

# **WEST LINN CITY COUNCIL MEETING MINUTES July 27, 2009**

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**Council Present:**

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

**Council Absent:**

None

**Staff Present:**

Chris Jordan, City Manager; Dennis Wright, City Engineer; Captain Ron Schwartz, Police Department; City Attorney Tim Ramis; and Shirley Richardson, Minute Taker

**Call to Order/Pledge of Allegiance**

Mayor Galle called the meeting to order at 6:45 p.m. and led the flag salute.

**Proclamations, Recognitions and Presentations**

None

**Community Comments**

Ken Prior, 2119 Greene Street, stated at the last work session Council discussed changes to the development code pertaining to easements on riverfront property. He feels this issue should have been discussed in an open session with public input. Residents voted for transparency in the last election and these things should be aired in the public. He has seen diminishing visibility across the Council. Most residents are not aware the City Manager was given a new employment agreement (5 year extension) without public input.

Mr. Prior suggested that a parliamentarian be present at all public meetings. This person would be an unbiased party that understands Roberts Rules of Order.

Roberta Schwarz, 2206 Tannler Drive. Mayor Galle announced that Ms. Schwarz donated 4,000 hours of her time putting on tremendous coffees, tours and fund-raising functions for the Savannah Oaks. There is now 2/3<sup>rd</sup> of a million dollars to purchase this property.

Ms. Schwarz submitted an article written by Kara Hansen in the *Tidings*. The article talks about how a few volunteers putting in time, makes a lot of difference.

Her neighborhood association and Neighbors for Livable West Linn (non-profit) will be having an auction on August 7, 2009. She invited everyone to come out and participate. There are 80 items up for sale. The funds received will be used to get computers for kids who cannot afford to have one.

Ms. Schwarz stated the Planning Commission will soon be hearing minor code changes. She does not feel these changes are minor; her concern is about the addition of a parcel of building called Transportation Facilities into five code sections. She asked that Council not let something like this slip through.

Curt Summer, 18490 Lower Midhill Drive, expressed gratitude to the Council for their efforts to persuade Clackamas County Policy Advisory Committee to reach a prudent decision regarding the future of the Stafford Basin. Most of the residents appreciate the unique and special character of the Stafford Basin. He does not believe the Stafford Basin is a gap that needs to be filled so that Metro Portland can form a complete circle and it is not a development opportunity for special interests to enrich themselves. He feels the Stafford Triangle is not merely a diamond in the rough, it is the diamond. He does not believe it should be sacrificed for conventional subdivision development.

He encouraged the Council to avail themselves of any and all legal remedies and means necessary to insure the protection of the Stafford Triangle.

Mr. Summer stated he had to leave for another meeting but wanted to make a short comment on the solar energy project. He spends a substantial amount of time researching renewable energy. He is a strong advocate of renewable energy but this particular project concerns him because as a PGE ratepayer there is no direct benefit to the ratepayers. What is PGE going to do with the substantial tax credit they receive for developing this project?

### **Consent Agenda**

**Council President Carson moved to approve the Consent Agenda consisting of approval of Agenda Bill 09-07-27A, Approval of City Council Meeting Minutes of June 8, 2009 and Agenda Bill 09-07-27B, Approval of City Council Meeting Minutes of June 22, 2009 as amended. Councilor Burgess seconded the motion.**

**Ayes: Carson, Burgess, Kovash, Galle**

**Nays: None**

**Abstentions: Cummings**

**The motion carried 4-0 with one abstention; Councilor Cummings was absent from the June 8<sup>th</sup> meeting.**

### **Report from the City Manager**

Chris Jordan announced that Ordinance 1587 has been pulled off this evening's agenda and there will be a motion to continue. He wanted to let anyone here tonight to testify on this item, it will not be heard.

Council will be discussing Resolution 09-19 on the Stafford Area but there will be no decision or vote on this issue tonight.

Mr. Jordan announced the City just learned they have received the distinguished Budget Award from the Government Finance Officers Association for the City's first biennial budget.

### **Business from the City Council**

Councilor Cummings suggested the item regarding updates to the City Council rules be discussed at the next meeting.

**Councilor Cummings moved to continue discussion of Updates to the City Council Rules to another meeting. Councilor Burgess seconded the motion.**

**Ayes: Burgess, Cummings, Kovash, Carson, Galle**

**Nays: None**

**The motion carried 5-0.**

Councilor Burgess commended staff, the Budget Committee and Council on receiving the award from the Government Finance Officers Association and getting the City's financial house in order.

### **Business Meeting**

Pulled from the Consent Agenda:

#### **1. Agenda Bill 09-07-27F**

#### **IGA Amendment – ODOT IGA for stimulus-funded Salamo Rd. re-paving**

Mayor Galle opened the meeting to discussion of the Stafford Area. She asked for a staff report.

Dennis Wright, City Engineer reported the City was successful in getting \$100,000 in stimulus funding for Salamo Road. In order to receive these funds the City had to sign an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT). The IGA was prepared by ODOT and submitted to the City. Council reviewed and approved the IGA with ODOT.

The IGA at that point was for a 1R project (overlay); however, it became evident that more work was going to be needed. After negotiations with ODOT they agreed to revise the IGA to reflect a 3R project. The amended IGA was submitted by ODOT and staff is requesting authorization of the revised IGA.

The original overlay 1R project was for overlaying the roadway (8-year life); this 3R project is considered a rebuild (20-year life). There are additional requirements of the City; engineering and planning, taking of required core samples, submit an archeological memo, and other requirements.

Burgess thanked staff for the hard work they put into this project. This is the first transportation funding that the City has received. He asked if the City will have to pay the difference between the original \$900,000 and the projected \$1,004,000. Mr. Wright stated the estimate has not changed; the original estimate was for \$1,004,000 and the City was granted \$900,000. The project scope has not changed, just the planning and design of the roadway has changed.

**Council President Carson moved to approve the IGA Amendment for to ODOT IGA (Blueback) for Stimulus-Funded Salamo Road re-paving Project per Agenda Bill 09-07-27F. Councilor Kovash seconded the motion.**

**Ayes: Cummings, Kovash, Carson, Burgess, Galle**

**Nays: None**

**The motion carried 5-0.**

Chris Jordan reported the City received a \$300,000 grant from ODOT for sidewalks on Blankenship about a year ago. That project will be underway soon as well.

**2. Agenda Bill 09-07-27C**

**Resolution No. 09-16, Solar Highway Project**

Mayor Galle opened the public hearing to address the Solar Highway Project at 7:06 p.m. She called for a staff report.

Chris Jordan reported this project began in March when the City's Park and Recreation Director working with ODOT arranged for a field trip to the Solar Highway Demonstration project at I-5 and I-205. Since that time staff has been working with ODOT in regards to land use and community outreach. ODOT staff and representatives have been very responsive and are performing a tree survey, attended many community meetings, responded in writing to questions raised by citizens, developed pictures showing what the visual impact of the project might be for people living within sight of the project, and have been very helpful in providing information requested from City staff and the public.

There are representatives from ODOT here this evening to answer questions. Resolution 09-16 does not authorize construction of a project. Council has been provided with an amended resolution titled, "A Resolution of the West Linn City Council Indicating its support for continuing to work with the Oregon Department of Transportation in Considering West Linn as a Possible Site for a Solar Highway". The direction of the resolution is: "Now therefore be it resolved by the City Council of the City of West Linn that: Section 1, as part of its efforts to provide for a more sustainable future for the West Linn community and for the citizens of Oregon, the West Linn City Council supports working in good faith with ODOT as it considers locating the solar highway project in West Linn with thoughtful consideration of any issue of community concern by providing periodic Council update; Section 2, City staff is directed to offer the assistance needed to solicit feedback from the community and support this good faith effort; Section 3, City staff is directed to work with ODOT to insure that a path or path easement is included in the planning for the project by completing such design work that may be needed for that planning to facilitate timely requests for potential plan funding.

Mr. Jordan noted a citizen raised an issue about the pathway to him before tonight's meeting; he wants to be clear the pathway itself is being looked at in conjunction with the solar highway. The pathway will have to have its own separate public involvement process as well. It is a separate project and may have to go through a land use process (public hearings, neighborhood meetings, etc.).

Council received additional written correspondence this evening; that should be all the information submitted at this time.

**Questions to Staff from the Council**

None

Lynn Frank stated he has been retained by ODOT to help them with their solar initiative. He introduced Allyson Hamilton, Project Director for the Office of Innovative Partnering and Lynn Aberbeck, Environmental Specialist. The Office of Innovative Partnering is an innovative entrepreneurial enclave within ODOT that explores creative ways to get things done. The project at I-5/I-205 was the first in the nation and was completed under Ms. Hamilton's direction. Ms. Aberbeck is also a part of that team who handles environmental and other related issues; making sure those issues are well addressed as the process moves forward.

Mayor Galle noted the Council took a tour hosted by these three ODOT representatives. It was very informative. There were a lot of citizens present; it was wonderful to see so many come out and see for themselves and get their concerns expressed. She complimented the City for the extensive coverage on this issue.

**Public Input**

A member of the audience asked if the solar project and the park project were two separate projects. Mr. Frank stated the City has indicated that having a trail there would be important to them. ODOT has stated that it is the City's decision to make. The City Manager has said that staff will go through a separate process to make that decision. If the pathway is done in conjunction with the Solar project there may be \$1 million funding available from the State to help pay for that project. If not, the City is welcome to pursue other sources of financing. The City will have its own process and make its own decision on the trail.

Lynn Fox, P.O. box 236, Marylhurst, OR 97036, voiced concern about public records on the Solar Highway project. She would normally be speaking on behalf of the Hidden Springs Neighborhood Association but unfortunately they have been unable to get sufficient information to give a presentation to their neighborhood association so they can make an informed decision whether or not they wish to support this project. Presidents of neighborhood associations have been trying to get information from the website.

