



WEST LINN CITY COUNCIL MEETING MINUTES April 12, 2010

Council Present:

Mayor Patti Galle, Council President John Kovash, Councilor Scott Burgess, Councilor Jody Carson; and Councilor Teri Cummings

Council Absent:

None

Staff Present:

Chris Jordan, City Manager; Kirsten Wyatt, Assistant to the City Manager, Ken Worcester, Director of Parks and Recreation; Dennis Wright, City Engineer; and City Attorney Tim Ramis

Call to Order/Pledge of Allegiance:

Mayor Galle called the meeting to order at 6:30 p.m. and led the flag salute.

Approval of Agenda

Councilor Carson moved to approve the revised Agenda with one revision; remove Agenda Bill 2010-04-12B to the City Council meeting scheduled for April 26, 2010. Council President Kovash seconded the motion.

Ayes: Burgess, Cummings, Carson, Kovash, Galle

Nays: None

The motion carried 5-0.

Proclamations, Recognitions and Presentations

- Proclamation – Earthquake Awareness Month

Chris Jordan read the Earthquake proclamation to the audience announcing April, 2010 to be Earthquake and Tsunami Awareness Month in West Linn and encourage all West Linn citizens to join in this observation.

Community Comments:

Alice Richmond, 3939 Parker Road asked everyone to vote yes on the proposed Police Station measure on the ballot in May. She submitted five pages of signatures of people who will vote yes on this measure and tell their friends to vote yes on this measure.

On Saturday, April 10th the City's "Free Dump Day" was held. There were about 129 cars that went through. She suggested that possibly next year the public is educated that this is an event for residents of West Linn. Anyone who has things they want to donate, she encouraged them to call the Habitat for Humanity and they will come pick up your items.

Ms. Richmond asked everyone to take a minute to remember the 29 Virginia coalminers who were lost. Tragedy can hit anyone at any time. It takes a lot of courage and faith for those miners to do their jobs.

Mark Dane, 13005 SW Foothill Drive, Portland 97225 stated he is here tonight on behalf of Jim Sherwood, a resident of city for the last 60 years. In 2007 Mr. Sherwood went through a land use approval MIP-2007-001, a request for a preliminary partition on his property. Over the last three years Mr. Sherwood lost his daughter and wife and used most of his personal funds to keep moving forward. He currently just lost his house and will be moving into his garage. The garage is located on the property and he is here asking Council to allow Mr. Sherwood to maintain the approval received three years ago and develop his land.

Mr. Sherwood has not been able to develop it because of his personal tragedies. This was a three-lot partition; however, because of change in codes after the preliminary approval (expires in July 2010); any extension has to be under the new codes. This will wipe out the entitlements he has in place.

Mr. Dane stated he is here tonight to find a vehicle to allow Mr. Sherwood to extend the existing approvals.

Mayor Galle directed Mr. Dane to speak with Mr. Sonnen, the Planning Director. Mr. Dane stated he talked to the Planning Director and was explained the current rules. Because the environmental buffer has been increased, it removes two of the three lots.

Dennis Richy, 2311 Jolie Point Road stated he is speaking as Chair of the Public Safety Committee of West Linn. He thanked Council for making the change to the Public Safety Committee from the Police Advisory Committee. It is working out very well; it is a very exciting time to be a member of that committee.

The grand opening of the Willamette Fire Station was held on April 3rd. Hundreds of people attended including Councilor Carson, members of the Public Safety Committee, Neil Henley from the Police Department, and countless volunteers.

Being involved with both Police and Fire Mr. Richy stated he is glad to see that earthquake awareness is something that West Linn is participating in. They are working with the City getting basic information about the three measures on the ballot.

