

EXHIBIT PC-4

PUBLIC COMMENTS

FILE NO.: CUP-12-02/DR-12-04

REQUEST: Conditional Use and Class II Design Review to expand the existing City of Lake Oswego water treatment plant at 4260 Kenthorpe Way

FORS Board Meeting March 12, 2012

Call to Order 7:07

Board Members Present: Hill, Norby, Bryck, Phillips, Bracco, Fastabend

Guests: Gordon Bryck, Becky Burken and her two children

Announcements: Kevin's sick....don't touch him.

Minute: Jack moved and Mary Second approving the previous minutes to the Feb Meeting. Passed by voice vote

Treasurers report: Postponed as our treasurer was unable to attend. It will be sent via e-mail.

Committee Reports

Building Development: Carpets are hung by the chimney so neat. Cost: \$470 carpets and hardware.

Needs list is updated. Kevin wants a bulletin board for Robinwood Nabe Planning. Jack moved and Mary seconded to allow the RNA to use one of the Bulletin Boards at the Station.

Kevin would like to test lighting options in the Garage Bay. Jack moved that Kevin be allowed to spend upto \$500 for purchasing and testing lighting option. Mary 2nd. Discussion. Voice Vote: Passed unanimously.

Heater: We need to keep looking for a contractor. Kevin will speak to Mr. Rahlston; the sheet metal contractor about getting the ducting donated. Summer time is a great time for us to acquire a heater

Gardens and Ground: lots of work happening. Beds are full, chips abound, lock on the shed, and planting happened on Friday and Sat afternoon March 9 & 10.

Operations: Garage Sale this weekend with a guarantee of 10% of proceeds going to the Station. At the Station: Cedaroak Brownies (every other Friday) & Bolton Brownies first Monday of the Month.

Old Business

LOTWP at Station March 15. Currently, Randall has told LOTWP there is no fee. Board questioned this offer. It was moved by Kevin "any agency that want to use the Station that are not within COWL, pay the out of City rate of \$40/hour. 2nd by Jack Norby. 5 ayes, no No's, 1 abstention. Passed. Randall will inform and bill LOTWP.

Community Grant submission-Jack spoke to Charlie Mcgeehan and they will have a meeting to discuss music at the Station. Mary moved that Jack and Randall put a budget and proposal together for the Community grants deadline March 31. 2nd Tony. Passed unanimously. No abstentions.

New Business

Kevin asked if someone will call PGE and Energy Trust and inquire about options for the Station. RF will to this. Next meeting is April 9

Adjournment at 8:07 by virtue of all FORS Board members leaving the room.

March 9, 2012

Steve and Nancy Hopkins
3910 Mapleton Dr.
West Linn, OR 97068

RE: Sidewalks on Mapleton Drive in association with the proposed water transmission line

Mr. and Mrs. Hopkins:

I wanted to provide you with a response to your March 8th letter addressed to the City Council regarding the pre-application notes for the Lake Oswego Tigard Partnership request to install a transmission line within the Mapleton Drive right-of-way. The City does not have the authority to require a utility provider that is trenching in the right-of-way to construct improvements that are unrelated to their project (such as constructing a new sidewalk); therefore, the City will not be requiring new sidewalks to be constructed as part of the transmission line request.

The City's pre-application notes state, correctly, that the City's adopted Transportation Systems Plan "TSP" (long-range transportation planning document) lists Mapleton Dr. as having a pedestrian deficiency, due to its lack of any pedestrian improvements, and the TSP includes policies that will provide for making pedestrian improvements to correct that deficiency, which include construction of sidewalk(s) from Willamette Dr. to Nixon Avenue. The pre-application notes do not state that a sidewalk will be required by the City as part of their application. It is our policy to provide as much information as possible to applicants as part of their pre-application notes to help them make informed decisions as they fine-tune their application.

You should be aware however, that the Robinwood Neighborhood Association has formally adopted and provided the City with the neighborhood's recommended right-of-way improvements that they would like to see as part of the application. For Mapleton Dr., the RNA specifically requests either, "*permeable path without swale or slightly wider pavement cross section with multiuse lane striped & signed on one side of Mapleton.*" The neighborhood's request for paths or increased pavement widths is contrary to your survey of 25 residents and is an issue you may wish to address through your neighborhood association. The City will make every effort to accommodate the requests of the residents and the RNA provided they are legal and consistent with adopted codes.

The City will work within its legal authority to ensure the applicant's proposal is evaluated objectively and that if approved, any adverse impacts to the community are lessened and fully mitigated. I am

happy to discuss this issue, or any others, via phone or email, you can reach me at 723-2538 or ckerr@westlinnoregon.gov.

Sincerely,

Chris Kerr
Senior Planner

Cc: West Linn City Council

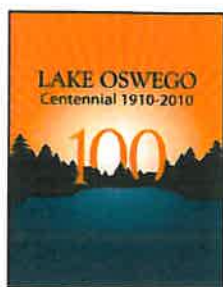
Dear members of the Lake Oswego City Council,

We are residents of West Linn who have several questions that have gone unanswered during the last year, while Lake Oswego continues to push forward with the expansion of your Water Treatment Facility and the installation of 4-foot diameter water transmission lines in our residential neighborhood. We recently asked our own City Manager for help getting answers to these questions from your staff and he told us we should ask Lake Oswego directly. We think you are in the best position to provide these answers, since you are directing staff to proceed with this project. Thank you for your time. We look forward to your answers.

- Please provide a technical response to why Lake Oswego is not building this plant within the boundary of Lake Oswego. The one line answers to date from your city staff have been dismissive, void of details and do not address this very viable alternative. Specifically :
 - Lake Oswego and Tigard have sufficient existing and transferable water rights on the Willamette River and could use this source instead of the Clackamas River.
 - Within Lake Oswego there are several possible locations, including but not limited to the Foothill district, still allowing for streetcar and other planned improvements.
 - If the intake and plant were designed on a new site instead of working within the limitations of a existing plant and site, it most likely could be accomplished more efficiently from a size, dollars, and schedule standpoint.
 - A location in Lake Oswego location would eliminate more than 4 miles of 48-inch pipe saving several millions of dollars.
 - Eliminating over 4 miles of large pipe construction would avoid SEVERAL environmentally sensitive areas including parks, streams and protected waterways along their route from the Clackamas River, through Gladstone, UNDER the Willamette River, thru West Linn and into Lake Oswego.
 - Lake Oswego's current plan completely upgrades their old water treatment plant with state of the art water treatment. It follows that you should be able to provide this same state of the art treatment to the Willamette river water, learning from Wilsonville's brand new facility also located on the Willamette River and from the Coca Cola plant in Wilsonville that we understand produces DASANI bottled water.
 - By building on a new site, this allows the added cost benefit of keeping the existing plant and transmission line online until the new facility is tested ad ready to be turned on.
- In the City's pre-application to the City of West Linn it is stated that a "far ranging Alternatives Analysis" was performed this is the "only practical location". Please provide a copy of that analysis and confirm that an alternative in Lake Oswego was included.
- Is the Council satisfied that the current alternatives analysis is comprehensive enough such that an industrial development of this scale and magnitude would NOT trigger a "comprehensive plan amendment"?
- What cost contingency are you carrying in the cost estimate, should West Linn require a franchise agreement for the transmission line within its City Limits?