In an attempt to find the records she asked the City Manager what was the date of the public meeting when the Council discussed the Solar Highway and voted to give him direction to spend public resources and staff time on this project. A response was received on July 20, 2009 indicating there was no such vote by City Council. Since April the Council received updates on this project in writing from him and several of the councilors received oral updates from him.

Ms. Fox stated she was under the impression this was originally discussed by the Council when they were doing their goal setting several months earlier. It is against City code for Council to make decisions at a goal-setting meeting. Decisions are to be made at a public meeting. She cannot find a record of this happening and there is an email from the city manager telling her that a meeting did not happen.

Ms. Fox is concerned about process. Not following the process is denying her neighborhood association the opportunity to proceed in an orderly manner to participate in this process and have a part in the decision making. Her concern is not about the solar highway, but the lack of process by the City Manager that has deprived her community of a right to participate.

Jeff Treece, 1818 Hillcrest Drive stated he is the president of the Marylhurst Neighborhood Association (MNA). The MNA supports the creation of the proposed solar highway. There was a vote taken in June based on information that was readily available at that time. It is hoped that the Mayor and Council show decisiveness and foresight and help this project proceed.

This is a unique opportunity and the right thing to do. The benefits of the project are many; Oregon jobs, environmental impact, livability and economic benefits of creating renewable energy. This is an opportunity to complete a portion of West Linn's past system, prestige and fame for West Linn.

The complication is there are challenges to overcome; some are concerned about the aesthetics, economics, and trees being cut down.

Mr. Treece stated he has a poster on his wall of the solar arrangement installed at I-205/I-5. It is quite a nice picture and aesthetically pleasing to him. On the site now are gravel piles, concrete barriers, etc. which he would not have a poster of on his wall.

There have been a lot of things miss-stated about this project and sometimes it is hard to figure out where the facts are and where people are making things up.

Some questions he had were what are the electrical generation claims that have been made, economics, and tree data. He found an example on renewal energy system of a 2.34 kilowatt home installation (maximum capacity of solar cells installed on the top of a house). Their estimate was that these cells would produce 2962 Kilowatt hours in Oregon. There have been statements about 3 Megawatts and people are not clear if this is in reference to power or potential power generation.

Mr. Treece asked the Council to support this project; it is good for the environment, good for West Linn and surrounding communities. It is a better use for that property. It is forward looking and makes economic sense. It improves livability for everyone.

Jenni Denekas, 4131 Glen Terrace, stated it seems to her that ODOT has offered a very sufficient presentation period for this project. There is a lot of readily available information about the project. The City of West Linn website contains a huge list of frequently asked questions and well thought out answers.

Ms. Denekas stated she feels there has been a lot of information and an extensive effort to involve the public on this project. In conjunction with the National Environmental Policy Act of 1969, agencies are only required to do a minimum of one public hearing for a project. The fact that there have been many meetings and many attempts to contact the public and to interact with Council is very commendable and above and beyond what is required.

There have been arguments against this project on the grounds there is no benefit to the City. Last she checked West Linn is a city that has committed to sustainability. West Linn is part of state that has required its agencies and departments to obtain renewable energy sources for some of their electricity. Oregon is part of a country that is a world leader and highly influential. Fortunately the state is starting to head toward a direction that is promoting sustainable energy sources. West Linn is part of a world that is facing climate change. This issue is going to be dealt with by developing renewable energy sources sooner or later. This is an opportunity to be a world leader in solar production with this highway. Hopefully in the long run West Linn will be surpassed by other cities. Eventually everyone will have to commit to changes and move towards renewable resources.

Tamara Gilbert, 2851 Beacon Hill Drive stated she is a part of the Barrington Heights Neighborhood and a member of the Sustainability Advisory Board. Her expertise is in the area of environmental communications, having read award-winning outreach campaigns for cutting edge environmental services programs in the city of San Jose, California before coming here. As a communication professional she thanked everyone for coming out to engage in dialog. Airing controversy is an important part of a democratic process at work. Listening and learning is the first step towards finding viable solutions. She acknowledged the concerns raised by her neighbors in Barrington Heights and trusts they can work with City to address these issues.

Opportunity is knocking. The solar highway project presents a chance to put a piece of fallow land to beneficial use consistent with the sustainability goals of this City, County and Oregon state. Sustainability takes into account the environment, economics, and a community as we move from today into the future.

Aesthetics are important; it has taken quite a while to adapt to compact fluorescent light bulbs to replace incandescent bulbs. This is a similar situation today with the solar project. The solar array on this strip of unused ODOT land will produce renewable energy to power over 16% of ODOT's needs and help reduce the carbon footprint of this

region. The new storm drain system installed at the facility will protect the hillside from further erosion. The made in Oregon label of this project adds much needed jobs to the lagging local economy. The opportunity to expand the City's trail system in conjunction with this project can open a new people and pet friendly corridor for the neighborhood where a constant parade of proud pet owners is one of the charming features of living in Barrington Heights. She urged the Council to adopt the resolution in support of the solar highway project and continue to work with the community on the details of implementation.

Dean Suhr, 21345 Miles Drive, stated he is a 15-year resident of West Linn. He took a moment to honor Ed Mclean who passed away earlier this month; he is a long-time resident of their neighborhood association.

Mr. Suhr stated he is in support of this project. This issue was discussed at their neighborhood meeting a week ago. There was plenty of information available. He was not in attendance so he could not speak on behalf of the Rosemont Summit Neighborhood Association.

Written comments were submitted. He is in support of this project; however he would like to make five requests:

- City Council act on behalf of West Linn and keep the project moving forward
- In the drawings that were presented the vegetation does not seem to be as enhanced as the representatives have indicated (low vegetation between the rows of the panels and overall site. Objections have been raised as to the aesthetics of the site after the panels are in place to be green as possible
- Trails are a separate issue but hope the City will be respectful of the neighbors. If there is funding is available the City is encouraged to pursue that
- There have been discussions about an interpretive center on the site. He suggested consideration of having the Center down by the 10<sup>th</sup> Street area
- Investigate the taking of a franchise fee similar to the hydro-electric plant on the River. This is a power-generation facility, within West Linn city limits and on ODOT property. If the City is able to get a financial benefit we should do so

Mr. Suhr stated he wanted to address the million-dollar views. Those on the hillside live nine-tenths of a mile from the site. He submitted photos in his letter that he wants the Council to review. These are Google overhead photos that show the site specifically and what has been counted as trees are really a smattering of greenery that is intermixed amongst all of the brush. This site is a former quarry and the million dollar views include a sewerage treatment plant, wastewater treatment for the paper plant, I-205, school bus storage, etc. Putting the solar panels on this hillside will not change the character dramatically.

Scott Schiele, 2981 Beacon Hill Drive stated he moved here a year and a half ago; they love it here. Solar is a great idea. He understands there are four sites being reviewed

for this project. He encouraged that all of those locations be looked at and realizes that the solar site that is going into West Linn is next to a neighborhood. Other neighborhoods have talked, but the site is not in their backyard.

Earlier someone talked about how the Council is working to protect the Stafford area. He asked that Council work to protect those in Barrington Heights and those along this ridge. They have the same rights and want support to protect their neighborhood view.

Two weeks ago was the first he heard about this project; he got a knock on the door from an Oregon City resident telling him about it. He has talked to numerous friends and colleagues that he works with that live in West Linn and none of them knew about this project until he talked to them. A person testified earlier about transparencies and he feels that it is very important in this process. He feels this is a railroad job going through very fast. It has been 90 days and the City is already making a decision to recommend the project. This is not enough time to give everyone ample time to discuss the issue. There should be more notification out to everyone.

Mr. Schiele stated there are other locations in the state where this can be done that is not in a residential community. He hopes that Council will understand there are ways as a community they can provide renewable energy resources and provide a good environmental feel of the state, country and world without having to interrupt the site where the solar panels will be placed. It would be great to have the first largest solar panel project but that does not take into account everyone in the community that it affects. He would like the Council to vote no on the proposal.

Robin Rabirotff, 2858 Rainier Place stated he serves on the Sustainability Advisory Board and on the board of directors for Oregon Solar Energy Industry Association. He is the managing director of the renewable group at EC Company which is the largest employer of union electricians in the state of Oregon. He thanked the Council for the opportunity to speak on this issue.

It is always difficult to embrace change and in the matter of determining whether the solar highway is a greater benefit than a detriment will be a challenge for Council. His reason for speaking is to try to diminish the fear and possible confusion around solar installations and their life cycle of production. There have been comments about heat and possible energy problems in regards to the neighborhoods. These systems have been installed worldwide in neighborhoods and on neighborhoods. They are accepted as a form of heat reduction.

There is a lab at PSU now for solar and there is a lot of horticulture being done experimentation with plants that can be put in the ground at these systems to suppress fire and grow in the shade that is associated with these systems. In his capacity at work, they are not installing this project nor slated to do any of the ODOT work. He believes that solar is a critical component to the path to achieve energy independence.

He has read many of the comments; some have real justification on both sides. He asked Council to not yield to the will of a minority of a community group and include all of West Linn. The importance of being a leader in the region cannot be under-estimated by the Council. He believes West Linn has an opportunity to position the City as leaders in the county, community and state by allowing this solar highway to be installed.

Mr. Rabirotff stated he is not a big supporter of removal of trees in exchange for carbon. He would propose a two to one exchange.

Frances Hanna, 3500 River Knoll Way stated she and her husband attended the June 11<sup>th</sup> meeting. She attended because she received a flyer about the solar project. In sitting in on the meeting, it was very obvious that the trail had not been mentioned. It was on the map that they received, but there was no talk about it. When she left the meeting she asked five of her neighbors if they received the flyer about the solar project; they said no. She began to feel there was a hidden agenda with this trail system.