A Neighborhood Emergency Organization Weekend is being planned where there will be speakers. This is the Public Safety Committee's first step of their plan to train people within neighborhoods, urging people to map their neighborhoods, and get to know their neighbors. Originally the idea came out of a discussion with Kevin Bryck about a year ago. The Robinwood neighborhood has been actively pursuing this and the League of Neighborhoods is also interested in working with these activities. The three groups are working together and Council Chambers have been scheduled for Saturday, May 22nd for the event.

Brian Greenwood, 2339 Athena Road stated he emailed everyone on the Council regarding the Copper Naphthenate roof treatment and the mayor was the only one who responded. He submitted copies of that email and asked the Councilors to read it. He stated he is not going to ask for an answer tonight; however he will submit this email every two weeks until he gets a response. He has been coming to Council for almost a year.

Alan Rosenfeld, 19615 Derby Court, stated he is here tonight to ask Council to take Metro and Clackamas County to court with regards to the designated urban reserve status of the Stafford Hamlet. Since it appears to be a done deal that Stafford and South Borland are designated urban reserve, the only remaining alternative is to take Metro and the County to court. He suggested it be done in conjunction with Lake Oswego and that Peggy Hennessey be the attorney for the action. She has been successful three times in challenging Metro in court. The basis for the court challenge would be that Stafford does not meet Metro's criteria for urban reserves and Metro Commissioner, Carlotta Collette clearly stated that Stafford doesn't meet the criteria; it would be expensive to develop, there is no infrastructure in place, and there is no set governance for the area.

Consent Agenda:

- a. Agenda Bill 2010 – 04-12A Approval of the Minutes of City Council Meeting of March 8, 2010
- b. Agenda Bill 2010-04-12F Approval of the Minutes of City Council Meeting of February 22, 2010

Council President Kovash moved to approve the Consent Agenda consisting of Agenda Bill 2010-04-12A, Approval of City Council Meeting Minutes of March 8, 2010 as revised and Agenda Bill 2010-04-12F, Approval of City Council Meeting Minutes of February 22, 2010 as revised. Councilor Carson seconded the motion.

Ayes: Carson, Burgess, Cummings, Kovash, Galle

Nays: None

The motion carried 5-0.

Report from the City Manager -- None

Business from the City Council

Council Carson stated in reviewing the minutes of February 22, 2010 Council meeting there was a vote to have a work session relating to the materials used for the roof treatments. She asked if this issue can be put on a future work session agenda. Chris Jordan stated the issue is on the April 19th work session provided the city attorney will be available. He has done some research on this issue and his input would be helpful.

In response to the comments regarding hiring an attorney to take Metro and Clackamas County to court, Councilor Carson explained based on her understanding and process, the City will not be taking legal action until the final decision is made, the ordinance is passed. West Linn has engaged in an attorney now that is looking at the merits of this case and City Council will keep the residents updated on how this is progressing with the case and if surrounding cities want to join in. The appeal process will not take place until an appealable decision is made.

Council President Kovash noted when Council approved participation in the Regional Wastewater Capacity Advisory Committee it was agreed that the representative would periodically report to City and to City Council as to the transmittal of business at those meetings.

Council President Kovash reported he attended the first meeting of the Regional Wastewater Capacity Advisory Committee on April 1, 2010 with the alternate, Lynn Chicoine and City Manager, Chris Jordan. Alice Norris, Mayor of Oregon City was elected as Chair. It was agreed the Committee would meet the first Thursday of each month and identify issues from the County. It is expected there will be eight issues discussed in the first year; setting of strategic direction for a 20-year horizon, planning, operation and life cycle of facilities, expenses and rate adjustments, effects on the communities, water reuse, bio-solids, energy production and the deployment of green technology. The meeting lasted 29 minutes; Alice Norris sticks to the agenda, gets it done and decisions were made. The meetings will be recorded and the next meetings will be held on the first Thursday of each quarter.