- What requirements and coordination with the Department of Homeland Security have occurred to date related to this major water treatment plant? Specific to the two types of water system sabotage, vandalism and terrorism, what safe guards will you put into place and how will they co-exist in a residential neighborhood. We request that the City confirm what security fencing, perimeter CCTV, lighting, hazard response plans are required or recommended by the Information Analysis and Infrastructure Protection division or Homeland Security?
- Was the City Council aware that this site that will now require the above coordination with the Department of Homeland Security is within 1000 feet of a grade school?
- Was the City Council aware that, Lake Oswego's current Water Treatment plant is UNLIKE any other facility of its kind, in that it does NOT directly serve the residents in the City that it is located. Please confirm and explain how this is being factored into the mitigations Lake Oswego will offer the impacted residents for this extensive expansion?
- Was the City Council aware an inter-tie between Lake Oswego and West Linn already exists and that this is not a "new" benefit- as Lake Oswego continues to state in meetings, in the paper and on your website? Without other upgrades to West Linn's own system, that they are unable to fund at this time, there is NO benefit. What benefit will West Linn residents receive as a result of this 2 ½ year project in our neighborhood?
- Please explain how the City Council justifies imposing a 10 acres industrial plant within a completely residential neighborhood in West Linn while simultaneously actively rezoning your own industrially zoned areas to residential and mixed use to reap the increased tax revenue?
- Please confirm that requirements within the construction contracts will require providing daily vehicle access to every property within the project limits of the pipeline and new plant project?
- Please confirm Lake Oswego will provide additional insurance coverage to homeowners to protect against possible damages as a result of an incident during construction of this industrial facility and large transmission line.
- Please confirm Lake Oswego will provide additional insurance coverage to homeowners to protect against possible damages as a result of an incident during operation of this industrial facility and large transmission line.
- Please provide the City's current maximum recovery per incident/ per homeowner for an event. (e.g. pipe break that results in settlement to home's foundation or water or mud damage)
- Since the City Council has authorized staff to proceed with condemnation proceedings against the Maple Grove subdivision property owners, is the City Council aware that to obtain minimal legal representation to respond to these condemnation notices is imposing a financial hardship on most of the residents, several being on fixed incomes?
- Please provide the number of waivers obtained in 2010 and 2011 as well as the number of waivers from the mid 1990's that the City is planning on re-using to reach the 75% threshold.

- Please provide the current cost estimate for the Lake Oswego Tigard Partnership (LOT) project? Please provide the date the cost estimate was developed.
- Please provide the current cost estimate for all improvements within the City limits of West Linn?
- Please provide the current cost estimate for the Water Treatment Plant site upgrades? What cost contingency has been added for the recent geotechnical findings o the site, specific to liquefaction?



CITY OF LAKE OSWEGO

LAKE OSWEGO TIGARD WATER PARTNERSHIP

4101 Kruse Way
PO Box 369
Lake Oswego, OR 97034

503-635-0270
www.ci.oswego.or.us

February 17, 2012

Mr. Tony Bracco, Chair
Robinwood Neighborhood Association
2716 Robinwood Way
West Linn, OR 97068

Re: Robinwood Neighborhood Association Mitigations List for Water Treatment Plant

Dear Mr. Bracco:

The Lake Oswego Tigard Water Partnership Oversight Committee (OC) was formed to oversee the Partnership's initial expansion of all facilities to provide water to both communities per its intergovernmental agreement. The OC consists of two representatives each from Lake Oswego and Tigard City Councils. Of late, the OC has been meeting monthly to stay apprised of all facility activities and to advise staff on budget and facility matters as appropriate.

In December, 2011, the OC discussed the Good Neighbor Planning efforts that have taken place relating to the Water Treatment Plant in West Linn. We were impressed by the amount of common ground that the Neighborhood and Project Team were able to include in the GNP. We agreed at the December meeting that there were a large number of neighbor requests that we were supportive of, but that there was also a shorter list of items that we agreed either did not enable us to complete the plant in a timely or cost effective manner, or were not related to solving a problem caused by the construction of the plant or its ongoing operations. One of the Neighborhood's Great Neighbor Committee members attended the January OC meeting and, at that time, we had indicated that we would again review the list of requests, which we did on February 13. After reviewing the list again, as well as the costs associated with the Good Neighbor Plan items to date, we determined that we were unable to support any additional requests at this time.

There are several reasons for this decision. First, the OC does not know what the requirements of the land use process will hold for us in terms of additional exactions and impacts on project costs. Second, while we are at 30% design today, as we move forward with final design, we again are unsure as to where costs will end up. This is fairly typical at this stage of a project, however, given the additional, unbudgeted costs of the GNP items to date that the Partnership has agreed to absorb, and our obligation to be prudent stewards of ratepayer dollars, at this time we cannot agree to self-impose additional project costs.

Mr. Tony Bracco

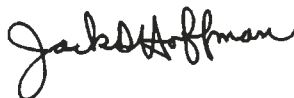
Page 2

We believe that the very compact plant design, large setbacks, robust landscaping and improved structure design resulting from the good neighbor efforts will be a lasting amenity within the neighborhood. Our goals continue to be to minimize construction inconveniences to the neighborhood, be a good neighbor, and create a plant that is more attractive with more amenities for the neighborhood than the current site, as well as to be responsible to our own ratepayers. Please feel free to call the project Communications Director, Jane Heisler, at 503-697-6573, or Joel Komarek, Project Director, at 503-697-6588, if you need additional information.

