

Memorandum

Date: July 28, 2011

To: John Kovash, Mayor
Members, West Linn City Council

From: Chris Jordan, City Manager *cg*

Subject: August 2 Work Session

The Council is scheduled to meet in a work session on August 2 at 6:00. Other than reviewing the August 8 agenda, the only item for Council consideration is:

- **Planning Assistance for Robinwood Neighborhood.** On June 27 and on July 5, the Council heard from members of the Robinwood Neighborhood Association requesting planning in anticipation of their discussions with Lake Oswego regarding possible mitigation for the water treatment plant expansion project. Based on that request (see attached request and attached excerpt from June 27 minutes), staff prepared the attached scope of work for assistance. This scope of work has been shared with Kevin Bryck who is the contact point with the RNA on this project. Mr. Bryck has indicated that this scope is “unresponsive”.

The Council also requested that we discuss the RNA request with Lake Oswego and request that Lake Oswego contribute financially. Although I have not received a definitive answer from Lake Oswego, my interaction with both Lake Oswego and Tigard would seem to indicate that there is not an interest in contributing.

Staff requires additional guidance from the Council on this issue.

At 7:00 on August 2, the City Council is hosting a joint meeting with the Oregon City Commission to discuss the future of the Clackamas Cable Access Board and Willamette Falls Media Center. The agenda for that meeting is included in the Council’s packet along with some information from the Metropolitan Area Communications Commission. To date, we have not received any materials for advance distribution from the CCAB.

Please let us know if you have any questions.

Attachment

RFP for Planning assistance regarding the potential
Lake Oswego-Tigard Water Project

Robinwood Neighborhood Association Great Neighbor Committee

To advise the Neighborhood Association and the Committee regarding:

Permits

Understanding the various permits required for the project by West Linn as well as some of the related state and federal permits.

How these permits intersect and relate to each other and timing of each of them.

Which permits best relate to mitigations and are best handled via them.

Public Meetings

Effective preparation and operation of charettes or forums - educating the public, setting the ground rules and asking the correct questions.

Organizing and prioritizing and our concerns regarding safety, environmental impacts, blending and value added projects.

Applicable Mitigations and Enhancements

covered under the current West Linn CDC.

currently acceptable and enforceable under current case law in Oregon.

currently under review in Oregon.

that have been overturned or remanded and the arguments and reasoning used in Oregon case law.

Proclamations, Recognitions and Scheduled Presentations

Old Time Fair Court Proclamations

* Princess Ellie Jones

* Princess Emma Waibel

* Princess Lauren Huttula

* Princess Sara Gowdy

* Queen Hanna Hilton

Proclamations

Mayor Kovash stated one of the best things about this job is some of the fun things he gets to do and one of them is recognizing the princess court. Mayor Kovash read the proclamations to the Queen and Princesses and thanked them for their service.

Consent Agenda

Agenda Bill 2011-06-27-01 Library District of Clackamas County Intergovernmental Agreement

Agenda Information

Council President Jody Carson moved to approve the Consent Agenda for the June 27, 2011 West Linn City Council meeting. Councilor Mike Jones seconded the motion.

Ayes: Council President Jody Carson, Councilor Teri Cummings, Councilor Mike Jones, Councilor Jenni Tan, and Mayor John Kovash.

Nays: None.

The motion carried 5 - 0

Community Comments

Lamont King, 4257 Kenthorpe Way, West Linn resident since 1953. He has been a West Linn resident on and off for over 53 years, he was on Kenthorpe when they put in the treatment plant in 1968. The treatment plant has been a good neighbor for a long time. They have good people running it. It hasn't been overly obnoxious. There was quite a bit of dissent when they originally put it in because it was an industrial application in a residential neighborhood. They did not have a lot of say back in 1968. This issue has come up again because they want to do a significant renovation. Part of it is to upgrade it and part of it is to increase capacity from 16 million to 38 million so they can become a commercial water broker and sign formal contracts with Tigard to provide their main source of water. They already do provide Tigard water now, but they want to become a major supplier and supplement Portland as a major source. In the Robinwood Neighborhood Association we have been working with them for over one year. They have been holding good neighbor meetings and making presentations and there was some frustration that came to a head back on their May 10 meeting of this year. In