Councilor Burgess announced that on May 18th the citizens will be voting on West Linn's triple play (three significant issues on the ballot):

- Measure 356, will give authorization from the public to allow the City to sell \$10.8 million of general obligation bonds to build a police station and court facility;
- Measure 357 will allow for the annexation of the Parker Road property between the City Hall building and Tanner Creek Park. It is School District property and they have long said they have no intention of building a school there. It is an island of County property surrounded by the City. This site could be used for the proposed police station and other recreational uses.
- Measure 358 will allow for the City Council to sell a portion of Sunset Park to demolish and rebuild Sunset Park Elementary School. This is a very active neighborhood that wants to keep the school at this location. The neighborhood association voted 28-1 to agree to lose 1.6 acres of the park to replace the existing school.

Councilor Burgess encouraged the citizens to vote yes on all three measures.

Councilor Cummings announced there will be a group of returning veterans this month. Efforts are taking place in the community in response to the commitment made last December when Council signed a resolution in support of the troops. Everyone is welcome to participate in the planning events to welcome home those who have served our country.

Mayor Galle suggested the attorney that is handling the Stafford Hamlet issues co-counsel with Peggy Hennessey. Chris Jordan reported Mr. Condit is a partner with Miller, Nash. He is a former city attorney for Lake Oswego and was one of the key attorneys on the 1997 litigation involving the Stafford area.

Councilor Cummings reported the agenda format will be changed to reflect whether citizens will be able to make public comments on issues being discussed at the Council hearings. It is hoped this will make it clearer to the public which items are open to discussion.

Business Meeting

Agenda Bill 2010-04-12B Resolution No. 2010-13, Intergovernmental Agreement
Between West Linn Police and Tri-Met

Mayor Galle opened the meeting to discussion of the agreement between the West Linn Police Department and Tri-Met at 7:20 p.m.

Chris Jordan reported this is a continuation of an existing intergovernmental agreement between Tri-Met and the City of West Linn where the City provides one police officer to Tri-Met for transit security. Adding police to the Tri-Met system provides public perception of a safe system that will encourage safe ridership, provides a good training opportunity for the police officers and there is a small revenue generation for the city. Tri-Met pays all of the compensation benefits associated with the one officer, pays for the administrative overhead costs, and provides for regional cooperation. The Chief has reported that all the feedback on this participation has been positive; the officers who have served on the bus patrol feel it was helpful experience for them.

There was no public comment on this issue. Mayor Galle closed the public testimony position of the hearing and opened discussion among the Council.

Council President Kovash moved to approve Resolution No., 2010-13, Resolution Approving An Inter Governmental Agreement Between Tri-County Metropolitan Transportation District (Tri-Met), City of Portland, and the City of West Linn To Provide One (1) Sworn Officer To The Portland Police Bureau, Transit Police Division per Agenda Bill 2010-04-12C. Councilor Burgess seconded the motion.

Ayes: Cummings, Kovash, Carson, Burgess, Galle

Nays: None

The motion carried 5-0.

Agenda Bill 2010-04-12D Neighborhood Association Boundary Changes Affecting
Robinwood and Skyline Ridge Neighborhood Associations

Mayor Galle opened discussion of Robinwood and Skyline Ridge Neighborhood Associations boundary changes at 7:20 p.m.

Kirsten Wyatt reported Council is being asked to approve a neighborhood association boundary change for two homes. The neighbors request to join the Skyline Ridge Neighborhood Association and leave the Robinwood Neighborhood Association. The way the map is configured these two residents feel they relate more to their neighbors in Skyline Ridge.

There was no public comment on this issue. Mayor Galle opened the meeting to discussion among the Council.

Council President Kovash moved to approve the neighborhood association boundary change to move two homes from the Robinwood Neighborhood Association to the Skyline Ridge Neighborhood Association per Agenda Bill 2010-04-12D. Councilor Carson seconded the motion.

Ayes: Kovash, Carson, Cummings, Burgess, Galle

Nays: None

The motion carried 5-0.

