

City of Beaverton
Neighborhood Association Committee Meeting Minutes

NAC: Denney Whitford / Raleigh West

Date: March 8, 2018

Board members present:

Co-Chair: Sherry Moore

Co-Chair: Ernie Conway

BCCI Rep: (vacant)

Treasurer: Sheri Struk

Recorder: Tracy Thornton

Quorum present? Yes No

Meeting start time: 7:00

Tualatin Valley Fire & Rescue Report (Station 53): Lt. Price reminded everyone that it's time to check your smoke detectors (to coincide with Daylight Savings Time). He explained the ballot measure to expand the TVF&R district into Newberg. TVF&R has been providing service to Newberg since 2016 due to the city's budget constraints. In Nov. 2017, voters in Newberg voted to be annexed into the TVF&R district, but Oregon law allows residents to file a petition to require a district-wide vote. This happened, so we have the current ballot measure. Ballots are due by March 13. Call 503-649-8577 for more information.

Beaverton Police Department Report: Officer Justin Haugen reviewed the monthly crime statistics. If you want more detail on crime statistics, contact the department for statistics within Beaverton and the sheriff's office can direct you to statistics for unincorporated Washington County. Thefts are a consistent crime in our area but it's not increasing.

On April 28, there will be a free document shredding at Sunset Presbyterian Church from 10:00 am to 1:00 pm.

A new scam involves fraudulent phone calls that con elderly people by offering to fix their computers. The department works on these cases, but most of the fraud originates from outside the country, so they focus on education rather than prosecution.

5th & Western update: Work is being done at the City level to address the issue. They need to distinguish between homeless people living in vehicles, people camping temporarily, and abandoned cars, which are all distinct issues. The current city code doesn't address all these issues with enough clarity for the current situation, so the city needs to come up with new codes. Those changes will be rolled out in stages. Officer Haugen said he is seeing progress.

Code enforcement is now done by the Police Department. Abandoned vehicles are being dealt with a lot quicker now.

Tualatin Hills Parks & Recreation District Report: Heath Wright reported that the Natural Resources department is updating the trail maps to take into effect new trails that have been created.

There will be an open house for public input on Greenway Park on March 20; drop in hours are from 7:00-8:15 pm at the Conestoga Rec Center.

The spring Native Plant Sale sponsored by Friends of Tualatin Hills Nature Park will be on Saturday, April 28 at the Nature Park from 10:00 am to 2:00 pm.

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See THPRD's website for more information about free events to learn more about parks.

The Maintenance Department continues to work on lead paint abatement at the Garden home Rec Center; they will be repainting March 26-28.

In aquatics, free first Fridays open swims continue. The next Dive-In Movie Night will be at Harman Swim Center on March 23 at 6:30 pm, and the movie is Disney's *Brave*. The Aloha Swim Center turns 40 years old in March, so open swims on March 10 will be just \$0.40

Spring term registration started March 3; space is still available in many classes.

City Update: Lani Parr reported that the City is working on their ADA self-evaluation plan and they are looking for feedback on facilities and programs. The plan is posted online; send feedback to ada@beavertonoregon.gov and go to beavertonoregon.gov/ada to see the areas needing feedback.

This year, City Council has made it a priority to consolidate water services, with a long term goal to bring all Beaverton residents into the City's water system. Currently, the City provides water to 70% of residents. They are starting this process by working to transfer water service from Tualatin Valley Water District, which serves the area south of Highway 26 and east of Scholls Ferry Road. There will be a public hearing on March 20 about this. Residents will save an average of \$188 per year.

The City is updating its Building Department webpages to make them more user friendly so that people working on building projects can navigate and find information about how to go about the building projects more easily. Public feedback is welcome. Beavertonoregon.gov/building.

The Allen Blvd District Plan survey is considering what to do with the Allen Blvd district. The City would like residents to share their ideas for the area between 217 and Murray. The survey goes through March: beavertonoregon.gov/allen. The website also gives information about upcoming projects.

Volunteers are providing free tax assistance at the Activities Center on Allen Blvd. They can help people with deductions such as the earned income tax credit. They are open Tuesday through Friday from 10:00 am-6:00 pm and Saturday 9:00 am-4:00 pm.

Lani brought mini-Bundt cakes to celebrate the "For the Love of Neighborhoods" campaign.

Guest Speaker:

Because there were a lot of new attendees at this meeting, Co-Chair Ernie explained the purpose of the NACs (City of Beaverton) and the CPO program (Washington County) and why it's important to attend these meetings.

Michael Neff, a land use lawyer, discussed his clients' concerns about the OBRC Bottle Drop building (in the old Pier1 building). His clients believe that the increase in crime in the area is due to the OBRC facility. They have seen evidence of drug use and increased crime in the last 9 months. The question he brought to the meeting is how to approach the increase in crime.

Mr. Neff noted that none of his clients are opposed to the objectives of the Oregon Bottle Bill or the concept of a free-standing beverage container redemption center. The issue they have is with the location chosen for this particular facility without outreach to the neighbors. They would like to have a discussion with OBRC about moving the facility.