that during the course of all this, they have offered us access to our homes during construction, which was nice. They have offered to present safe conditions for our kids if they are playing around our houses but the only thing tangible they offered us was possibly a bike lane connecting Mapleton and Kenthorpe. During the May 10, 2011 meeting, the Robinwood Neighborhood Association voted to form a special committee per our bylaws to deal specifically with the water treatment plant and try to get a feel for what can we really ask for. We are not convinced we can stop them from doing this expansion, but the issue is what can we really do as far as mitigating the incredible impact they are going to have on our neighborhood. We have been doing these meetings and came up with a critical part of a work plan which is to acquire professional, practical planning advice regarding mitigation issues. We are asking the City to provide an independent planner for this purpose. The planner's role would be limited to advising the Robinwood Neighborhood Association and the committee regarding mitigation. The planner would not be tasked to negotiate with Lake Oswego on our behalf. This committee is working with the Robinwood Neighborhood Association. We will be reporting back to them to get their input and consent on whatever we come up with. We are asking for the City to help us attain a planner in order to facilitate our meetings to give us some real input as far as what can we reasonably ask Lake Oswego and help facilitate our meetings to come up with the best plan for the neighborhood and the City of West Linn.

Tim Ramis informed the Council the City needs to keep a record of Mr. King's statement and include it in the record of any land use proceeding because it technically is an ex parte communication. Council would want to disclose this communication when this case becomes a land use matter.

Alice Richmond wants to remind everyone to celebrate the Fourth of July with all their neighbors and the rest of the City. Come down to Willamette Park, there will be lots of games, fireworks, etc. Ms. Richmond asked the neighborhood to be patient with crowds and parking. The celebration is one week from today.

Karie Oakes testified two weeks ago that the City has not established the funding for the public art program as required by code. Ms. Oakes requested Council audit this fund to determine the amount of funding this should have. Staff is proposing changes to the policy. She requests Council remove this from the agenda and appoint an arts commission. She feels citizens made up of artists would be the best to advise Council. Ms. Oakes is concerned Parks and Recreation Director Ken Worcester is the only one to select art for small, informal art and City Manager Chris Jordan will appoint a selection committee when it is a big project. Ms. Oakes feels art is controversial if it is not done by open selection.

[Karie Oakes Comments](#)

Kevin Bryck is concerned about the reduction in the neighborhood stipend amount. He feels it is a small amount in the budget and feels it sends a wrong message about the importance of neighborhood associations.

SPECIFIC CITY PLANNER SERVICES FOR LOTW FACILITY EXPANSION AND ASSOCIATED TRANSMISSION LINE PROJECT

SCOPE OF SERVICES

Provide professional planning assistance to the Great Neighbor Committee ("GNC") for the purposes of:

- Establishing a formal communication mechanism to expedite the distribution of application materials, public hearing documents, reports, etc. to the members of the GNC. (ongoing)
- Providing information and answering questions to the GNC about the City's land use/engineering permitting processes as they relate to the proposed application(s). (3 hours)
- Providing the GNC with an understanding of the purpose and limitations of conditions of approval that can be generally imposed on projects by the City under the provisions of the CDC and State law. (3 hours)
- Meeting with the GNC at different points in the approval process to review the plans and reports and to answer questions from the members. (3 hours)
- Evaluating specific mitigation measures proposed by the GNC for consideration City-imposed conditions of approval appropriate for the project. (3 hours)

ACTIVITIES NOT INCLUDED IN THIS SCOPE OF SERVICES

The following services are not included in the scope of work:

- Meetings with the RNA, or any other group outside the GNC
- Notice or facilitation of any meetings.
- Representation on behalf of the GNC or the neighborhood in negotiations with the applicant or other governing body.
- Explanations or discussions of permits or approvals that are outside of the purview of the City of the West Linn (e.g. federal, state, regional permits).
- Providing any professional legal counsel or opinions on any matters

TIMEFRAME

To complete the above scope of work it is anticipated that three meetings with the GNC will be required. Meeting #1 should take place as soon as possible (prior to September 1, 2011); meeting #2 should take place after an application(s) has been submitted to the City, meeting #3 after it has been deemed complete by Staff, but before a recommendation has been completed by Staff. The estimated time to complete these tasks is between 12-15 hours of staff time.