Agenda Bill 2010-04-12E Resolution 2010-14, Modifying the Water SDC Project List
Increasing the Water SDC to Reflect the Addition of the
Project

Mayor Galle opened the meeting to discussion of the water system development charges (SDCs) at 7:30 p.m.

Chris Jordan reported the purpose of this item is to update the water SDC project list to include project #65, increasing a transmission line size (15-inches to 24-inches) serving the Bolton Reservoir. He introduced the consultants from Murray, Smith & Associates, Inc., Brian Ginter, P.E. and Chris Uber, P.E. who are here tonight to answer any questions.

Dennis Wright, City Engineer reported during the summer of 2009, the City's water utility staff monitored water delivery to the Bolton Reservoir and compared actual flows with the anticipated flows modeled during the Water System Master Plan process. Staff found that the flow was less than expected and suspected excessive pipeline losses, restricting water delivery to the reservoir. City staff and the consultant agree that an additional project (CIP #65) should be added to the water SDC project list to correct this constriction. The consultant has provided a project data sheet for the projected dated September 2009, confirmed by a March 18, 2010 report. Staff recommends the planning level estimate of the project cost be considered for inclusion into the water SDC project list.

Mr. Wright, along with Murray, Smith & Associate representatives responded to questions regarding the proposal:

- Clarify the 10 MGD figure for future maximum day demand. Dennis Wright explained that Section 3 of the Water System Master Plan addresses this issue. Staff worked from the historical population estimates and water demands over the last several years that were developed by Portland State University Population Research Center. Using that data, customer water use characteristics were developed and identified. Maximum day demand of approximately 325 gallons per capita per day was used for projecting forward. The population forecast presented in the Water System Master Plan look at a 20-year planning horizon and saturation development estimate is in the Residential Unit Tracking Report as 30,931 people; the 2030 population is very close to that build out. The Master Plan shows a 20-year planning horizon and build out occur generally at the same time within approximately five years based on current projected growth rates. Maximum day demand water usage characteristics were applied to those projections identified to come up with a maximum day demand. 10 MGD is 325 gallons per capital per day multiplied by 30,931 people.

Mayor Galle asked how water can accommodate the development of Stafford Basin. Mr. Uber stated development of Stafford Basin is outside of the planning area for the Water System Master Plan. The Master Plan will need to be updated to identify the potential water use for the Stafford Basin, what pressure zone the area would be in, how it would be served, what the potential growth rate could be in that area, what build-out might be, and projected improvements to serve them would need to be developed separately.

Mayor Galle asked if the 24-inch pipe is put in and in 5 years because of growth it needs to be larger, will the pipe have to be replaced. Mr. Uber stated if a new pipe were required that project would be entirely SDC eligible; entirely to serve growth. Mr. Ginter stated the UGB reviewed is the existing UGB. Based on the analysis peak day demand is 10 MGD. Anything beyond that is totally out of bounds of anything they looked at in the Master Plan.

Mayor Galle asked if consideration was given for the current economy when projecting five years into the future. Mr. Uber stated given current growth rates, there is a possibility that the build-out event could be far later than 2030; if growth rates change in the area it could be sooner than 2030. That is based on population growth rate projections at the time of the Plan in 2007. Mr. Uber added that the existing pipe was constructed in 1970.

- What are the potential water hammer events that could occur? Mr. Uber stated the use of the velocity criteria and potential surge events were not a driver for the recommendation to upsize the pipe line. There is the potential for the valves to close too quickly to cause a water hammer event. The peak surge event that could occur would be if the valve was closed before the energy wave that would travel in the pipe, hit the valve, reflect into the Division Street Pump Station and

came back to the valve. A valve cannot be closed that quickly. Operation staff is trained in closing valves slowly and the risk of an accidental closure quick is rare. While there is a potential for a surge event, it is a fairly low likelihood of occurring.