Sincerely,



Craig E. Dirksen, Mayor of Tigard
Member, Lake Oswego Tigard Water Partnership
Oversight Committee

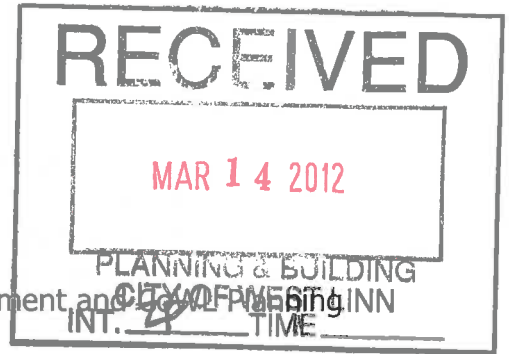


Jack D. Hoffman, Mayor of Lake Oswego
Member, Lake Oswego Tigard Water Partnership
Oversight Committee

Cc: Chris Jordan, City Manager, City of West Linn
Mayors and City Councilors of the Cities of Lake Oswego and Tigard



13 March 2012



Dear Mr. Zach Pelz, City of West Linn Planning Department and Planning Commission,

Re: City of West Linn CUP 12-02 – Incomplete Application

I request that CUP 12-02 be rescinded from the proposed April 'whatever' Planning Commission Agenda and that the application be deemed incomplete per CDC Section 99.038. Regardless if the application is deemed incomplete or not, CUP 12-02 will need to be rescheduled to a later date to;

- a.) [allow] any affected neighborhood as provided in CDC Section 99 to identify potential issues; and;
- b.) subsection E.) [a]n application shall not be accepted as complete unless and until the applicant demonstrates compliance with this section. Furthermore;
- c.) (E.) 6. states (i)n the event that it is discovered by staff that the aforementioned procedures of this section were not followed, or that a review of the audio tape and meeting minutes show the applicant has made a material misrepresentation of the project at the neighborhood meeting, the application shall be deemed incomplete until the applicant demonstrates compliance with this section. (Ord. 1425, 1998; Ord. 1474, 2001; Ord. 1568, 2008; Ord. 1590 § 1, 2009)

a.) The Community Development Code states under;

99.038 NEIGHBORHOOD CONTACT REQUIRED FOR CERTAIN APPLICATIONS

Prior to submittal of an application for .., conditional use permit, .., the applicant shall contact and discuss the proposed development with any affected neighborhood as provided in this section. Although not required for other or smaller projects, contact with neighbors is highly recommended. The Planning Director may require neighborhood contact pursuant to this section prior to the filing of an application for any other development permit if the Director deems neighborhood contact to be beneficial.

A.Purpose.-The purpose of neighborhood contact is to identify potential issues or conflicts regarding a proposed application so that they may be addressed prior to filing. This contact is intended to result in a better application and to expedite and lessen the expense of the review process

by avoiding needless delays, appeals, remands, or denials. The City expects an applicant to take the reasonable concerns and recommendations of the neighborhood into consideration when preparing an application. The City expects the neighborhood association to work with the applicant to provide such input.

Recently, more than one neighborhood association has taken up the issue of the proposed water plant (CUP 12-02) and has agreed to carry on discussions because the proposed development will have an affect on the neighborhood. One, the way in which this single Conditional Use application is being handled is precedent setting and implements new interpretations of ex-parte that affect all neighborhoods; Two, Conditional Use Applications have historically been mismanaged by the City of West Linn and it is probable that this conditional use deserves more scrutiny by affected neighborhoods; Three, the recent request for information from the HSNA President 'demands' the applicant conduct ***further outreach*** to meet the purpose of 99.038 (A.); Four, the amount of time to gather data, assess what has been submitted, and effectively discuss the potential affects and impacts to neighborhoods, the NA's will require more time than what is currently possible to do before April 18; Five, regardless of the LOTWP stance on discussions between NA's, the fact remains that many NA's have asked to participate in CUP 12-02 because of 1.) the potential negative impacts, 2.) the use of eminent domain, 3.) the negative impacts of new policies implemented by the city manager, 4.) potential negligence on part of the city council, 5.) negative impacts being forwarded without public discussion, and 6.) the added fee or increased tax implications of approving such a project.

b.) The burden of proof is upon the applicant to prove that they meet all criteria. The LOT Water Partnership does not satisfy. The last year demonstrates that the LOTWP has limited their involvement with the public in West Linn. Worse still, without the Planning Director performing his obligations. Copied here again, subsection a.) states;

The Planning Director may require neighborhood contact pursuant to this section prior to the filing of an application for any other development permit if the Director deems neighborhood contact to be beneficial.

For all the aforementioned reasons, how does the City of West Linn Planning Director, John Sonnen, or for that matter, the City of West Linn City Manager, Chris Jordan, justify their decision to exclude other NA's? As recent activity and interest in CUP 12-02 shows, contact would have been extremely beneficial. Now, there is no way to accommodate any reasonable requests or recommendations that may come out of the NA's. Here too, city council policy hinders NA participation due to the unintended consequences of the Beery memo addressed to John Sonnen. The potential negative impacts to due process, free speech, and permission to have all grievances addressed have been stymied by

the administrative actions of the city manager at taxpayer expense. How can the Director's and city manager's callous neglect be justified?

c.) A replay of the pre-application meeting, in which I attended, will show that the applicant made a material misrepresentation of the project in stating that no other NA was affected by this application. And, there is at least one instance recorded in meeting minutes with state department officials where the Lake Oswego Communications Director tells or implies attending state officials one thing about the Robinwood NA and the project without substantiation or opportunity for potentially impacted residents or neighborhoods to respond. But more importantly, where was the city of West Linn in representing the interests of affected, or potentially affected, residents? Residents, at their own personal expense, have gathered information demonstrating potential negative impacts and the City still ignores them? Again, go back to A.) The purpose of neighborhood contact is to identify potential issues or conflicts regarding a proposed application so that they may be addressed prior to filing. It is fairly obvious to the candid observer that the purpose has not been met.

Now I cannot promise that I will be able to get through all the documentation that is out there and find any material misrepresentations in time for the April hearings. However, I have been forwarded one .pdf to date that demonstrates potential misrepresentation and 5 others that I have not had time to review. But I have a concern that if the process is not abided as it should be and I discover material between the PC and council hearing, I will not withhold new findings or apologize that I could not perform my due diligence under the rash and expedited schedule put out by the City. This happened before with the Holiday Inn application (CUP 08-04) and I am 'done' with potential scenarios requiring collusion.

Please reply. Why have West Linn neighborhoods been forsaken? And please provide someone from the City of West Linn who can address the hornet's nest of problems the City of Lake Oswego has created, explain the negligence of the city manager's lack of concern, and address the council's torrid indifference and disregard toward affected Neighborhood Associations.

Simply put, the application is incomplete. Failure to address this issue now will likely lead to an appeal to the city council. Thank you for your consideration, due diligence, and dedication to the communities of West Linn.