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Mike Larsen, the lawyer who represented the appeal brought by the Laurelwood Veterinary Hospital which is next door to the Bottle Drop, believes the location is now illegal. In November of 2016 a public notice was posted on the property adjacent to the hospital. The owners contacted Mr. Larsen and asked about their rights and he looked at the city code. He determined the facility was a recycling center (rather than a redemption center), which means that it could not be sited in a commercial zone without a public hearing. The City believed it was a permitted use for that location (as a redemption center, much like the redemption process in grocery stores), thus the City did not require a public hearing. Mr. Larsen's clients appealed the City's decision to the state's Land Use Board of Appeals, who advised that the City needed to render a decision with an open process. Because of this, Mr. Larsen claims that the OBRC is operating illegally because they do not technically have a permit for the location. The City believes the OBRC facility can continue to operate as long as they are working toward addressing issues.

The City will decide if this facility is a recycling center, which cannot be sited in a commercial zone (i.e., it must be cited in an industrial zone), or some other kind of facility (such as a redemption center).

Mr. Larsen believes there will be an appeal to City Council regardless of the City's decision. He wants to make sure everyone understands what's going on and encourages neighbors to get involved and show up at the appeal hearing.

Bob Franklin works near the OBRC facility. He had no concerns in the 12 years he's been at that location but recently has had issues with vandalism, break-ins, having a security camera stolen, drug use, and having trash and grocery carts left on the property. He has had to install panic buttons because his staff are nervous.

Jesuit High School is located 175 feet away (across Beaverton-Hillsdale Highway) from the property. The President of Jesuit, Tom Arndorfer, reported that the school has seen a troubling increase in security issues, trespassing on campus, theft, and drug paraphernalia and alcohol bottles left on campus.

Susan from the Royal Woodlands neighborhood spoke about the increase in crime in her area.

Mr. Neff stated that he would like to talk with OBRC about finding an industrial location for the facility. If they can't do that, he encourages everyone at the meeting to submit comments to the City.

OBRC's lawyer spoke in response, noting that this meeting is not the forum where the land use issue will be resolved. OBRC was set up in 2008 as a cooperative, with the first pilot Bottle Drop in 2011. The state was not seeing the recycling rate it wanted to see, and the Oregon Legislature was looking for ways to fix this. The pilot project for redemption centers became permanent in 2013 in response to a legislative mandate. The goal was to make recycling more convenient so that recycling rates would increase.

OBRC claims that the Bottle Drop facility is not an industrial use (i.e. a recycling center) because it functions the same way that bottle drops at the grocery stores function. No bottles or cans are being processed on site. A Type 2 review process is going on now, which requires public notice. The Planning Department is going through the city code and looking at other permitted uses in commercial zones to determine if this facility is similar enough to other facilities in a commercial zone to be located there.

Bottle drop centers are fairly new, so "bottle redemption center" isn't written into any of the codes. There are still disagreements on the technicalities of what "recycling center" means.

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OBRC is providing a place for people to redeem bottles and cans. They acknowledge that they probably won't change the minds of people who think OBRC is causing these issues with crime. They are happy to talk to anyone about these issues and how to reduce the impacts, but they are not willing to talk about where else the facility should be located.

Jules Bailey from OBRC chaired the committee that wrote this law about redemption centers when he was a state representative. The purpose was convenience. He noted that these centers are used by families, and we don't want to send families to inconvenient, farther-away industrial areas where danger may be higher. The legislature wanted the facilities located in places close to where people are.

In addition, OBRC redemption centers are involved with the community through the Bottle Drop Give program, which has worked with organizations such as Home Plate, Neighborhood Pantry, Virginia Garcia to serve as a place where bottles can be brought back easily and donated to these causes.

Mr. Bailey acknowledged the need to consider how to address the issues raised. He said that grocery stores are dealing with similar issues and have been asking for bottle drop facilities as a potential solution to their issues. OBRC wants to help provide solutions. They can't control who comes in the door, but vagrancy is not acceptable.

He also noted the unfortunate timing of the Beaverton facility. It was opened shortly after the redemption value on bottles and cans was increased to \$0.10, and there has been a big increase in returns since then. This has resulted in more people taking bottles and cans from curbside recycling and returning them, and this is happening around the state. OBRC believes the vast majority of people using their facility appreciate it; they have thousands of people signed up for accounts in our area. They want to be part of the solution, but believe they didn't cause the problem of vagrancy and homelessness.

Ernie ended the discussion by noting that aside from the specific land use issue in this case, all of the concerns and complaints neighbors are bringing up are not new and have been going on in Beaverton for years. OBRC came to our NAC meeting previously, so they did do outreach. He said that neighbors need to be involved in their community if they want to effectively address issues like this. They can attend NAC or CPO meetings and they can always speak at City Council or Planning Commission meetings. He invited the meeting attendees to stay after the meeting if they wanted more discussion.

Board Updates:

- **Treasurer's Report:** Sheri reported that \$1.23 (our dividend) was added to our account this month.

- **BCCI Report:** The BCCI Representative position is currently vacant. Lani reported that BCCI is focusing on two events: the Volunteer Fair at the Library from 10:00 am to 1:00 pm, and the April 23rd Voters' Forum. The Voters' Forum will feature candidates for City Council seats, County Commission Chair, and Metro. There is a reception at 6:30 to talk to candidates and the forum starts at 7:00 pm. BCCI determines the format for the evening and comes up with questions.

Consent Agenda

- Minutes from February. Ernie moved that we accept the minutes with a minor change (United to Union Gospel Mission). Sheri seconded. Motion passed.

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New Business:

At next month's meeting, a representative from the Beaverton School District will be explaining changes at Raleigh Hills K-8 school, and someone from the City will attend to explain why they need a public information meeting and the process involved.

Meeting end time: 8:26 pm

Next meeting is April 12, 2018.