Ms. Hanna mailed out mailings to 40 of her neighbors, mainly on the ridge. She feels they are the ones that will be most affected by the trail and Interpretive center. She did a second mailing because she could see that the publicity that was coming out in the *West Linn Tidings* was not correct. She is hoping that Council does a sincere feasibility study on the deer that will be affected, the security of the homeowners, and the fire dangers of this project. It is Council's responsibility to protect the 40 homes that are on the ridge.

Chris Jordan reported a flyer was sent out to the people who lived on the ridge before the town hall meetings to make sure they were informed as to what was going on so they could attend the meetings and learn more.

Steve Garner, 3525 River Knoll Way stated he has lived in Barrington Heights for 19 years. He is a management consultant and does work in the renewable energy field. He is still a little confused whether ODOT solar panel installation along with PGE is linked with this trail and kiosk scheme.

He learned of this project 10 days ago from Ms. Hannah and has not had time to look into the financial justification for the solar panel installation. It appears to be a good deal for PGE and ODOT, but for West Linn he is not so sure. If the trail and kiosk is tacked on it will create an attractive nuisance. He called the police department to try to equate the old rest stop on the southbound side of I-205. This was the only rest stop in the metropolitan area in Oregon. This rest stop was a magnet for crime. The parking lot on Salamo and the one proposed by ODOT on I-205 are similar in that they will attract people, particularly at night.

Mr. Garner stated he went through the Police Department of Records and found that in the last full year of operation of the rest stop (1994), there were 158 arrest incidents (weapon violations, drug violations, gay connections, other criminal activities). His is concerned about the trail which will either have lighting that will disrupt the neighbors that live contiguous to the site. He lives across the street would not want lighting behind his neighbors. The opportunity to come to the site and not be seen creates a real safety problem for the residents of Barrington Heights. He has not had a chance to review the county or state criminal statistics with respect to I-205; he asked that Council review the criminal activity. This is a safety issues, property value issue, and therefore a tax issue and a decrease in livability for those next to the trail.

Glenn Friedman, 19250 Nixon Avenue stated he has been a West Linn resident for over 15 years. He has been in the solar field for over 20 years and he is the past president of Solar Oregon, and a former board member of American Solar Energy Society. He has solar hot water and solar electric panels on his house. He is currently the chair of West Linn Sustainability Advisory Board.

He shared a quote from Abraham Lincoln: "You cannot escape the responsibility of tomorrow by evading it today." As one of the appointed advisors on Sustainability it is his responsibility to review the facts associated with this project such as those proposed for the solar highway and make informed decisions. It is with his full support that he recommends this project as something to support for West Linn.

Locating this project here would be a benefit for the local economy, supports educational goals for the school district, and supports several goals from the City's Sustainability Strategic Plan of 2006.

One of the goals established in that Plan was to build a solar project in the City that could be built with an educational display system that could be located anywhere that would educate people about solar energy and greenhouse gases. Another major goal of the Strategic Plan was to reduce greenhouse gases. This goal also aligns with the U.S. Mayor's Climate Protection Agreement of 2005, signed at a conference in Chicago. This Plan also aligns with the sustainability goals recently established by Clackamas County. Based on Bonneville Environmental Foundation's carbon calculator over 25 year design life, this project will offset emissions of more than 52,000 tons of carbide dioxide. This would be 96% of all emissions in the state. This reduction in carbon dioxide emissions would be equivalent to removing 10,000 cars off road and would require over 14,000 acres of old growth forest to reduce equivalent amounts of carbon dioxide. He considers this a major direct benefit to all. It takes guts, fortitude and vision to be ahead of the curve. This is what the state of Oregon has done with the sustainability goals and this is what the City of Portland has done with green building. Both are considered leaders in the nations. There are not many opportunities in life to make this big of a positive difference. This is a rare opportunity for the City to walk the talk and be considered a leader unlike smaller communities in the nation.

Michelle Wittenbrink, 2777 Mark Lane stated she is a member of the Sustainability Advisory Board and has been a member since it originated back in 2005. She has lived in West Linn for 10 years and is here to speak in favor of the solar project. She stated she is a civil engineer by profession and she has no expertise in solar energy.

This solar facility can be considered an investment in the future. The cost of this project, which may seem large, needs to be balanced with the relative cost of power. There are capital costs, OEM costs and field costs involved with all sorts of different power sources. For solar the capital costs are high, the OEM costs are low and the field costs are none (the sun is free). With the solar being an emerging technology which has not received a lot of research dollars for further expansion, the technological advances will be achieved hopefully in the near future.

This is on board with the state of Oregon's effort in promoting sustainability and encouraging the growth of clean energy jobs. Oregon's clean energy economy has developed with over 19,000 jobs in 2007. The State has also attracted over \$70 million dollars in clean technology venture capital in the last two years. Much of this was solar. Oregon is fast becoming the solar manufacturer leader in North America with the entry of Solar World, Solex and expansion of several other firms and companies. This project is estimated to bring 150 direct and indirect jobs which will help infuse business for the local business that are struggling.

Ms. Wittenbrink stated she wanted to show her support for this project. City Council should consider this and vote yes for Resolution 09-16. She hopes the trail does not stop support for the project.

Gary Reddaway, 405 Ogden Drive (Oregon City) stated he is not opposed to solar projects; he believes this project is in the wrong place. There are other places better like eastern Oregon. It has a lot more solar sun hours. No one has mentioned the size of this project. The panels are 3'x5', (15sf) 17,000 of these panels total 255,000sf which is equivalent to 5.83 acres of solar panels. This is equal to about 5 and three-quarter football fields.

Mr. Reddaway stated he is concerned about the glare because from his residence he will be looking at this site. He presented a pamphlet from the State of Oregon, *Oregon Solar Electric Guide*. There is a picture in this pamphlet taken of a roof and you can see the trees and sky on the solar panels. The panels do request unless the experts can prove him different. If there are five plus acres of solar panels, as the sun comes around and shines, the sun will reflect on the people in Oregon City along the bluff. This is a relatively good site for solar; it is kind of magnetic south. However, a premium solar site would be solar sun south. This location is about 17 degrees off of that. He is concerned about 5.85 acres of panels and the runoff. He is a retired architect and builder; if he did

a project he would have a retaining pond somewhere to gather the water and take care of it. A lot of water is going to come off of these panels.

He is concerned about what he will look at in the evening. Will the site be lit, are there going to be lights on the trail, and what is it going to look like. He is opposed to this site and feels there are better places. If the City wants this site in West Linn he suggested putting it on Pete's Mountain.

Alice Richmond, 3939 Parker Road stated she is in favor of solar, she is in favor for progression and she is in favor of the future of the children. The children will be given the opportunity to learn how to produce solar. Until she was 7 years old she grew up without electricity. When the first electricity came she was very glad. Her parents loved it, she loved it and they knew it was the future. She feels those opposed to this project is stopping the future of their children. She has faith in the experts that will be reviewing this project and they will make sure this project is safe. She would like to see this happen in her lifetime.

Tod Tolan, 3410 River Knoll Way stated he has lived here for 22 years. Solar is cool, it's neutral, it's neat and green and it's futuristic. He is opposed to the trail and path idea because of crime and fire. The roadside rest stop which was immediately adjacent to this area was a hotbed for crime, drug exchange, prostitution, etc. The developer of Barrington Heights put up over \$200,000 of his own money and with over a year of working with the city, county and state officials to close the rest stop that was a major source of crime for the bedroom community.

Fire is a really big deal on this issue. Less than a decade ago, an ODOT employee was clearing brush just off the highway in the same area being sighted for the project caused a spark from the machinery and started a fire. This area was tender dry as it is today, fanned by the wind coming from the south, and the fire raced up the hill. His wife was out hosing down the roof of their house (its right on the ridge). Every house on the ridge has cedar shake roofs and is highly flammable (required by CC&Rs). The fire did not reach their home but the cinders few over it. The proposed path will have people; if you have people you have cigarettes. If you have cigarettes there will be the possibility of fire. This is very dangerous.

Eric Carlson, 3875 Ridgewood Way, thanked those who came from Oregon City to attend this meeting. There was a time when people invested in the infrastructure of America and the Oregon City Bridge is an example. The bridge is falling apart and needs to be rebuilt. Here in this area the citizens have the opportunity to put infrastructure and something for the future on disturbed land in a place that is over a freeway, next to a sewer plant, above a river with locks. There is an infrastructure corridor that will not spread the footprint, not take out the Stafford Triangle; it's going to be a big wonderful thing for the children and hopefully their children. He is in favor of the project.

Peter Toll, 23373 SW Johnson Road stated he has lived here for 20 years. He is speaking tonight as the president of the West Linn Chamber of Commerce; they support this project. They are concerned about public safety and encourage the City to pursue this in a thoughtful way, protect public interest, and protect and serve the interest of people of West Linn.

Ralph Groener, 18709 Madronna Drive stated he lives in Oregon City on the bluff. He has no visibility as he opted to keep his forest. He grew up in West Linn for 20 years (grade school, high school). He lobbied for the Betsy Business Energy Tax Credit and wholeheartedly supports solar and other energy this year. He wrote two bills in the legislature to make all public buildings in this State energy efficient and the other is a national model he is working on with Congress. He worked on the housing bill that passed that allow people to make their energies energy efficient by paying through the utility bill and that is currently being completed with the energy saving. He is all for solar and energy and the Oregon Environmental Council would attest to that.

Mr. Groener stated he has some misgivings. As the person who carried SB100 on the floor of the House, the representatives in 1973 representing West Linn, his number one priority after the Christmas Valley issue was Goal 1. He is the one who carried that on the floor and made sure it was written strongly and correctly. 72 days is not enough time for public input whether you are a West Linn, Oregon City or citizen coming through on this highway. He believes West Linn has done wonderful work and congratulated the city. He and his wife eat in Willamette regularly, they tour the old homes regularly, and they think it is one of the nicest little village-type cities in the area. The beauty of this highway from the Oregon City/West Linn Bridge with Pete's Mountain, the Willamette, the view of the river and the view from across the river, the church steeples, the trees, is one of the more beautiful drives in the state. Tourism is important to Oregon.

