND OR	X	X		\$554,336.75

The Purchasing process has been confirmed.

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

The above amounts have been checked: YES NO

Date: 4-27-06

Funding Plan - Sandberg Subdivision Sanitary Sewer Rehabilitation Project - Phase 1
Project No. 6012A

Fund Number and Name	FY2005-06 Fund Budget	FY2005-06 Project Budget*		FY2006-07 Project Budget*	Total Project Budget*	Phase 1 Engineer's Estimate**	Phase 1 Project Cost As Bid**
502-75-3850-682 Sanitary Maintenance & Replacement	\$1,984,785	\$595,818	(1)	\$433,000	\$1,028,818	\$539,050	\$446,543
502-75-3811-682 Sanitary Collection System	\$1,410,031	\$35,000		\$5,000	\$40,000	\$0	\$0
501-75-3701-682 Water System Improvements	\$953,331	\$65,000		\$190,000	\$255,000	\$43,932	\$42,235
513-75-3915-682 Storm Water Conveyance Improvements	\$879,428	\$58,000		\$185,000	\$243,000	NA	NA
513-75-3950-682 Storm Maintenance & Replacement	\$1,310,778	\$58,000		\$224,000	\$282,000	NA	NA
Totals		\$811,818		\$1,037,000	\$1,848,818	\$582,982	\$488,778
* Project budget includes all three (3) phases of the project (sanitary, water, storm drainage and street rehabilitation)							
** Includes only Phase 1 work							
(1) Of this \$433,000 CWS will reimburse City \$300,000							

EXHIBIT 3

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: An Ordinance Annexing Four Parcels
Located in the General Vicinity of SW
Laurelwood Avenue and SW Hazelnut Lane
to the City of Beaverton: Expedited
Annexation 2006-0001

05/08/06
FOR AGENDA OF: 05/01/06 **BILL NO:** 06072

Mayor's Approval: *Bob DeLuca*

DEPARTMENT OF ORIGIN: CDD *JK*

DATE SUBMITTED: 04/14/06

CLEARANCES: City Attorney *AP*
Planning Services *HB*

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 four tax parcels located at 4976 and 4978 SW Laurelwood Avenue and 8003 and 8011 SW Hazelnut Lane to the City of Beaverton. The parcels are approximately 2.53 total acres. The property owners and a majority of the electors have consented to the annexation. This consent allows this to be processed as an expedited annexation under ORS 222.125 and Metro Code Section 3.09.045 and no public hearing is required. The property owners are requesting annexation in order to allow their property to be redeveloped and connect to City sanitary sewer.

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. The Neighborhood Program recommends not adding these parcels to any existing NAC.

Staff recommends that the City Council adopt an ordinance annexing the referenced property to be 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. 4391

AN ORDINANCE ANNEXING FOUR PARCELS LOCATED IN THE GENERAL VICINITY OF SW LAURELWOOD AVENUE AND SW HAZELNUT LANE TO THE CITY OF BEAVERTON: EXPEDITED ANNEXATION 2006-0001

- WHEREAS,** This expedited annexation was initiated under authority of ORS 222.125, whereby all owners of the property and at least 50 percent of the electors, have 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 to be 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 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 ; and
 - 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.
- 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 May 01, 2006
Date

Second Reading and Passed _____
Date

Approved by the Mayor _____
Date

ATTEST:

APPROVED:

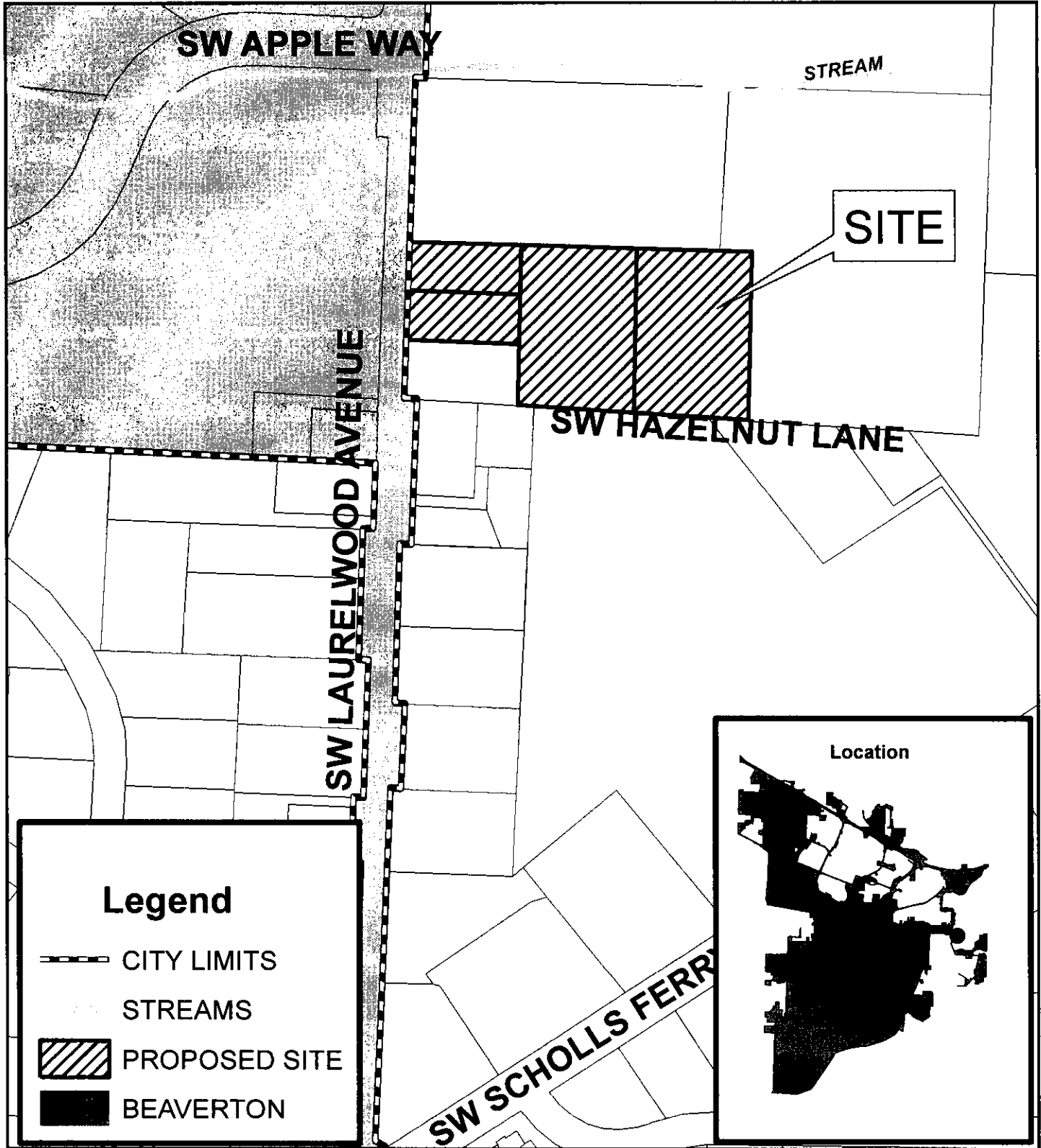
SUE NELSON, City Recorder

ROB DRAKE, Mayor

VICINITY MAP

ORDINANCE
NO. 4391

"EXHIBIT A"



CITY OF BEAVERTON

ANX 2006-0001

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

3/31/06

1S113BC0400
402, 500, 600



Application #
Anx2006-0001