- What will be the increased energy costs? Mr. Uber noted if the 18-inch pipe was left in place could you just pump at a higher energy level to overcome it. The OEM cost today is not a reason to complete this project. The cost would be very well. The significant issue has to do with whether it is actually feasible to do that given the current configuration of the system. The Division Street Pump Station currently supplies water to Oregon City and West Linn. A change to be able to pump to this higher level of energy would be very significant; it cannot be completed easily without modifications that would involve City of Oregon City South Fork Water Board. Ultimately those improvements can be on the same order of magnitude as the proposed transition main. There is the potential that is an alternative that could be considered however the cost associated with those improvements reach into the same. The other item that would be a fatal flaw that would need to be assessed immediately if considered is whether or not the transmission main at its low point as it comes across the I-205 Bridge is actually designed to handle those higher pressures. That is a potential. Mr. Ginter noted to increase the capacity the pressure has to be raised. Increased pressure is beyond the design pressure of that transition main.

Mayor Galle noted as cities are developed data on the effect of conservation efforts will come about. There is no harm in putting a larger pipe if water usage is reduced. She asked if the consultant's were confident this is truly the best use of the funds and the best project for West Linn's future. Mr. Uber stated based on their analysis this would be the best use of those funds. Upgrade of the pump station facility is risky. The transition main is 40 years old; it could have a life of 50 years, possible 100 years. It is the appropriate engineering solution.

Mayor Galle asked how the pipe will be replaced without interrupting service. Mr. Uber stated the pipe can be constructed in two manners. If you lay the pipe in the same corridor as the existing pipe line it would require customers out of service for some duration. In all likelihood the pipe line would be laid in parallel with the existing main, tested, brought into service, connections made to the new line, and service is transferred. There will be minimal disruption of service to customers connected directly to the line of four to five hours during the day on two or three occasions to achieve the transfer.

Councilor Carson noted this is something that is being added to the Plan and most likely be put into place with the new Bolton Reservoir. This is something that is planned for sometime in the future based on the need and financing. This is being put on the Plan so SDCs can be collected.

Mayor Galle asked when the Bolton Reservoir is planned to be completed. Mr. Wright stated they are hoping to get authorization to start design next year; they will be bringing it forward as part of the budget.

Public Comments

Alice Richmond, 3939 Parker Road stated she has heard discussions on this issue twice; she has not heard anything that she is opposed to. Since 1959 she has followed the water system and many other issues concerning West Linn. She is in support of the increased sized pipe; the population of the City has increased and will continue to increase.

Bob Thomas, 2563 Pimlico Drive stated he submitted four submittals tonight and he urges the Council to not adopt Agenda Bill 20010-04-12E tonight. He is an electrical engineer and he knows what Murray, Smith & Associates have indicated is full of many flawed assertions. He noted when Council reads these submittals it will prove the engineering basis, that there is no need to replace the existing 4200 feet of 18-inch pipe with 24-inch pipe.

Mr. Thomas stated to him it is obviously not worth spending an estimated \$1, 617,000 to replace the existing 18-inch main with a proposed 24-inch main for the insignificant 3.64 percent reduction in total head loss.

Mayor Galle asked Murray, Smith & Associates to comment on the 3.64 percent total head loss. Mr. Uber stated their calculation is based on a velocity of 5-feet per second. The velocity in the 18-inch main at 10MGD will actually be in the range of 8-9 feet per second. It is not a linear relationship so essentially the head loss is significant to a higher velocity.

Mayor Galle asked if there is a calculation of the water diverted. Mr. Uber explained a zonal analysis was done in the Master Plan where they looked at the water demands per each zone. There is flexibility in the system in that all the water can be directed into the Bolton Reservoir or directed to other pressure zones.

Councilor Cummings raised a Point of Order: Council process requires that public comment period be completed before questions are asked of staff.

Mayor Galle ruled to continue the conversation.

Councilor Burgess moved to discontinue the debate between Mr. Thomas and the consultant. Councilor Carson seconded the motion.

Ayes: Burgess, Carson, Kovash

Nays: Cummings, Galle

The motion carried 3-2.