HSNA

Hidden Springs Neighborhood Association
City of West Linn

Hidden Springs Neighborhood Association

March 20, 2012

RE: RESOLUTION 2012-01

RESOLVED, the Hidden Springs Neighborhood Association opposes the expansion of the Lake Oswego Water Treatment Plant in the City of West Linn.



Alex Kachinsky

President, Hidden Springs Neighborhood Association



ALL TO ORDER: The meeting was called to order at 7:05 PM by President, Alex Kachirisky. Other officers in attendance: Scott Howard, Vice President; Susan Van de Water, Secretary/Treasurer.

QUORUM DATA: There were 17 members and eight guests signed in attendance. Quorum was established.

Susan Van de Water read the Secretary/Treasurer's report.

OLD BUSINESS:

PLANNED LAKE OSWEGO WATER TREATMENT PLANT

The following individuals gave presentations:

- Joel Komarek with City of Lake Oswego.
- Jane Hiesler with city of Lake Oswego
- West Linn residents:
 - Jack Norby
 - Charles Landskroner
 - Robert Stowell
 - Kevin Bryck
 - Dave Froode

After a period of Q&A and some discussion, Pat Corcoran offered a motion "that the HSNA oppose the expansion of Lake Oswego Water Treatment Plant in the City of West Linn" and it was seconded. A roll call vote was taken and the resolution passed (15 yes/ 0 no/ 2 abstain).

The meeting was adjourned.



Susan Van de Water, Secretary/Treasurer

West Linn Hidden Springs Neighborhood Association Meeting Sign In Sheet

Meeting Date: 3 / 20 / 20 13

15 ^{AD}
1 of 2

	Name	Address	Guest? (Y/n)	VOTE
Y	1 Kris Kachurisky	on record	N	Y
Y	2 Alex Kachurisky	on record	N	A
Y	3 SCOTT HOWARD	_____	No	Y
Y	4 Erik Van de Water	on record	No	Y
Y	5 DAVID VANDERWATER	ON FILE	No	Y
	6 JACK NORBY	4040 Kenthorpe	Y	
	7 Chuck LANDKROONER	4059 Mapleton Dr	Y	
Y	8 DIANA PARSONS	---	No	Y
Y	9 SUSAN VANDE WATER	ON RECORD	No	Y
	10 Bob Stowell	2606 MARIA CT	Y Y	
Y	11 Patti Niswanger	6400 Palomino Way	No	Y
Y	12 Lonnie Niswanger	" " "	No	A
Y	13 Jean Thompson	6449 Palomino Way	No	Y
Y	14 Elise Thompson	"	No	Y
Y	15 PAT CORCORAN	ON RECORD	No	Y
	16 Dave Froode	19340 Nixon Ave	Y	
	17 Teresa Weisberg	19760 Reddy St.	N	Y
	18 Diana Salathe	19760 Reddy St.	N Y	Y
	19 Shannon Vroman	4101 Mapleton Dr.	Y	
	20 Ray & JANE DAHLGREN	850 NICOLE CT. W.E.	Y	

West Linn Hidden Springs Neighborhood Association Meeting Sign In Sheet

Meeting Date: 3 120 120 12

2 of 2

	Name	Address	Guest? (Y/n)	Vote
1	Frank Heusackel	on file	N	Y
2	Lynne Greenberg	19760 Derby	N	Y
3	Steve Freiling	6128 Churchill Downs Dr.	N	Y
4	KEVIN BEYER	18840 NIXON AV	Y	
5	Jane Heisler	P.O. Bx 369, LO 97034	Y	
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Mr. Babbitt,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Ms. Holmes,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Mr. Martin,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at CedarOak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Ms. Steel,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Ms. Miller,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Mr. Frank,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Mr. Axelrod,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

City of West Linn Planning Department
22500 Salamo Road
West Linn, Or 97068

March 21, 2012

Dear Ms. Horsey,

I would like to make known to you my opposition to the Lake Oswego/Tigard Water Treatment Plant expansion onto Mapleton Drive and its associated pipeline project up Mapleton and Highway 43 to Lake Oswego. As a long-time resident of Mapleton, I have grave concerns regarding the project's impact on the neighborhood.

When my husband and I bought our home on the street, what attracted us was the quiet road with its modest homes and mature landscaping. We've been in our house for almost sixteen years now, and feel like the neighborhood is part of us. I walk my kids to school at Cedaroak Park as often as I can, and enjoy watching the street change with the seasons. We have always felt ourselves to be fortunate to live in such a pleasant and safe neighborhood. We recognize most folks walking along the street and even count a wild pheasant or two among the street's residents. If you have never been to Mapleton, I recommend you visit. It really is a nice street.

Aside from the inherent unfairness of Lake Oswego's planned condemnation of the covenant to which all of us conform, and which was in place when they bought the Mapleton lots, the project threatens to detract from the livability of our street. What is today a sleepy, windy, tree lined road, could become a widened, straightened, over-paved slab of asphalt, bereft of trees. If the right-of-way is fully built out, many of us will lose front yard space. And in that space grow many mature trees. In my own front yard a native white oak estimated to be more than 100 years grows. That tree predates all of us and is home to many creatures. It offers shade, beauty and cleans the air. We tell our children that in the event of a house fire, to go to the oak for safety. That oak is a part of our family. But if the pipeline runs down our street, that tree could be cut down. That is the story of only one tree on Mapleton. It may be one of the bigger ones, and to my eye, prettier ones. But there are probably a lot of families on Mapleton who have trees just as important to them and who would suffer if those trees were to fall to Lake Oswego's project.

I ask that our planning commission demonstrate its appreciation of our neighborhoods and trees as much as Lake Oswego values their own. Recently within its own city limits, Lake Oswego re-routed its proposed pipeline path from a narrow street with trees on its right-of-way (Berwick) to a wider one (Chandler) to avoid construction constraints. If Lake Oswego can accommodate its own neighborhood streets, is it too much to ask them for the same consideration in West Linn?

For the nineteenth year, West Linn has been awarded the honor of Tree City USA. The title goes to cities which recognize the value of trees and work to protect and promote them. It would be a sad irony if we accept this award on one hand, and then condemn a street's trees to the fate of a chain saw.



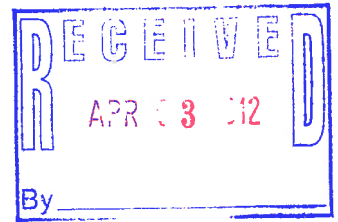
I respectfully ask that you do all in your power to resist Lake Oswego's attempt to destroy our neighborhood. Please deny their permit.