Ed Lindquist thanked the Council for the opportunity to speak. As an elected official who has done this for 24 years he appreciates the Council taking this evening to listen to all the testimony. He is for solar power; he supports it generally. Most of the people who are for and against this project are for solar power. The concerns are about how and where the project is being proposed.

From his place in Oregon City (Ogden Drive) he doesn't view the project site. His neighbors came to him with concerns about getting through the process. He is getting involved because of them. He has some grave concerns about how the process has gone. He used to live in West Linn; his daughter and her husband and two grandchildren live here so he spends a lot of time in West Linn.

He submitted an article from 1995 when ODOT and the City of West Linn agreed to close the site. It was the impression of people in West Linn and Oregon City at that time that it was going to be closed permanently; it would not be open again to the public to get on

that land. He feels this is a step backwards by opening it up to the public to be able to park and go into Barrington Heights and into the neighborhoods where the trail will go. This is a major concern that needs to be addressed. He understands now there will be a land use process to do that.

There is a constitutional amendment that the highway fund or anything purchased out of it must be a financial benefit to the highway fund. Getting green power for regular power rate may not be a benefit; he has been assured by Mr. Whitty that they will negotiate with PGE and try to get an actual rent fee from PGE for the site. The County zoned this land R-20 in 1969 before ODOT purchased the property and before West Linn annexed it. It is his understanding that the land use designation cannot be removed; it can be changed. The West Linn plan shows this site is not zoned. He would like for the City to make sure there is an environmental impact statement.

Randall Fastabend, 18787 Trillium Drive stated he is here to speak in favor of the solar highway project. There are a lot of astounding benefits including educational and awareness benefit for the whole greater Portland Northwest area. He is the Outreach Director at OMSI and this would be a wonderful benefit to their outreach efforts for solar power in this region. He asked what the next step on this project is.

Mayor Galle explained there is a resolution in front of Council tonight to proceed with ODOT continuing their research (feasibility study) to see if the project is appropriate for this site. The resolution is to ask ODOT to engage in the research. There are still many steps before the solar highway is approved and built. She was unsure how long the feasibility study will take.

Sandra Lindquist, read a resolution form prepared: "We the concerned citizens of our communities are requesting a delay in the passage of any resolution supporting the world's largest solar highway project in West Linn, Oregon until the citizens of this area have had adequate input, notification, technical information and appropriate time for review. The time frame proposed by ODOT/PGE for connecting this project, which according to their information was August 2009, technical information appropriate time for review. Connecting this project is unbelievably short compared to what any other agency or private person would have to go through to properly site a project of this scope and size. We represent a sampling of the concerned citizens including elected officials, vets, labor, management, small business owners, community activists, senior citizens, architects, environmentalist, historical representatives and commuters who would be impacted by this project. They believe a project of this scope would desecrate one of the most beautiful scenic highways in Oregon from Abernathy Bridge to I-5. They are also concerned about soil erosion issues, historical, scenic and environmental impacts. The scope and size of this project belongs somewhere other than in such a beautiful historical urban area. They strongly urge that West Linn and Oregon City Councils take no further action on this project until such time as these concerns have been adequately aired and thoroughly considered and possibly that another more

appropriate location for this site be explored.” Attached are pages and pages of signatures.

Ms. Lindquist stated she finds it very troubling that this City Council would consider a resolution to move forward when Oregon City has not had a town hall meeting (scheduled for this Wednesday). She questions how Council can consider passing something without having a town hall meeting presented by the representatives of ODOT on the solar highway project. She attended a meeting at the West Linn Library, this was the first day she heard about it. She doesn't feel there are enough people who are aware of this proposal. At that meeting, when she asked questions about the process; it was said they were going to try to involve all of the communities.

Cathy Pierce, 12105 Partlow Road stated she lives in Oregon City. She is a local realtor and this issue was brought up by one of her past clients. She has no problem with solar; it is an awesome idea. She wished more people embraced more of it; sustainability is extremely important at this point.

The problem she is having now is people who are calling her and saying their house used to be worth a whole lot. Then the recession hit and now there will be all of these solar panels. People wonder how much their houses are going to be worth when this is said and done. She asked the Council to take this into consideration when considering this matter. There are people who will not get what they paid for their homes; it is not the most important thing in the world but right now it is their livelihood, retirement, and their future.

Debbie Brent stated she lives on Derrick Drive in Oregon City. She is not against solar energy; however, she believes the world's largest solar highway does not belong in the middle of their small community. Large solar projects are built in the desert where they collect more sun and not in communities. In Germany, the current world's largest solar highway which is still under construction in 2009 is built on a tunnel and available information only shows that it is being built near a community, not in a community.

Ms. Brent asked what are the future impacts and potential health habits of living next to the generation of 3 megawatts of power and any reflection of the sun rays off the panels. She doesn't believe experts really know. Studies show toxins are in these panels that must be recycled or they will pollute the earth. Can the toxins leak out on the site? Who will recycle the panels; ODOT says it's up to the manufacturer, but will the manufacturer still be in business in 25 to 40 years.

Photos were shown of the I-5/205 site. There is barbed wire fencing; light reflecting off the panels, buzzing noise from the inverter (could possibly be up to 15 inverters proposed). The I-5/205 site has 600 panels (2 football fields); 30 times that size is what is being proposed at the proposed site. She has environmental impact concerns about lots of wildlife habitat including trees, open areas, and wetlands for deer, birds, small

animals and possibly the rare blue butterfly. There are also concerns about cutting down almost 300 trees which will re-aggravate the slide zone areas, leach erosion and cause water runoff problems. Another huge concern is existence of phase II; that will double the world's largest solar highway to about 11 football fields if the panels are placed side-by-side. There will be huge visual impacts then because it will be on a hillside. ODOT is not promising to move their storage area like some are claiming. They have not made that promise. The panels do not go over the storage area site. She checked the artist rendering of the photographs at home and brought it closer to the actual size of her view so she can show what the view actually is; however, she does not have an aerial view of the area.

Ms. Brent stated she has concerns that this process is rushed; the first public meetings were in June. Most of the people she spoke with on both sides of the river are in the dark and the Oregon City meeting is not until July 29<sup>th</sup>. During the site visit she learned that ODOT is not subject to West Linn's land use process; this is highly concerning because if West Linn votes in support of the project then who will be watching ODOT, PGE and US Bank (private, for-profit companies) after the vote. She questioned why here; ODOT explained they don't want this project in Christmas Valley because no one will see it there. The ODOT representative said 144,000 people drive by this location; but are there other sites that are less appealing because they are not seen publicly. There is no benefit to citizen ratepayers, paying \$20 million dollars for power to an equivalent of 170 homes. Unless Council feels fully informed on this project, which includes the environmental impacts, they should postpone their vote until they do their due diligence.

Dr. Richard Mishaga, 3320 Barrington Drive stated he has lived here for 14 years. His area of expertise is environmental consulting. He has a PHD in Systems Ecology and a Masters Degree in Wildlife Ecology. Until he retired he was an environmental consultant for over 30 years. He has worked in all parts of this country and has worked internationally. He feels he has an understanding of some of the environmental issues associated with this project and he is deeply concerned that several environmental issues pertaining to this project in his opinion have not been adequately addressed.

Tonight he will only address the wildfire issues because he thinks this is a potentially serious situation that the Council should be aware of. If you go back through historical records (150 years) in West Linn essentially there were Oak Savannahs which used to extend from below the high school all the way up over the ridge, on top of the ridge, all the way over to where Blankenship, I-5 crosses. These areas are dominated by oak trees (Oregon White Oaks) and the understory is prairie-type vegetation.

One thing that has not been expressed about Savannah woodlands is the fact that these are fire-prone areas. They only occur where you have fires; in fact, Oak Savannahs are naturally maintained by fires. There are areas where fires under natural conditions below intensity are relatively slow moving fires. Since I-205 was built, that situation has

changed dramatically because of poor management. The hillside that was torn down on the tallest part of the crest to fill in the wetlands to build I-5 has created a very steep slope there because of the thermal currents. The updrafts are very strong now, they weren't strong before. This creates a situation like a chimney flume; a fire is going to move very rapidly up that hillside. There is no way to get access from where he lives to the corner of Salamo and Barrington, all the way down to River Knoll down to Sunset. There is no access to these houses from the top of the ridge. That land has been poorly managed. This is Oak woodlands; that area has all kinds of trees. It is infected with invasive species and this has created a situation where it is very flammable. If a fire comes through this area it will be high intensity, very hot fire. There is no way to protect it. Scientific literature has documented the fact that when you do open up an area like this to recreational activity, you are going to increase the risk of fire.

Ernest Delmazzo, 4171 Imperial Drive asked for a show of hands from Council to the questions he will be asking. He stated he would also like in the public record when someone raises their hand.

- (1) Will you please raise your hand if you can guarantee that this project will not lower property values of houses or businesses in West Linn?

Mayor Galle asked Council for a show of hands of the Councilors that feel comfortable raising their hands on these questions. There were no hands raised by the Councilors. She suggested that Mr. Delmazzo ask the questions via email to the Councilors for their response and asked that he put the questions out to the audience so they are aware of his concerns.