Mr. Thomas stated he was disappointed that councilors did not want to continue this debate and feels they should wait another two weeks to allow time to study his information and know what is being said by Murray, Smith & Associates is nonfactual, challengeable and not good engineering.

Councilor Cummings thanked Mr. Thomas for all the time and detail he had put into this issue. She asked for clarification of head loss between the 18-inch pipe and the 24-inch pipe. Mr. Thomas stated he is talking about friction head loss. The total head loss is a combination of the gravity head that has to be overcome to get it from the beginning of the 18-inch line at U Street up to the Bolton Reservoir which is a difference in elevation of approximately 260 feet. When you add the friction head loss through the 18-inch main at 5-feet per second is about 32.24 whereas the friction head loss through the proposed 24-inch main is 21.6-feet. The difference is only 10.64-feet. It is the gravity head that is so big; the other two are minor considerations and the difference of 10.64-feet is only 3.64 percent less in total head loss for the proposed 24-inch main compared to that of the 18-inch main.

Councilor Cummings asked Mr. Thomas what alternatives he felt would be necessary. Mr. Thomas stated there are no alternatives, the 18-inch pipe does not need to be replaced. The 18-inch main was buried in oil-soaked sand backfilled to protect it from external corrosion so it should be in good condition. The pipe was unlined; most pipes are unlined and the 24-inch pipe won't be unlined either.

Councilor Cummings asked if the Bolton Station needs 10 MGD because the water goes to different parts of the system. Mr. Thomas stated that the Bolton Station will never need 10 MGD. The Bolton Reservoir supplies lower zones by gravity but it pumps uphill only about 40% of the water that comes across the I-205 Bridge main. It has been that way for years and it may be less now because there has been additional pipe line capacity run from the View Drive Reservoir up into the Rosemont Zone. It probably doesn't have to pump as much to the Horton Reservoir because that in turn doesn't have to pump as much to the Rosemont Zone. If Council delayed this agenda bill and read through his information, and Murray, Smith & Associates read through it, he is sure there would be different conclusions on the claims that 8.1 MGD is the amount of water delivered through the I-205 main from South Fork to the entire City on a day of maximum daily demands, not what was flowing through the 18-inch main to the Bolton Reservoir and the second claim that the entire transmission capacity of the 24-inch

supply line from South Fork suspended under the I-205 Bridge that supplies water to the whole City is limited to 10 MGD.

Council President Kovash stated he is also an engineer. As Mr. Thomas has stated his specialty is in electrical, his specialty is in not in fluids. He has some experience in fluid dynamics. He does understand the process for engineering projects and that is the process the City is following. No matter how hard Mr. Uber and Mr. Ginter try tonight, they cannot make this body confident in fluid mechanics; it is a long degreeed course. That is why the City hired this firm; they have the credentials to evaluate the City's system. The issue is to place this project on the list so the City can collect SDCs. Murray, Smith & Associates was hired to advise the City on whether this project is viable and they have done that. There are professional engineers on the City's staff who supervise the consultant's work. It is incumbent upon the Council to trust this process and get the best professional credentialed people they can get and he feels the City has done that.

Mayor Galle closed the public testimony portion of the hearing and opened the meeting to discussion by the Council.

Mayor Galle asked staff to comment on the distribution of the 10 MGD capacity. Mr. Uber stated the system sends the majority of the water to the Bolton Reservoir. There is the ability to move water into the Willamette zone and the Raleigh zone. From the Bolton Reservoir it is pumped up to higher level zones, Horton and Rosemont. Because the City doesn't collect the level of data required to determine the precise demand in each of those zone, estimates were done based on the land area in each zone. Based on that analysis, a very small amount of the water goes to Raleigh and Bland zones. The Willamette zone is about one-fifth of the City in terms of area. While there is the ability to move water to those other zones, there are very small reservoirs in those zones compared to Bolton; when demands go up and down throughout the zone during the day, the City needs to take 10 MGD over the course of a day. In order to do that, the majority of that water needs to go to the Bolton Reservoir where there is storage available for it during the low demand period. There is the ability to move water out to those zones, but the majority of the water needs to go to the Bolton Reservoir. Staff has observed this repeatedly year after year; they have brought up the concern that they can't get enough water into Bolton to keep up on a peak day.