Sincerely,



Yvonne Davis
4226 Mapleton Drive
West Linn, Or 97068

1900 Sunburst Terrace
West Linn, OR 97068
gdiloreto@hotmail.com



March 31, 2012

Mr. Michael Babbitt, Chair
West Linn Planning Commission
City of West Linn, City Hall
22500 Salamo Road
West Linn, OR 97068

Re: Lake Oswego Water Treatment Plant Conditional Use Permit

Dear Mr. Babbitt:

This letter is in regards to the proposal to expand the Lake Oswego Water Treatment Plant located in West Linn. I have lived in West Linn for the past 27 years and I am in support of the Lake Oswego/Tigard proposal for expansion of the Plant because of the benefits that it will provide West Linn residents.

For the past 12 ½ years I have served as the Chief Executive Officer for the Tualatin Valley Water District. The District serves over 200,000 people in the west Portland Metro area, making the District the second largest water provider in Oregon. I have over 36 years of experience in the water and public works field, having previously served as the City of Gresham's environmental services director and city engineer. I am a registered civil and environmental engineer in Oregon. I am also currently the President-elect of the 141,000 members of the American Society of Civil Engineers.

In the water industry we live by one principle, redundancy. Our customers do not want to be without water and expect 100 percent reliability. As a result many water providers in the Portland area have multiple supplies and emergency backups with our neighbors. Unfortunately in West Linn we do not enjoy that minimum level of service.

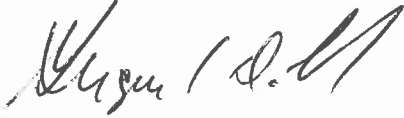
I recently read that the West Linn City Council has made the improvement of our water system its top priority. It is clear that in addition to replacing aging and failing water infrastructure we need a backup water supply. Today we rely entirely on the waterline across the I-205 bridge.

The facts are that the West Linn water master plan calls for \$19 million of investment over the next five years. Our system storage is less than one peak day and 2 million gallons of that is stored in a reservoir that is over 100 years old. The existing intertie that the City has with Lake Oswego has no capacity during the peak season. We have been living on borrowed time.

The proposed Plant expansion will provide West Linn with 6 million gallons per day of year round emergency water supply, in addition to 6 million gallons per day outside of the peak season until somewhere around 2041. This benefit to West Linn alone will save our water customers millions of dollars and will allow us to invest in other critical water system upgrades.

The fact is that the Lake Oswego water treatment plant exists in West Linn, and has for a number of years and it will not go away. For citizens in West Linn then the purpose should be how we can make that plant work for us. This proposal does that and I am in support.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory E. DiLoreto". The signature is fluid and cursive, with a large initial "G" and "D".

Gregory E. DiLoreto, P.E., F. ASCE

From: [Pelz, Zach](#)
Date: Thursday, March 15, 2012 1:32:51 PM
Posted At: CUP-12-02
Conversation: call from Natalie Christensen
Subject: call from Natalie Christensen

Natalie Christensen called today to discuss her concerns with a leak or rupture of an possible 4-ft water line near her home. Mrs. Christensen explained that she had called LO to ask what safeguards were in place if a leak were to occur. LO responded by stating that a leak would not happen and human error is not a possibility.

Mrs. Christensen also wondered why the two applications (WTP and pipeline) are being reviewed separately.

503-516-7265
tessamess@gmail.com

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CDC 60.070 _Deny 12-02
Date: Friday, March 16, 2012 6:12:20 PM

CDC Chapter 60 - Conditional Use carries a proviso stating under CDC 60.070;

3. The granting of the proposal will provide for a facility that is consistent with the overall needs of the community.

Since the Water Treatment Plant does not meet a single need of the community, let alone the "overall" needs of the community, CUP 12-02 SHALL BE DENIED.

Commentary: An argument could be made on what "community" means. Other sections of the code offer potential concrete answers to hang an argument on.

CDC 99.038(C) provides a boundary area that receives notices and is referred to as the "affected neighborhood". But if you take a look at the boundary, the Water Treatment Plant is not consistent with the overall need of the community.

Another community could be much larger and be misconstrued to mean the entire region of the LOT Partnership and West Linn. However, the Planning Director did not make that declaration when it was under his review, and even if a regional area were allowed to be the definition, CDC 99.038(A) and (E), at the least, were not executed or enforced.

Deny CUP 12-02 because it does not satisfy CDC 60.070

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: craigd@tigard-or.gov; [Heisler, Jane](#); [Day, Eric](#)
Subject: COWL CUP 12-02 _Incomplete Application
Date: Wednesday, March 14, 2012 12:32:15 AM
Attachments: [CUP_rev#1.pdf](#)
[CUP_rev#1.doc.docx](#)

Zach,

Please reply to the attached memo regarding the incomplete application for CUP 12-02 per CDC Section 99.038.

Thank you for your consideration.

Gary Hitesman

From: [GARY](#)
To: [Soppe, Tom](#); [Pelz, Zach](#)
Cc: [CWL Planning Commission](#); [Heisler, Jane](#)
Subject: CUP 12-01_Deny for failure to meet CDC 60(A) 4 (AND CUP 12-02 implications)
Date: Tuesday, March 27, 2012 4:43:48 PM
Attachments: [image937469.gif@f1cf3e54.098741f7](#)

Page 8 describes the proposed layout as:

The equipment in the building would include three variable frequency drive pumps operating at up to 1800 gallons per minute. ***There would be a power outlet provided for a backup generator that can be brought on site in case of power failure. Since the backup generator is a portable device that is not built into the site and which would only be brought on site and used during emergencies,*** the noise it may produce is incidental, infrequent, and not regulated by the CDC.

CDC 60(A) 4. is not met. Code says “Adequate public facilities will be available to provide service to the property at the time of occupancy.”

The design of the facility is not adequate to provide the level of service needed during an emergency nor provide the type of service belonging with the allowed uses in an R-7 Zone. In engineering terms, where back up energy generation is required to fulfill the function, the minimal design criteria is **"n+1"**.

The back up generator provided during emergencies ***will*** exceed allowable noise levels in an R-7 zone. But because it is only "temporary", a loop hole exists within the code that would allow the city to build a pump station into an R-7 "on the cheap". This design solution does not meet the intent of CDC60(A)4 outright in that the public facility would provide inadequate service in the event of an emergency. From accessibility, timing, and unnecessary noise. The design proposal is additionally flawed because the applicant assumes back up generation will make it from wherever, up the hill, and through crumbling residential roads to the pump station, potentially ***during an emergency*** where the power has gone out.