- (2) Because the now-closed south bound rest area used valuable police resources and was a financial burden on city streets, will the Council guarantee that this won't happen with this project. He lives behind the old rest area and his home was burglarized and \$12,000 taken. By opening up public access it is inviting more burglaries in the neighborhoods.
- (3) Do you know for certain the ongoing cost of the local taxpayers of the proposed trail, some of which will be against property lines of residential homes? He learned earlier the initial cost was over \$1 million but there will also be upkeep.
- (4) Can the Council say for certain this project will not increase crime in the City? Since City staff will be working with ODOT on an easement what is cost to City residents. When a councilor votes on such an important matter and it turns out it worked to the detriment of the community, he feels they should resign; so when he says guarantee, he is talking about resigning of office.
- (5) Can Council guarantee there will be no added costs to City residents through bonds, fees or taxes as a result of this project. For those who have been on the Council several years, will anyone raise their hands if they have spent time investigating this project than the time you spent on a final vote to approve a traffic light. It takes a year and a half or up to two years; not 90 days.

- (6) Do any of the Councilors believe ODOT and PGE have given all the information, their position, about this West Linn project including both pros and cons and how it will impact the community?
- (7) How many of the Councilors are aware that much smaller panels (6) are able to collect the same amount of solar energy/power are being developed, yet PGE and ODOT are using old technology. Is the Council aware how PGE and ODOT gave the City veto power if the project is changed or added to, or if the change or addition negatively impacts the City. An example; solar hydrogen which is made through solar panels will ignite 10 times easier than gasoline. An explosion can occur from static electricity. It could be actually used on this property and he is not sure if the State would go through the normal regulatory processes; PGE would be in control. He recommends that a citizen committee review this project as they all have various committees in the Cities.

Recess was taken at 8:35 p.m. and the meeting reconvened at 8:42 p.m.

Armin Roman, 3470 River Knoll Way stated he has lived here for 7 years. He is one of the homes on the ridge. His expertise is that he is a father. He moved to this city for one reason; to raise his kids. He is not opposed to solar; he is more opposed to how he found out about it. About three weeks ago one of his neighbors told him about the project. He is concerned about how fast this is moving. He is opposed to the trail that is being attached and if it is true that there are possibly other locations on this project, he would like to know about. He would like to have a voice, a vote and decide where else it can go.

Mr. Roman stated if the trail is attached he will vote no. He has the luxury of a beautiful home and is blessed with a view. He can run around his home naked if he wants. That luxury will be gone with a trail. The trail will bring in outside people; outside people will bring in crime, trash, thrown cigarettes can burn his house down, play peek-a-boo in his windows. His privacy and security will be gone. Crimes are committed everyday on foot and bikes. A crime can be committed and people can take off really fast. He is not always home and when he is not there he can't protect his family and he can't rely on police to do it. If anything is done on this proposal, he asked that the citizens be given more time on the solar deal and take the trail off the agenda. .

Elaine Aye, 6787 Maple Court stated she is here tonight to share her thoughts about the importance of this project to the community and to the State at large. There are several factors that she feels are important. The first being education and outreach in the communities. She is a principal at a local green building consulting firm that addresses sustainability issues on an international basis and is a member of the Sustainable Advisory Committee in West Linn.

It is amazing to her that West Linn is able to have something of this magnitude in this community. Oregon is one of the leading states when it comes to sustainability and is

now addressing how to use their knowledge and resource in this area to create jobs for their citizens. There is a growing solar industry in Oregon and this is already creating jobs making the entire economy stronger. West Linn/Wilsonville School District is also pursuing sustainability and on a large scale by addressing it not only in their curriculum but in their practices on how they operate their facilities in a more sustainable way while educating children on the importance of these issues as well.

The City of West Linn has also passed an ordinance that all public buildings will meet LEED certification requirements. This is evident in the new fire station currently under construction on Highway 43. She believes that the local community should also follow suit by supporting this project and setting an example to the children and residents by furthering the move to make West Linn an example of sustainability.

As a native Oregonian, and resident of West Linn, she is an avid cyclist and walker and feels that knowledge, technology and livability are key ingredients to a viable community. Having more accessible bike and walking paths that are actually safe are very important issues to her and will ultimately determine where she makes her long-term real estate investments. She believes if this project is passed, it will not only create a new vibrancy to the community of West Linn but to the schools and children as well. This will put their community on the map in regards to leadership and progress in the international move towards sustainability. People of all walks of life are looking for communities that promote vision, good leadership, viability and livability; passing of this project will help position West Linn to become that.

We all care about the environment and community; however, West Linn has the amazing opportunity to show everyone that this is not just a problem for other people to solve. West Linn has the opportunity to be part of the solution.

Bill Webber, 3545 River Knoll Way stated he is not in opposition to solar; he is totally in opposition to the trail. He doesn't understand why Council doesn't understand the residents of Barrington Heights are looking at fire danger, security problem and a traffic problem. He suggested that the funds be used to pave streets. This community has 60 and 70-year-olds and going down this trail, the solar panels won't look the same when these seniors end up at the bottom.

He suggested that Council seriously consider the fact there are two different projects and he would love to see the solar panels go somewhere else. He is not opposed to solar energy; but if solar panels are installed on this site, he asked that they look closely at the fire danger, security, and the parking situation. It will be a disaster for those who live there. He hopes that Council is representing the citizens of West Linn; not Oregon City or the solar panel institute.

Susan Day, 2547 Bronco Court, stated she is here tonight to ask Council to vote yes. She is a member of the Sustainability Advisory Committee. A yes vote will show that West

Linn is willing to demonstrate leadership in the goal to increase the use of alternative energies. This project will also give the children visible evidence of the community's commitment to their future. Children are learning in school about the need to be good stewards of the environment; image their pride when they see the City of West Linn supporting the largest solar highway project in the world. This is a teachable moment. She asked that Council not to miss the opportunity to send a positive message about West Linn that they are ready to accept change and make decisions that help to make the future a better place for the children and the residents.

Bob Thomas, 2563 Pimlico Drive stated he is a 20-year resident of West Linn. He submitted a copy of an article he submitted to the *Tidings* about the solar highway. It was published last Thursday but had some important parts of it cut out even though it was within the word limit. Now each of the Councilors has a copy of the uncut version he submitted for publication concerning the solar highway project.

Within this article he points out some misinformation that has been disseminated about the project including some misinformation in a Tidings editorial and a statement made to West Linn City Council by Lynn Frank, a public spokesman for ODOT solar projects. Mr. Frank told Council at a Council meeting that the proposed project's electric output would go up hill to light West Linn.

Mr. Thomas told him, as an electrical engineer, he knew Mr. Frank was very mistaken about that. This was also confirmed to him by a PGE engineer who he consulted with Lynn Frank's suggestions.

Mr. Thomas ended by saying in the last paragraph of his article, there is much more to be studied to see if it should be supported and at the very least an environmental impact study should be demanded to assess its impact on wildlife, trees plants and its visual impact. He strongly believes that Council should not vote tonight to support this project; that would be very premature. He urged the Council to withhold judgment until after a thorough and competently executed environmental impact study of the proposed project is completed. He does not feel ODOT should do that; possibly someone else overseeing their work.

Cameron & Bryce Ainslie, 2951 Beacon Hill Drive, his brother and sister and Cameron stated they are living on the ridge. They have not gotten any information on this project; they heard about it from friends a couple weeks ago. Bryce stated this highway would be right in their backyard. He doesn't want people walking in their back yard where he might be playing. This proposal will make it easier for robbers to break in. The Councilors would not want this in their backyard.

Cameron stated when you rush decisions without taking everyone's thoughts and perspectives; it can really cause bad things to happen. Cutting down 300 trees is not a good thing. Cameron stated she has met Al Gore; she was invited to the inauguration

and she talked to him. This is bad for the carbon emissions. The animals and wildlife habitats will be hurt by putting in these solar panels. Why should we pay money for a world record when West Linn doesn't need that record; the funds should be spent on more important things in this economy.

Brendan McVicker, 2990 Beacon Hill Drive, stated he is not against solar energy. He totally understands the issues people have regarding fire and some of the other issues; if he were them he would be totally against it. His concern is traffic and concerns about the pathway.

The traffic already around his corner is bad. He has five kids and he is discounting the officers because they have been there as well. He has chased two cars down the street that have hit the trees and cut the curb. He guarantees the Council that someone is going to get killed on that corner. He has even offered to buy a stop sign, but it has not happened.

Mr. McVicker stated his big concern is with the pathway. He doesn't know where the second parking lot will be on the Imperial side. There is talk about it being where the two wetlands lots are on Imperial. The traffic will be unbelievable. He asked the Council to come up and see what it is like around noon time at school and watch the kids come around that corner. It is bad and with the sunlight that comes around the corner at 5:00 p.m. when you are going north you can't see a thing. He is sure someone is going to get killed on that corner because no one wants to act. This will only add to the problem.

Kim Lippert, 22751 Clark Street, stated she moved to West Linn just a few years ago. She is a mom of a 4 and 2 year old and she moved here because of the schools and wonderful community. She has heard people here tonight talk about how great this will be for the children. As a mom she is all about her children, but one of the things she has not heard mentioned a lot tonight is what the health risk is going to be for these children. The risks were addressed in some of the literature that was handed out and it says, "...electromagnetic radiation is all around us and it is not inherently harmful. It is in the sunlight that warms the earth."

Never before have there been 17,000 solar panels right in someone's backyard. She doesn't want her kids or their friends to be the experiment of whether or not this will be a health problem. Sometimes when you railroad through a project and don't look at all the issues before making a decision, the decision is regretted later. She learned about this project through her mom who lives in OC; she lives in West Linn and never received any handout, flyers or notification. She asked that Council to look into the health issues and gives the residents more information so they would be more comfortable with moving forward. She does have concerns about having all of this right in her back yard and major concerns about how quickly this has gone through.

So often PGE has said their project would be great, but look at Trojan; that didn't work out so well. She would like everyone to take a step back, look at everything and not just rush through. She is out there with the young moms and they are not all that excited about it.