Mr. Wright stated there is not a concern about enough water; the situation is that the reservoirs have not been able to recharge as quickly as they should. Increasing the size of this line will allow improved water flow into the Bolton Reservoir to better provide for that.

Mayor Galle asked if the pumping system is adequate to get the water distributed. Mr. Uber stated there are alternatives to look to doing something different at Division Street Pump Station. The way it is configured today, it supplies West Linn and Oregon City in parallel. Oregon City's reservoir that is being supplied sets the upper limit on the

amount of energy that can be put into the water to force it through the two systems. In order to change that, there would need to be a process at South Water Board. The pumps are performing to their very highest ability; they worked with South Fork Water Board to make sure the pumps were operating on their pump curve as expected.

Mayor Galle asked for an opinion as to why South Fork Water Board is not in favor of this increased size. Mr. Uber stated he couldn't speak for Mr. Collins' concerns, but the limits of the South Fork Water Board system are the Division Street Pump Station. If there was adequate capacity in the transmission main the pump station is capable of delivering 10 MGD to West Linn. From his perspective, his facilities can deliver 10 MGD.

Councilor Cumming asked for clarification of the wet-well issue and how it relates to the improved Bolton Station. Mr. Uber stated the wet-well will be replaced with the Bolton Reservoir replacement. The flow test was designed to eliminate that variable. They were able to look at the performance of the pipeline independent of the wet-well impacts so they could analysis the capacity of the transition main without the impact of the wet-well.

Councilor Burgess moved to approve Resolution No. 2010-14, A Resolution Relating to Water System Development Charges, Modifying The Water System Master Plan Capital Project Plan, Modifying The Water SDC Project List, and Modifying the System Development Charges To Be Assessed per Agenda Bill 2010-04-12E. Councilor Carson seconded the motion.

Councilor Burgess stated he feels the consultants have done a good job in giving the City a recommendation for this project. The issue tonight is to add this project to the list in the Master Plan to collect sufficient SDCs so when and if needed, it will be built of an adequate size. He will be voting in favor of the motion.

Councilor Cummings stated she doesn't feel the Bolton Station really needs the 10 MGD. Some of the water is being diverted to other places. She would like to see West Linn institute a conservation program to not use as much water and addressing other issues first before dedicating this amount of money to this system. She is not convinced this is the highest priority right now and she will not be voting in favor of this motion.

Councilor Carson thanked Murray, Smith & Associates for all the testing and additional analysis done and it was helpful in gaining a better understanding of why this pipe would be added to the capital improvement list and a better understanding of the overall operation of the system. She is in support of adding this pipe to the project list in the Water Master Plan. She would like to see additional analysis done at the time of the replacement to determine what the actual needs are then.

Mayor Galle stated she would not be voting in favor of this issue. She feels she was cut off and marginalized over this issue. She would have preferred to continue the discussion that was started tonight.

Ayes: Burgess, Carson, Kovash

Nays: Cummings, Galle

The motion carried 3-2.

Adjournment of Meeting

Mayor Galle adjourned the meeting at 8:20 p.m. Because of an executive session planned, Council President Kovash reopened the meeting and adjourned the meeting into executive session pursuant to ORS-192.660(2)(d), Labor Negotiations at 8:25 p.m. He announced that Council would not return to public session.

RESPECTFULLY SUBMITTED,

Tina Lynch /s/

Tina Lynch

City Recorder

APPROVED BY THE CITY COUNCIL

ON MAY 10, 2010

John Kovash /s/

John Kovash, Mayor