

Memorandum

Date: January 25, 2013

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

From: Chris Jordan, City Manager 

Subject: Miscellaneous Items

Blue Heron Project Update

Planning Director John Sonnen and Associate Planner Sara Javoronok met with Clackamas County officials this week to discuss the Blue Heron site and receive an update from the County regarding its efforts toward remediation. Below is the update sent from Sara to the Task Force members:

"Thanks for your patience – I know we were planning a late January meeting to discuss the details of the scenarios that you developed last fall. We've been working on them and recently met with WES and their consultants who are beginning the remediation investigation for the site. Based on these discussions, it appears it will be several months before we will know how the pond area can be remediated and its subsequent suitability for reuse. Therefore, it will be a few months before we're able to come back to you with drawings and information on the feasibility of the scenarios for the site."

My understanding is that the next step in the County's process will likely take until this summer which means that further planning by the Task Force and staff will not occur until that time.

Attached are the meeting notes from the Task Force's November 29 meeting outlining the 11 options currently under consideration by the Task Force.

Water Rate Measure Removed from Ballot

In December 2012, the City Council approved Resolution 2012-19 placing a water rate increase of 18% on the March 2013 ballot. On January 14, the Council opted to remove the item from the ballot. Based on advice from the City Attorney, the Council met in a Special Meeting on January 17 to approve Resolution 2013-01 formally repealing Resolution 2012-19.

On January 22, the Clackamas County Circuit Court Judge Robert Herndon granted a temporary restraining order (attached) prohibiting Clackamas County from publishing the ballot measure. Clackamas County staff assisted the City Attorney at the hearing.

Training for Advisory Board Members and Neighborhood Association Officers

Staff is in the process of developing a training session for members of advisory boards and for Neighborhood Association officers. The training is scheduled February 25 at 6:00 and topics will include the Roles and Responsibilities of volunteers; legal issues such as public records and public meeting law as well as political restrictions for volunteers; and a financial update from the City Chief Financial Officer Richard Seals.

Attachment

Blue Heron Redevelopment Task Force Meeting

Meeting 6

November 29, 2012

6:30 p.m.

Meeting Notes

The Blue Heron Redevelopment Task Force held its sixth meeting on Thursday, November 29, 2012 from 6:30-8:30 p.m. at the West Linn City Hall.

Task Force members present:

Cecil Denney

Kent Mays

Beth Smolens

Ray Totten

Kathy Frasier

Annette Mattson

Ken Valentine

Linda Register

Jerry Offer

Steve Gulgren

Others present:

Ken Bietschek

Dena Marshall, Facilitator

John Sonnen, Staff

Sara Javoronok, Staff

Summary of the meeting:

The purpose of the meeting was to review the list of uses identified and determine which met the criteria and generate additional scenarios for the site that met a wide spectrum of uses.

The group identified a few additional elements to incorporate into every scenario for the site, bringing the total to seven. These, and the eight additional scenarios generated are identified below:

ALL:

1. river trail
2. access to the river
3. upland housing
4. public restrooms
5. wetlands
6. historic interpretive space
7. parking

SCENARIOS:

- I. Let it be
 - passive park
 - wildlife refuge
 - trails
 - picnic shelter
 - wetland bank
- II. Interpretive center

- interpretive center tied to geography and a place for scientific inquiry
 - conference center
 - learning center
 - museum
 - coffee shop
 - canoe/kayak rental
 - enclosed meeting space
- III. Community Center
- indoor, outdoor pool
 - courts
 - weight rooms
 - retail
- IV. Active Park 1
- playing fields over pond area - field complex, sports complex
 - possible disc golf course
- V. Active Park 2
- 1 field
 - skate park
 - picnic shelter
 - playground
 - possible disc golf course
 - small scale amphitheater
 - dog park
 - marina, no boat ramp, docks ok
- VI. Campground
- RVs, tent sites
 - Fishing docks
 - Showers
 - General store, gift shop
 - Rustic cabins
 - Canoe/kayak rental
 - Covered picnic area
 - Small meeting center, conference center, retreat center
 - Fee for service
- VII. Relocate public works, environmental services buildings
- can be combined with (some) other scenarios
- VIII. Housing 1
- High end estate lots
 - put area into public land trust, then develop housing (eg. Proud Ground land trust, Metolius River)
- IX. Housing 2
- Model green housing
 - Mixed income, including affordable housing, Section 8
 - Eg. Charbonneau, Villebois