David Newell, 19635 Old River Drive, stated he wears many hats in this community. He is also the chair of the West Linn Transportation Advisory Board; this board feels that the initial stage of this project will have no major impact on the West Linn transportation system. He is hopeful that successful commencement of this project will build on the City's working relationship with ODOT and allow the City to move forward on very important projects on the 10<sup>th</sup> Street Corridor and Highway 43 that have gained great community input over the past three years.

Right now he would like to speak as a private citizen, 10 year resident and father to 3<sup>rd</sup> generation West Linn family. He appreciates hearing from so many of his neighbors from Oregon City tonight.

Mr. Newell stated he would like to raise the concerns of a larger population of our neighbors; the unemployed fellow Oregonians. Oregon's unemployment rate stands at over 12%. The number of Oregonians employed by manufacturing jobs has plummeted 20% in the past 12 months. That number trumps any economic concerns put before the City. He asked that those concerns be ignored because they are not germane to the simple issue of site location. Whether or not there is agreement with tax credits, net metering, the return of investments; none of those issues should enter the decision-making process tonight. What should enter the process is a local manufacturing company Solar World that was recruited to build jobs in Oregon and transfer the workforce in semi-conductors to solar panels is ready to build this project and employ Oregonians. Partners and mechanisms to finance the construction have been identified and ODOT-owned land in the community has been presented as a possible location. To him it is preferred because of its unique topography, its proximity to where the electricity will be used and most importantly, easability to allow Solar World to conduct tours of their project so they may showcase their work, attract more business, and employ more Oregonians without having to transport potential customers and clients outside of the Metro area to Jackson County or elsewhere.

In a generation, these solar panels will no longer be located there. They will be replaced with more advanced photophobic technology the Solar World will hopeful invent and build. Perhaps other energy sources unimagined will power the electrical grids. However, in that future, it will be remembered how the Council voted on this project. Did the Council assist Oregon manufacturing companies from creating Oregon jobs when Oregon needed it the most? When there was no cost to the budgets under Council's review or the services the City is responsible for. The community has a long tradition of sustainability; it is extremely generous and West Linn is a good neighbor. He asked that the City live up to the traditions of being a good neighbor to the 1 in 8

Oregonians that need help tonight and vote on continuing to investigate this project and do your share to continue to bring jobs back to Oregon. The 1 in 8 Oregonians who are unemployed are listening and they will remember.

Margaret Juarez, 3848 Fairhaven Drive stated she is a member of the Barrington Heights Neighborhood Association and on the board of the Barrington Heights Homeowner's Association. She is not opposed to solar panels but she is opposed to the notification to the neighborhood. She corresponds with Sam Foxworthy on a regular basis and she received no information on this project. She received no less than five calls from other neighbors on ridge that did not receive notification so she formulated a letter to let people know this was happening.

Ms. Juarez stated she is very concerned about the path, the parking lot and the interpretive center. Right now the parking lot will direct more traffic through the neighborhood. Barrington Drive was slated to repave over four years ago. They were put on the back-burner because their streets were in too high a state of disrepair and there was not money to fix them. She understands they continue to move down that list of priorities so smaller problems can be addressed.

There is a problem with security with the paths coming behind the homes. There is no way for law enforcement to access some parts of this area. There have been fires over the last two years where Fire and Rescue have not been able to quickly address the fires and the fires spread rapidly. She has walked this area and other areas in her neighborhood where there are benches and pathways and collected trash bags of beer cans from people who come and sit in those areas that are secluded.

Another concern is the changes in the wildlife habitat; there are a lot of animals living in the area. The current storage facility does not look like it will be moved but the solar panels will be added. She understands there will be security in place to protect those solar panels because they are also concerned about vandalism. The path will be moved closer to the homeowners because of their concern of vandalism. She has heard no maintenance for this area. Right now there are parks in the neighborhood that are not well maintained because the Parks Department has had to let go of employees. The community has collected funds to address the plant material that was growing and covering the sidewalks. If additional parks are added the City needs to address how they are going to maintain the current infrastructure before expanding to a larger infrastructure.

Ms. Juarez submitted a copy of her letter into the record.

Doug Ingsly, 2951 Beacon Home Drive stated he is in opposition to Council moving forward. He is not against solar, but the invasion of the trails creates security as well as fire hazards. He assumes the interpretive center will be placed around the water tower area; it has its own problems in ingress and egress with cars coming on Salamo Road. A

rest stop was closed for a reason; no one wants to open up that can of worms again. He hasn't heard anyone say anything yet about reflective highway noise. Currently there is soft vegetation to absorb the noise from the freeway. He expects with 6 football fields of solid hard surface, the noise level will go up. This noise will hurt the homes and their value as well as the quality of life of the people who live in the area. There should be some way to figure this out (environmental impact study). West Linn citizens take a lot of enjoyment in this being a livable city. This project is talking about cutting off the movement the deer and animals that travel that area. What will happen to these animals to find their way around when the panels are there?

Mr. Ingsly stated credit goes to the ones that made the decision to locate the project by I-5/I-205; it is a good location, good decision and great selection; however he feels this project would be in the wrong place.

Mayor Galle thanked all those who came out to speak tonight. She asked the Council if they had additional questions of staff.

### **Questions from Council to Staff**

Councilor Kovash asked Lynn Frank to address some of the issues that were brought out by the public tonight.

Lynn Frank, ODOT representative facilitating Oregon Solar Highway Initiative stated the Council is not being asked to decide on the project; it is a decision to have ODOT move forward on getting answers to whether this site is a viable site. There will be a need for a process to be completed; Lynn Averbeck is responsible for that process. They will go through all the studies that are required to do that. There will be oversight; USDOE (U.S. Department of Energy) and FHWA (Federal Highway Administration) will be involved in the processes. This will be a comprehensive, thoughtful process that will include public involvement. He addressed some of the issues raised tonight:

- Public Involvement Process – The public involvement ODOT has gone through already was done before the project has begun. This is the beginning of the process. When they talk about commencing in August, they are talking about continuing with concurrence of the process and moving forward to begin to do the studies, to ask the questions and to have the public involvement they would like to have the public involved and informed. They too want to make informed decisions.

Mr. Frank stated they have worked hard to answer the questions they could and the ones they cannot answer they will be addressing as part of the studies they move ahead with.

- Timeframe – When they talk about commencing in August in a sense they have already commenced the process and dialogue with the citizens talking about the kinds of things that are important and what they would like to have considered moving forward. That guidance is very important to them. They will continue that process with the environmental studies over the next 3-6 months. If the Council decided to move ahead to seek economic stimulus money from ODOT for the trail, plans and specks would have to be submitted by mid-December. That would be the City's call to make. If West Linn does want to make a decision with the trail application, the decision must be made by December. There would be no boots on the ground on this project; there will be boots on the grounds on the I-5/I205 expansion and the Bullock Rest Area. There will be boots on the ground at I-5/I-205 yet this year. They are looking forward to having boots on the ground late or early next year on the rest-area project and moving on from there if the Council concurs.

An agreement can then be entered into on what makes sense with the project at West Linn going down the road.

The public involvement process is very important to him; ultimately the decision will be made by the Oregon Transportation Commission. They will have to approve any specific agreement that goes forward; that will be done through a public involvement process; an open public process like a Council meeting. They will ask for public input on these projects and they will take that into consideration as they make their decisions. The public's perspective and insights are very important to them as they move forward in the decision-making process. He does not anticipate the Transportation Commission consideration until after the studies are all done and they have the information they need to make an informed decision. The other projects are not quite as complex and they will be able to move forward on those much more expeditiously.

Councilor Burgess spoke on one of the issues that came up about the closing of the I-205 rest-stop. At that time it was closed, it was clear from the Federal Highway Administration that access would not be allowed. The City wanted the rest stop closed and ultimately putting a park there. He asked if there will be public access off of I-205 off of this site. Mr. Frank said no, there will be no public access off of I-205 into this site. The only access off of I-205 will be the access like you see today. The access will only be to official authorized representatives of the Oregon Department of Transportation or Utility maintenance. There will authorized access and the individual will have to have a badge and a key.

Council President Carson stated it was clear from taking the tour that from the actual site where the solar panels will be located; they could not see any of the Barrington Heights homes. It was impressive with the tour to realize the scale of the areas where the panels will be placed. She asked if there could be additional tours to the public to assure neighbors how it will impact them. Mr. Frank stated public involvement is a very

important part of the process; they will ask their folks to take a look at that. They want to be thoughtful about those concerns; however, they cannot have large caravans, etc. because it has to be very controlled and very secure. This is an interstate freeway system. ODOT is committed to the public involvement process and they will look for an opportunity to do that.

Council President Carson asked for a comment on the reflection issue. Mr. Frank stated the site is one of the most promising because it is south facing. The sun will come up in the morning on the east and go across the top and the panels tilt back 30 degrees. They sat in on a meeting with The Energy Trust of Oregon and Doug Boline of PGE and shared the concerns about reflection. When you think about the sun coming from the south hitting panels tilted back 30 degrees, any reflection is to going to go up not back. They are much more likely to get reflection off the windows on the hillside than from the panels on the ground. The panels are designed to absorb sunlight on that side; they don't anticipate a significant change going back the other way.

In terms of the fire safety issues, they have worked closely with Chief Johnson at Tualatin Valley Fire and Rescue. They are directly involved, they have access to the site and possibly access they wouldn't necessarily have today to address some of the concerns the homeowners have had. The Chief personally has delegated one of his deputies and Mr. Frank has talked with him personally about these issues and how they can work together to insure that his folks are well trained and capable of going out to the site and that will happen. The Fire Department will have the access, have the training and have information they need to be able to serve not only ODOT and the site, but also the community as well.