A viable solution, or Condition of Approval, would be to include within the building envelope an emergency generator (on site) and ventilated with proper sound dampeners satisfying the noise level requirements established for an R-7 zone. But because this necessity will dramatically change the scope and submittal, CUP 12-01 should be denied and sent back to the drawing boards.

A.) The solution fails to provide the flexibility and fit this type of conditional use is advertised as providing. Given that a fire is often given as the rationale for having the pump station service the Rosemont Zone, lacking emergency backup on site is not only foolhardy, it does not meet the purpose of Chapter 12.

B.) CUP 12-01 is a perfect example of why industrial type facilities, in this case, "Utility, Major" do not belong in residential neighborhoods or in the Conditional Use category. The CDC should be revised to place "Utilities, Major and minor" under Chapter 80 and additional scrutiny employed within the code meeting the criteria of ORS 197 and the West Linn Comprehensive Plan.

C.) Fails to satisfy CDC 60(A) 4.

AND;

D.) CUP 12-01 establishes a poor precedent that would endanger all existing neighborhoods throughout West Linn where existing industrial uses have been conditionally approved earlier but have changed in scope, scale, appropriateness, safety, and fit..

Deny 12-01. Thank you for your consideration.

----- Original Message -----

From: [Soppe, Tom](#)
To: hitesman@g.com
Sent: Tuesday, March 27, 2012 10:36 AM
Subject: FW: CUP 12-01

Gary,

It is supposed to be 60.070(A) and (B).

Thanks
Tom

 Tom Soppe
tsoppe@westlinnoregon.gov
Associate Planner
22500 Salamo Rd
West Linn, OR 97068
P: (503) 742-8660
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pelz, Zach
Sent: Tuesday, March 27, 2012 10:31 AM
To: Soppe, Tom
Cc: Sonnen, John
Subject: FW: CUP 12-01

Tom,

Gary Hitesman asked me to forward this to you.

Thanks,

Zach

Zach Pelz, Associate Planner

Planning and Building, #1542

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [<mailto:hitesman@q.com>]
Sent: Tuesday, March 27, 2012 10:10 AM
To: Pelz, Zach
Subject: CUP 12-01

Zach,

Please forward to Tom Soppe and forward his email address to me, if possible. Thank you.

Tom,

Just a small technical question. In the staff report, you write;

criteria set forth in Section 60.070(1) and (2).

Do I assume correctly that you are referring to Section 60.070(A) (1.) and (2.)?

Thank you.

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: [Day, Eric](#); [Heisler, Jane](#)
Subject: CUP 12-02 - CDC 99.083 Misrepresentation
Date: Wednesday, March 14, 2012 10:35:24 AM

Zach,

This project does not merit approval. In fact, I think it may be the biggest joke to come around since "Mission Accomplished."

When CUP 12-02 was originally presented to the RNA, the water treatment plant was referred to as a "water plant" and a nice picture of a facility in Washington state was presented as to what the neighborhood might expect.

Time went on and then the Beery memo arrived. Now the water plant was referred to as a "proposed water transmission facility and treatment plant expansion". That is a lawyer for you. Makes me wonder if the law firm got paid by the word?

Now it is referred to simply as the "WTP". For Water Treatment Plant.

How come the project has not always been referred to as what it actually is?

Folks, it is because this is a water t-r-e-a-t-m-e-n-t plant. It involves chemicals, processes, 18 wheel trucks, and large capacity industrial processes and 'scale' issues that do not meet code and that **do not belong** in a residential neighborhood. LO and Tigard know this; they just are hoping that you won't.

A rose by any other name is still a rose. And a water treatment plant, hidden behind the guise of a Good Neighbor Plan, is still just a chemical treatment plant. Neighbors shouldn't allow other neighbors to be railroaded through City Hall and sold up the river.

Nothing in the CDC has been met. Just wave a stick around. Deny CUP12-02 on misrepresentation and failure to comply with CDC 99.083. The Good Neighbor Plan is half baked. The Good Neighbor Plan is actually 'like' that creep looking up skirts at the public library. Neighborhoods should be allowed to discuss and understand what a "water treatment plant" is. Contain the Creep. Contain LO.

Next time: Why the Good Neighbor Plan doesn't, and won't, work. I will give you one clue. It is not enforceable. Look at my observations regarding CUP 10-03. And thank you for your consideration and time.

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: [President HSNA](#)
Subject: CUP 12-02 - Industrial Water Treatment Plant
Date: Friday, March 16, 2012 5:36:56 PM

Dear Mr. Zach Pelz, West Linn City Planner

I read CDC [Chapter 23 - General Industrial](#) where I see under 23.030

13. Utilities, minor and major.

So it is completely accurate to call the Water Treatment Plant, a;

Industrial Water Treatment Plant per CDC 23.030.

Gary

Notice here to the purpose of Chapter 23 and why a City would separate residential zones from an industrial use. Conditions of Approval would need to minimize the chemical transporatation to current levels and mitigate the amount of noise, air pollution, light pollution, and developed area to satisfy the purpose and intent maintaing the general welfare of a residential area. Currently, as proposed, the industrial facility fails to comply.

Deny CUP 12-02.

23.010 PURPOSE

The purpose of this zone is to provide for manufacturing, processing and assembling uses which are of a size and scale which makes them generally incompatible with other adjoining non-industrial uses. The uses included in this zone are generally characterized by large buildings and large storage areas and have off-site effects from smoke, odor, noise, dust, lights or other externalities. The zone is intended to implement the policies and locational criteria in the Comprehensive Plan.

From: [GARY](#)
To: NDecosta@LakeOswegoReview.com; [Pelz, Zach](#); [Day, Eric](#); [Heisler, Jane](#)
Cc: [CWL Planning Commission](#); [President HSNA](#); [Sonnen, John](#)
Subject: CUP 12-02 - Open letter to the Tidings - Fact Check and Apology Request
Date: Thursday, March 22, 2012 10:41:17 AM

22 March 2012

To the Pamplin Media Group,
To the Lake Oswego Tigard Water Partnership,
Attn: Joel Komarek and Jane Hiesler,

At last Tuesday nights Hidden Springs Neighborhood Association (HSNA) special meeting, what was left out and "not said" was of greater significance than what "was said". And even with what "was said", there were many inaccuracies that I request be rectified before the project goes to the West Linn Planning Commission hearing on April 18th.

But first, a written apology and retraction from Joel Komarek, who at the HSNA was "objectively false", needs to be addressed. To add salt to the unnecessary infliction, Joel's other inaccuracies were only made worse by what Joel said afterwards.