- put area into public land trust, then develop housing (eg. Proud Ground land trust, Metolius River)

X. Housing 3

- High rise condos for senior living (eg. Willamette View)
- put area into public land trust, then develop housing (eg. Proud Ground land trust, Metolius River)

XI. Commercial

- Medical
- Offices
- Restaurants
- Bowling alley
- Warehouse
- Extended stay hotel
- Live-work space
- Small retail store

22 Jan 13
Schultz

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

CITY OF WEST LINN, an Oregon Municipal Corporation

Plaintiff,

v.

CLACKAMAS COUNTY, a Political Subdivision of the State of Oregon

Defendant.

Case No. CV13010501

TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE

Plaintiff's Motion for Temporary Restraining Order and Order to Show Cause Why A Preliminary Injunction Should Not Enter came before the Court Ex Parte on the 22nd day of January, 2013.

Based on the record, including the Complaint, the supporting memorandum, the declaration of Peter Watts and Kathy Mollusky, and oral presentation, the Court finds:

1. If defendant is not immediately enjoined from printing the ballot designated for West Linn for the March 12, 2013 Special Election plaintiff will suffer irreparable injury, loss, or damage in the form of the confusion of its voters and unnecessary and unwarranted elections-related expenses.

2. Time is of the essence because defendant is scheduled to print the ballots on January 28, 2013.

3. Plaintiff has no adequate remedy at law.

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1 It is therefore ORDERED as follows:

2 1. Defendant Clackamas County is directed to not print the ballot designated for
3 West Linn for the March 12, 2013 Special Election.

4 2. Defendant shall appear before this Court on the 8th day of February
5 2013, at 1:30 p.m., Room 200, Clackamas County Courthouse, and show cause, if
6 any there be, why the activity described above should not continue to be restrained during the
7 pendency of this action.

8 3. The order contained in paragraph 1 above shall expire at the date and time set out
9 in paragraph 2 above, unless extended by further order of this Court.

10 4. The plaintiff does not need to post a bond, as described by ORCP 82 A(1)(a).

11 Dated this 22nd day of January, 2013.

12
13 s/ Robert D. Herndon

14 Circuit Court Judge

15 SUBMITTED BY:

16 Harlan E. Jones, OSB # 850549
17 Aaron M. Brian, OSB # 981849
18 JORDAN RAMIS PC
19 Attorneys for Plaintiff City of West Linn
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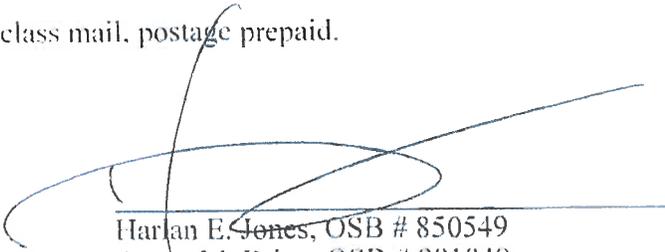
1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the date shown below, I served a true and correct copy of the
3 foregoing TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE on:

4 Scot A. Sideras
5 Clackamas County DTD Admin.
6 150 Beaverereck Rd
7 Oregon City OR 97045
8 Facsimile: 503 742-4272
9 E-mail: scotsid@co.clackamas.or.us
10 Attorneys for Defendant Clackamas County

- 11 by first class mail, postage prepaid.
12 by hand delivery.
13 by facsimile transmission.
14 by facsimile transmission and first class mail, postage prepaid.
15 by electronic transmission.
16 by electronic transmission and first class mail, postage prepaid.

17 DATED: January 21, 2013.

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19 Harlan E. Jones, OSB # 850549
20 Aaron M. Brian, OSB # 981849
21 aaron.brian@jordanramis.com
22 Attorneys for Plaintiff City of West Linn

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25
CERTIFICATE OF SERVICE

JORDAN RAMIS PC
Attorneys at Law
PO Box 230669
Portland OR 97281
Telephone 503.598.7070 Fax: 503.598.7373
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