Councilor Kovash noted there were several comments about residents not wanting these panels in their back yard. He asked Mr. Frank to comment on the amount of generating capacity that needs to be built in this area, how much of that capacity this would represent, and the limitations on the number of sites that are available. Mr. Frank stated ODOT is governed by a constitutional amendment that dedicates the state highway funds for the construction, reconstruction, operation, maintenance, and administration of the state highway system. They cannot buy property to build solar arrays, the property they have was acquired for primary transportation purpose. This property site was acquired to be a quarry for I-5/I-205 and then stabilized to protect the motorist and the public. Any property will have to have a primary transportation purpose. There are limited transportation properties throughout the service area. This is most promising site available. ODOT uses within PGE service area about 18 million kilowatt hours a year; this project will supply one-sixth of that. The Bullock Project will add about 1-1/2 million kilowatt hours a year and then more out of the I-5/I-205 project. However they are still dealing with a small fraction of energy that ODOT uses through PGE and they will continue to look for other sites as well. Allison Hamilton's goal is to meet all of the 47 million kilowatts hours used by ODOT annually throughout

the state through renewable energy sources. She is directed by the Legislature and State Law to do this.

Councilor Burgess welcomed the neighbors from Oregon City. He asked Mr. Frank to speak to what the neighbors can look forward to in terms of what the project will impact in their community. Mr. Frank stated in the end it will be their community's decision on how best to proceed; they will be respectful of that. There has been a presentation given to their Council. Alyson Hamilton and he have taken Mayor Alice Norris and her husband out to both the I-205 demonstration site and the West Linn site so they could see the visual impact on their communities. They also visited the other side of the River. The Mayor has a strong commitment to public involvement. There will be a public involvement process; there will be a town hall meeting this week; he will be there to answer questions. They will have a process on their side of the River. What decision their commission makes in terms of how best to approach that is up to them. The Commission has a process, the Commission is aware of it, the Commission is discussing the project and this will be an issue the public speaks to at the town how meeting.

Councilor Cummings explained the issue before the Council is deciding whether to move forward on getting more information. She asked Mr. Frank to speak to the process that will be followed by ODOT. She also asked him to comment on potential lighting of the facilities, runoff and stream facilities anticipated, environmental impact, habitat corridors, crime, and health risks. Mr. Frank stated ODOT shares the concerns in terms of understanding the effect on the habitat, storm water and runoff. The panes will not add water the site; they will receive the water that was otherwise going to the site. They will make sure the storm water is managed well; the storm water handling at that site will be much improved over what it was before. These issues will be addressed as part of the study that goes forward; the habitat, the geotechnical aspects will be studied on the site along with water, tree issues and other issues. They will work closely with the City on those and come back with their information. Council will be updated on a continual basis.

A lot will be learned from the studies and the outcome could be this isn't the place. Depending on what comes out of the studies there will be insight on specifically how to answer the questions and concerns raised. This information will guide them in terms of how best to handle the design and make sure that whatever goes forward, if anything; will be done well and responsibly. The public will be involved in that process and informed about the process along the way.

Before the Oregon Transportation Commission makes a decision the public will be asked what is recommended they do.

Councilor Cummings asked if the site needs to have lighting. Mr. Frank stated they have not done all the site specific designs on security, etc. He would anticipate that there will be lighting; however, it does not have to go up the river and through the woods. It can

be specifically directed in terms of the project and security at the site. They will learn more about the design as the studies go forward.

Councilor Cummings asked Mr. Frank to explain where the trails will be located. Mr. Frank stated the trail decision will be up to the City. For the community to use the economic stimulus money that is available, the trail would have to be on ODOT right-of-way. The community has offered thoughts on how they feel it could be done. Issues of access and traffic from I-205 are a concern. There are still issues that need to be discussed and decisions made.

Mr. Frank stated that Mr. Thomas was concerned about how the power would go up the hill. ODOT is paying for every kilowatt hour that would come off this project. In actual practice these the electrons from this project would go throughout the system.

One of the questions raised were concerning electromagnetic fields (EMF). Allison talked with the US Department of Energy, National Renewable Laboratories, and the Solar Resource Center at the University of Oregon and was told that at 250 feet, the EMF would be no greater than the standing in front of a refrigerator at home. These are not devices that put out significant electro-magnetic emissions. The project will have to meet FCC rules which impact radios, etc. The representative from University of Oregon went down and stood by the converters to measure the emissions just to make sure he was confidently giving the correct answers. PV Power in Bend is doing additional research on this project to address noise issues, etc. ODOT wants to make sure whatever goes forward is very responsible.

Councilor Cummings asked for Mr. Frank's comments on noise. Mr. Frank stated that the issues of converter noise came up at the I-205 site. Lynn Averbeck is working with the community to make sure there is an understanding of the noise ordinances and standards are. PV Power in Bend is the major manufacturer of converters in the nation and they are doing very specific studies on noise. As this project moves forward there will be more information on this issue.

Councilor Carson asked if R-20 zoning will be a problem for this project. Will there be any maintenance cost the City going forward. Mr. Frank stated the maintenance cost associated with this project would be the responsibility of the entity that ODOT enters into an agreement with to construct the facility. Those responsibilities and cost would be covered within the solar power purchase agreement.

Lynn Averbeck stated she has 25 years of land use and transportation permitting experience. Once something is annexed by the City, the annexation process occurs and the City adopts a zoning ordinance over that. That is what applies, that's the most current zoning. She will look into this issue and report back.

Councilor Burgess asked if there is a potential for franchise fees. Mr. Frank stated to his knowledge there are not because it is not a typical generating facility. He will talk to PGE to find out what the specifics might be. It is not an issue they have confronted on solar projects to his knowledge anywhere in the state. He will get an answer.

**Council President Carson moved to approve Resolution 09-16, a Resolution of West Linn City Council indicating its support for continuing to work with the Oregon Department of Transportation in considering West Linn as a possible site for a solar highway per Agenda Bill 09-07-27C.**

**Councilor Kovash seconded the motion.**

Council President Carson stated she supports this project in that it supports the local economy; it is a very positive project for the community and puts West Linn on the map in terms of supporting sustainability and solar energy. She hears the community's concerns about wanting to continue the public process and to get additional information related to environmental impact; these are very important things. There needs to be answers to the questions that have been raised as this process goes forward.

As a Council she would like further discussions relating to trail. This is a project that could receive funding for a trail if done in concert. No decisions have been made on the trail, sighting, parking, etc. As a Council we can work with the Parks and Recreation Department regarding trail issues. Because this is a trail on the Parks Master Plan it is something they need to have further discussions about to determine what the next steps are. She hears the citizens concerns.

This resolution tonight just says the Council wants to move ahead with ODOT in terms of pursuing this project and getting additional information. There are a lot of good things about this project and there are still questions to be answered.

Councilor Kovash stated he echoes what Councilor Carson stated. The trail issues are a separate consideration. The Parks and Recreation Department would work on the specifics of that project.

Councilor Burgess stated he will be supporting the resolution to move forward to get more information. This is in compliance with national, state, and city policy. It does represent a number of jobs; it does have benefit as a demonstration in terms of education. It does accomplish reduction in the carbon footprint; it addresses some limitations that ODOT has in terms of use of funds restricted by the state of Oregon but still allows West Linn to move forward with an organization that is contributing significantly to the carbon footprint.

As an individual involved in the closing of the rest area, he doesn't think anyone is interested in recreating that situation. The City was very clear in getting that closed.

The trail represents something that is in the adopted Plan of the City. It is West Linn's decision whether or not this will come about and there will be additional hearings on that issue.

This resolution will allow ODOT to move forward and answer the additional questions that have come up and see the environmental analysis on the site. Overall he is supportive of what he knows about the project to date. He will be supporting the resolution.

Councilor Cummings stated she is very much in support of solar industry; it is a very important issue to pursue. She is overwhelmed by how fast this project is moving forward, it has proceeded rapidly. She is glad to see so many people coming out to bring their issues forward. This will be a starting point on things that need to be addressed seriously. This gives ODOT good input on what is important to West Linn in terms of protecting the environment and the citizen's safety. She appreciates the citizen's willingness to work with Council and she is willing to go forward with getting more information on this project. She hopes everyone will spread the word and keep their questions forward. If and when this project takes shape, it is something that everyone feels is a good thing for Oregon. She will be voting in favor of this motion.

Mayor Galle stated she speaks as the Mayor and how she feels as an elected official. Even though Oregon City residents are not the ones that elected her, she believes that Oregon City's concerns are very important to her regarding this project. She hesitates voting because she would like to hear the views that come out of the Oregon City Council meeting and she hopes those issues are shared with West Linn.

Tonight what she heard from the Barrington Heights citizens is fear; she did not get that impression from the emails that she had received. This neighborhood is afraid and she encouraged residents continue communication with her and Council. Before signing the resolution she would like to have a meeting with the Barrington Neighborhood, Mr. Frank and staff to dispel some of their concerns. There is a trail issue looming up there and trails are very contentious. People don't like people walking in their back yard. Council needs to hear them and talk about it. They are the ones most impacted; this is right below their development.

She agrees 72 days is a short period of time to be making decisions that will affect the community for a long time. She would like to get some of the questions answered, see Oregon City on the table with a resolution, have a meeting with Barrington Heights to make them feel more comfortable, and then have the solar project team come back and talk again before there is a vote on this resolution.

Personally, one of her main concerns is the wildlife issue. She has not yet been able to resolve for herself how this solar project will impact the Savannah Oaks and wildlife in terms of noise and construction.

Council President Carson agrees the Council needs to hear from neighbors in Oregon City and have an ongoing discussion with citizens in Barrington Heights and other parts of the community. This resolution is just to proceed and get more information. More information will be coming forth to make an informed decision regarding placing the project. ODOT has stated if this is not going to be a sustainable project, and have negative impacts it will not work. They will share that information and a decision can be made after all the information gathered. Hopefully this is the beginning of many discussions, not the end with both local residents and Oregon City.