If you watch the tape, Joel presents a slide that says "Industrial Use -?" Joel disparages a Robinwood advocate and ends his 'lie' by saying "I don't think it is a industrial [sic]."

In the "Good Neighbor Plan" handed out that night, and on the web, the partnership says the Water Treatment Plant is located within a R-10 residential zone and the plant is defined as a "Utility, Major." The planning definition that the partnership refers to be found in the CDC as; "13. Utilities, minor and major." And that definition resides in "Chapter 23, GENERAL INDUSTRIAL, G-1"

In fact, this is the reason why a conditional use is a requirement. The industrial water treatment plant wants an exemption from the residential zone in which the plant now resides. And Joel does not mention the buildings will grow over 300% of existing, impervious paving will be added over 400% of existing, and new chemical treatments and processes are never, ever discussed. The solution of the partnership is to hide everything behind nicely rendered trees. This is graphic trickery and civic dishonesty.

Oh, and an octogenarian is getting slammed! Worse still? NO one is doing anything to assist!

Joel further misinforms by:

- 1.) Alluding to neighborhood advocates as "disingenuous" (my summary),
- 2.) Complaining about all the neighborhood meetings they went to and how neighbors are still complaining, and;
- 3.) Did not address Water Treatment Plant facts and figures.

It is quite evident that the last thing the partnership communications team wants to discuss is the Water Treatment Plant itself. I would demonstrate this to the first party that would allow it but that opportunity is not, nor has it ever been, made available to any of the residents in West Linn. This is why the West Linn Planning Department wastes time and money and opportunities. Instead of embracing a policy of planning, they are directed by the City Manager to shield a policy of propaganda and municipal negligence. And our West Linn city council is complacent and unresponsive.

I will be taking this issue up with my elected city council shortly. The unprofessional and unethical propaganda that residents of West Linn are exposed to is not only disgraceful, but also negligent and potentially unsubstantiated to the Oregon State LCDC. Also not fooled were the good samaritans of the Hidden Springs Neighborhood Association whom voted 18-0-1 to oppose the Water Treatment Plant after listening to Joel and Jane.

In the meantime, the Good Neighbor Plan is an utter fabrication that disguises the real impacts of an industrial facility. I will host a community group review of the GNP on my blog, <http://civictomfoolery.blogspot.com/> in the near future. A response by the Lake Oswego-Tigard Water Partnership regarding their complete lack of competency should be sent to the Hidden Springs Neighborhood Association, the Robinwood Neighborhood Association, and the West Linn Planning Commission, prior to the April 18 Planning Commission hearing. Thank You.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 99.083(E) trigger - case #2 - Incomplete Application
Date: Wednesday, March 14, 2012 3:26:28 PM
Attachments: [FORS Board Meeting March 12,2012.docx](#)

Zach, please include for the PC record. I recieved this from Robinwood but have removed the source. I think the PC needs to justify their approval, knowing that the applicant is probably one of the worst I have ever seen working in the public sector.

You should note that these observations conflict with meeting minutes and therefore present "material misrepresentations" that trigger the CUP 12-02 submission incomplete.

Commissioners, Thanks for your time.

----- Original Message -----

From:
To:
Sent:
Subject:
Jeff,

Attached is the invoice for the usage of the Robinwood Station. I have also attached the minutes to the Friends of Robinwood Station Board of Directors meeting of March 12, 2012 as you requested. At this meeting, the Board voted to charge "Agencies" like LOTWP a fee for the meeting on March 15, 2012. Thank you for your understanding in this matter.

Side Bar: As you gathered last night at the RNA meeting, the neighbors of Robinwood are not happy with LOTWP for several reasons; the chief being that LOTWP has not been the great neighbor who listens attentively and makes accommodation or has a good reason why they cannot accommodate. Here are just a few of the actions by LOTWP that I have seen in the past 14 months that were poor planning and unneighborly:

1. Untimely notice to Maple Grove residents in December 2010 of "take the money or we will condemn the covenants anyways" while simultaneously conducting a "good neighbor" campaign,
2. The printing and distribution of a good neighbor brochure of January 2011 that was not proofed and had mitigation statements of what LOTWP might do for the neighborhood and additionally it contained pictures by Thomas Boes with his logo that were not authorized. At the time, Thomas was the RNA President and he was accused by neighbors of collusion with LOTWP at the February 2011 RNA meeting the following month.
3. The refusal of Lake Oswego officials to engage the Great Neighbor Committee (GNC) in talks despite efforts by members of the committee. (As reported by GNC members at several RNA meetings in 2011 & 2012)
4. The dismissal by LOTWP of the GNC concerns and mitigation list. (As reported by Jane at the February RNA meeting) This list was generated by a thoughtful group of neighbors, over many meetings with a keen eye to detail and in concert with an independent professional planning advisor. The committee had removed all items from the list that were already required or that were the oversight of other regulatory groups. These dismissed items are now being touted by LOTWP as their efforts to be a good neighbor while the ones most important to Robinwood have been dismissed as too expensive and outside the scope of the project. To have all this work, which was sanctioned by the Robinwood Neighbors, dismissed is a slap in the face.

I might add, the Robinwood Neighbors are equally unhappy with the City of West Linn Planning Department and Administration who should be seeing to the best interests of the citizens of West Linn however, in the eyes of the Robinwood neighbors, they have been distant, timid or acquiescing to the "demands" of LOTWP.

So, at this time in the process, the neighbors are angry and are not willing to concede any points that may or may not be in their best interest. This is where Lake Oswego has put them. I truly believe that LOTWP would get more flies with honey and should meet with the Robinwood Neighbors to discuss their concerns. Lake Oswego and Tigard do not live here and will not have to live through the two years of inconvenience and hazard associated with the plant expansion. If this plant expansion were in Tigard or Lake Oswego, how would the residents respond? How would they like to be treated? How would LOTWP respond to their own citizens? At this juncture of the process, I do not see LOTWP as a good or great neighbor. It has been a sad and clunky process fraught with errors and mistrust.

This is my assessment of the situation as a Robinwood neighbor and President of the Friends of Robinwood Station. Feel free to share this with LOTWP.

From: [RNA Great Neighbor Committee](#)
To: [Pelz, Zach](#)
Cc: [Boes Thomas](#); [Jones Eric](#); [Froode Dave](#); [Smith Vicki](#); [Blake Steve](#); [King Lamont](#); [President RNA](#); [Mutschler Mark](#); [Stowell Bob](#); [Heffernan DJ](#); [President RNA](#); [Vroman Shanon](#); [Caraher David](#)
Subject: CUP 12-02 as posted
Date: Tuesday, March 13, 2012 2:28:27 PM

We eagerly await your confirmation whether the CUP 12-02 file as posted is the 'as deemed complete' version.