Councilor Cummings feels this has been a bit rushed to her. Land use process takes 120 days or more. She asked staff if there could be a continuance on this resolution to insure clarity on all questions and concerns. Mr. Frank stated he feels this resolution is the answer. Answering the questions and concerns is going to cost a lot of money (hundreds of thousands of dollars). ODOT is committed to moving forward with West Linn to answer those questions in good faith. This is the beginning, not the end of the process. Tonight the question is whether or not the City wants to begin the process. The resolution is to begin the process to work with ODOT to answer the questions and concerns. If the answer is yes; that is what they will do. It is agreeing to work together in good faith to get the answers and make sure an informed decision can be made.

Councilor Kovash stated he hears the concerns that the process is too quick; however, if they delay giving ODOT permission to go ahead and do the studies that gives less time for the studies. Certainly the City should talk to the Oregon City, Barrington Heights residents and the community. But the resolution for having ODOT spend the funds does not impinge on discussions with these neighbors; it enhances the ability to communicate with the residents. He is in favor of the resolution.

Councilor Burgess stated he will be supporting the resolution and dealing with it now. He supported this issue when it first came up and still is in favor. Most of the questions that have been raised the ODOT team has responded excellently. There are a number of questions that still remain; if they don't move forward tonight, the questions will not get answered. There have been a lot of concerns expressed tonight and there are no facts to address those concerns.

Most of the opposition from this community was regarding the trail. The proposed trail appears on West Linn's Trail Plan; this is a question the community needs to address with the City. The solar project opens up an opportunity to move forward on the trail, but that will be pursued under a different process. ODOT is not asking the City to approve the trail. This resolution talks to moving forward to get more information.

**Vote on the motion:**

**Ayes: Kovash, Carson, Burgess, Cummings**

**Nays: Galle**

**The motion carried 4-1.**

A member of the audience stated that Section 3 of the Resolution No. 09-16 includes language about the trail system. By passing this resolution the Council has included the trail into the solar panel project.

Councilor Cummings requested that staff prepare a list of issues and concerns heard tonight so those key issues can be addressed.

**Council President Carson moved to continue the meeting to 10:30 p.m. Councilor Cummings seconded the motion.**

**Ayes: Carson, Cummings, Kovash, Galle**

**Nays: Burgess**

**The motion carried 4-1.**

**Council President Carson moved to continue Agenda Bill 0907-27D, Ordinance No. 1587, Jeff Parker request to convert SDC credit to cash for Lorinda Court Paving Project to the City Council meeting of August 10, 2009. Councilor Kovash seconded the motion.**

**Ayes: Burgess, Cummings, Kovash, Carson, Galle**

**Nays: None**

**The motion carried 5-0.**

**3. Agenda Bill 09-07-27E Ordinance No. 1588, Noise Ordinance Amendments**

Mayor Galle called the public hearing to order on Resolution No. 1588 at 10:05 p.m. She asked for a staff report.

Captain Ron Schwartz, Police Department stated several weeks ago Council had a discussion about the noise ordinance and during that discussion it was requested that staff add language that was found in other jurisdiction's noise ordinances.

Staff has reviewed other ordinances and revised the ordinance to include the language requested. The revised language was submitted for review and decision.

**Questions from the Council**

Councilor Burgess asked staff to comment on proposed language, "...it shall be unlawful for any person to assist in creating permit, continue or permit the continuance of any loud, disturbing or unnecessary noise in the City at any time of the day." Will a resident be arrested if their neighbor is being noisy; because they are permitting the neighbor to be noisy? Captain Schwartz stated this language is broad base and covers any noise. Mr. Ramis reported as a fundamental matter of criminal law and enforcement of regulations, if a person does not have control, they can't be held responsible. In the situation where it speaks to "permitting," it is permitting noise in a situation where you have control over the noise.

### Public Testimony

Ms. Swanson stated she was glad to see that the solar panels were being discussed tonight and noticed the Noise Ordinance was also being discussed. About a quarter to nine she rushed to the meeting. She is unprepared to speak and disappointed that she is unprepared; she is committed to working through this noise ordinance and has been for a long time (over a year). They have asked the City to keep them informed so they could participate in the process. They continue to have noise issue on their property and very much want to participate in the process.

Mayor Galle noted that Ms. Swanson was the driving force for the changes in the noise ordinance. She asked if the neighbor who was causing a noise nuisance moved their basketball hoop after her testifying at an earlier meeting. Ms. Swanson stated that after that meeting the orientation of the hoop changed; it was moved most of the way across the property; it is etching slowly back towards them. The illegal fence came down.

It has been about a 25% reduction of noise for her family. There have been noisy parties right at the property line, including a burning fireplace close to a fence. She feels there has been a retaliatory-kind of behavior going on. The basketball hoop thankfully is oriented away from them. She doesn't know if that was action by the City or something they heard about. Her family is relieved but they are not sure how permanent it is.

Mayor Galle explained in Council's work session they addressed a way in which to help a citizen with an on-going problem. She would prefer not to delay this decision.

Councilor Kovash stated at the work session Council went beyond Ms. Swanson's incident and addressed a general statement that would support the purpose of the noise ordinance by giving the police the tools they need to better enforce noise concerns.

Ms. Swanson stated she does support the language of the ordinance. She felt relieved with the language regarding measurable standards. It neutralizes the discussion into something that is factual and scientifically measurable. She thanked the Council for their work on this issue.

**Council President Carson read the ordinance by title only for the first time and moved to approve Ordinance No. 1588, Noise Ordinance Amendments per Agenda Bill 09-07-27E. Councilor Kovash seconded the motion.**

**Ayes: Cummings, Kovash, Carson, Galle**

**Nays: Burgess**

**Motion carried 4-1.**

**4. Agenda Bill 09-07-27G**

**Resolution No. 09-19, Opposing  
Urbanization of the Stafford Area and  
Repealing Resolution No. 09-05**

Mayor Galle opened the meeting to discussion of Resolution No. 09-19 at 10:27 p.m.

**Council President Carson moved to table any action on Resolution No. 09-19, Opposing Urbanization of the Stafford Area and Repealing Resolution No. 09-05 per Agenda Bill 09-07-27G at this time. Councilor Kovash seconded the motion.**

Councilor Cummings explained Council had an extensive discussion about this issue at a work session with Tom Coffee. She asked staff to make comments. Mr. Jordan reported last week there was discussion at the Council work session that rural reserves designation was not appropriate for all locations in the Stafford area based on some of the comments received from the County. It was decided to draft a resolution that eliminated some of the words of the existing resolution that gave direction to staff and everyone regarding the City's position on urbanization of the Stafford area. Based on the discussion earlier this evening at the pre-meeting work session, the council concluded to not change the existing resolution.

Councilor Cummings reported for the most part Council has not changed their opinion that the Stafford area should not be urbanized. In working with the Policy Advisory Committee meeting and Clackamas County they have not gained very much support for an entire rural designation. There has been a measure of support for identifying the natural features as rural and the remaining area is left open. Currently discussions are being held on which areas would be considered appropriate for urban designations. She does not feel the Council should repeal their position because it may give the wrong message.

Councilor Burgess stated he feels there should be clear direction for the policy leaders as well as staff. There is a plan being discussed by the Clackamas County Business Alliance (CCBA) and he feels the City should allow the Business Alliance come out and present their plan so the citizens could be informed about what is going on. He is in support of listening to what is being proposed, but he is not in support of the "undesigned," the issue in the discussion is rural or urban. He is interested in being

clear in the policy to have a community-supported position for the Stafford area. He would like to be a part of that discussion and feels it needs to be clear what the City's position is.

Mayor Galle stated there is no issue of transparency regarding the Clackamas County Business Alliance plan. This is one of many groups she has met with and talked to. She knows they have extended that invitation out to anyone who they can talk to. Everyone has a vision and anyone is welcome to come and make a presentation. However, these groups do not drive her vision; her vision for Stafford is her own. If Council is interested in inviting these groups to come out she wouldn't just exclude it to CCBA.

**Ayes: Kovash, Carson, Burgess, Cummings, Galle**

**Nays: None**

**The motion carried 5-0.**

### **Adjournment of Business Meeting**

Mayor Galle adjourned the July 29, 2009 City Council meeting at 10:25 p.m.

Mayor Galle reopened the meet at 10:26 p.m.

Councilor Cummings reported West Linn City Council anticipates conducting the annual performance evaluation of the City Manager this August in accordance with West Linn City Charter. Council welcomes comments from the public regarding the City Manager's evaluation. West Linn citizens can send comments by July 31<sup>st</sup> to the City Attorney, Tim Ramis, at Jordan, Schrader, Ramis, PC, 2 Center Point Drive, Sixth Floor, Lake Oswego, OR 97035.

In the work session there was discussion about this process. It was suggested to delay the process for a week so all avenues of notice are available.

**Councilor Cummings moved to extend the time period of notice of discussions about the City Manager's review for one week.**

Mr. Jordan reported the Assistant to the City Manager put notice in the newspaper this evening.

**The motion died for lack of a second.**

Mayor Galle adjourned the meeting at 10:30 p.m.

Council President Carson acting in official capacity in absence of the mayor opened the meeting at 10:33 p.m.

Council President Carson explained the possibility of an executive session is on the agenda and asked the Council if they would prefer to hold an executive session tonight.

**Councilor Kovash moved to adjourn the meeting into Executive Session per ORS-192.660(2) to consider employment of a public officer. Councilor Burgess seconded the motion.**

**Ayes: Carson, Burgess, Cummings, Kovash**

**Nays: None**

**The motion carried 4-0.**

Council President Carson adjourned into Executive Session at 10:36 p.m. pursuant to ORS-192.660(2) to consider employment of a public officer. She explained that Council would not be coming back into open session.

RESPECTFULLY SUBMITTED,

**Tina Lynch /s/**

Tina Lynch  
City Recorder

APPROVED BY THE CITY COUNCIL  
ON SEPTEMBER 28, 2009

**Patti Galle /s/**

Patti Galle, Mayor