Kevin Bryck, Chair

RNA Great Neighbor Committee

RNAGNC@gmail.com

<http://rnagreatneighbors.blogspot.com/>

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 Beery Memo conflict
Date: Friday, March 23, 2012 7:48:41 PM

Zach, I request the PC clarify how Goal 1 is being satisfied in regards to CUP 12-02

The beery memo with the ex-parte definition ignores Goal 1 Citizen Involvement. In West Linn, the Policy Makers are those who are elected to the council. Whatever mechanism was in place at the onset was not a.) clear, and b.) changed when the Beery memo was issued without citizen involvement which ironically severely restricts citizen involvement. Also, we had some councilors who were in discussions with NA's and NA representatives and then they weren't during the formal planning process between pre-application conference and application submittal.

E. FEEDBACK MECHANISM

1. At the onset of the citizen involvement program, the governing body should clearly state the

mechanism through which the citizens will receive a response from the policy-makers.

With Neighborhood Associations jumping on the opposition bandwagon, there is potential evidence to the LCDC that Goal 1 has not been met in West Linn.

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: [Heisler, Jane](#); [Day, Eric](#)
Subject: CUP 12-02 Chapter 55 Observation
Date: Friday, March 02, 2012 5:25:53 PM
Attachments: [WTP_GNP_12-19-11.pdf](#)
[hawks-prairie-satellite-water-reclamation-plant-and-wate_003.jpg](#)
[Beery Memo Re- ExParte Contact.pdf](#)

2 March 2012 5:25 PM

Mr. Zach Pelz, West Linn Associate Planner and the City of West Linn Planning Commissioners,

First, I should disclose that I used to work for MWA before I was laid off by Jeff McGraw. The design talent, capabilities, and precedent of the firm's work is of the highest caliber. And Jeff McGraw is as talented an architect as much as he is an obedient, well-compensated subconsultant and partner-in-charge of the local firm's profit goals. **The design does not comply with codes nor does the design fulfill the firm's best effort or the promises of the LOTWP presenters.** Jeff the subconsultant, knows this but is committed to meet the expectations, budget allocation, and decisions of MWH and LOTWP. A precedent to gage compliance is the Trillium Creek Elementary School, only the LOTWP application is far more worse. Another precedent is the LOTT project under Brown&Caldwell and MWA in the 00's. (And not just because it is my design. Jeff McGraw and Larry Oeth III were the true parents of this wonderful precedent. See attached photo.)

ACTION(s) REQUEST:

- 1.) Please provide a copy of the Good Neighbor Plan to the Commissioners. I have a concern that Commissioners will not have the time nor the proper consults on the nature and impacts of this application.
- 2.) Provide a timeline for Commissioner study, review, and support. There are so many questionable requests, missing information, and decisions that the amount of time to render a decision appears to be insufficient.

Case in point. The Plan states that the building is designed to the scale of the neighborhood. **This is not the case.** Landscaping helps but only as far as the report goes.

- 1.) **The renderings**, beautifully rendered by MWA, **are** in fact, **misleading**. The drawings hide the true scale and mass from the street. The trees should be drawn at the size when planted, not 15 to 30 years from now. Additionally, don't hide the building behind existing trees. The architect shall choose a more appropriate vantage point. Better yet, show renderings from the vantage point of where nearby residents want the views taken from. This is an easy exercise to perform with Google SketchUp.

As precedent, the Planning Commission should take a look at the new Trillium Creek School to understand the terrible decision they made in approving Chapter 55 compliance measures. Also, take a look at the example that residents were shown a year ago as an example of "good neighbor policies". **See attached photo** and please print so that every commissioner can see the example.

- 2.) **The building proposed is grossly maladjusted into the neighborhood.** The conditional use and the CDC are not met. Please see Chapter 60 and Chapter 55. Unfortunately, The City of West Linn web setup does not allow me to just paste the related sections here. This makes more work for me and for commissioners. The architecture is atrocious and the MWA Portland office has spent all of it's credibility.

- 3.) There is an apparent conflict of interest and **violation of the West Linn City Charter and Council Rules**. MWH has the Sunset NA President as an officer for the firm? Again, I am unable to paste, so the relevant sections you need to provide the commissioners with is Section 35 Condemnation, Section

36 Procedures, and Council Rules ETHICS, Page 9, I.A.2, 4, and 6. Throw the Beeby memo, attached, in for additional conflicts and violations to the Charter, Council rules, and Oregon State Goal 2 objectives.

Thank you for your consideration.
GH

----- Original Message -----

From: [Heisler, Jane](#)

To: [GARY](#) ; [Pelz, Zach](#) ; [Day, Eric](#)

Cc: [Hidden Springs Neighborhood Association](#) ; [GARY](#)

Sent: Friday, March 02, 2012 12:47 PM

Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 -Chapter 67 Non Conforming Use = NO GO & Automatic Denial
Date: Friday, March 16, 2012 5:56:56 PM

Copied, in it's entirety, is Chapter 67 non-conforming use of land. The zoning of the plant is in a;

R-10 zone.

The LO Water Treatment Plant is a non conforming use and is allowed only until it is discontinued or removed.

67.040(A) 1. states "...shall not be enlarged, increased or extended..."

In the least, the applicant is afforded the opportunity to appeal to the Planning Commission pursuant to CDC 103.040. I find no evidence of CDC 103.040 either being triggered, administrated, or enforced.

Deny CUP 12-02.

Chapter 67 NON-CONFORMING USES OF LAND

Sections:

[67.010](#) PURPOSE

[67.030](#) DETERMINATION OF STATUS

[67.040](#) STATUS

[67.050](#) DISCONTINUANCE

67.010 PURPOSE

The zones applied within the City after the effective date of this code may cause some existing uses of land to become prohibited uses in the particular zone in which they are located. ***The purpose of this chapter is to permit these non-conforming uses to be continued until they are removed or discontinued.*** Non-conforming uses are incompatible with the permitted uses in the zone; therefore, standards are required to assure that changes in the scope of the use are, or can be made, compatible with the permitted uses in the zone.

67.030 DETERMINATION OF STATUS

A. The Planning Director, without giving notice, shall make a determination regarding the non-

conforming status; however

B. Upon application and payment of fees, the determination by the Planning Director of the non-conforming status may be appealed to the Planning Commission sitting as a fact-finding body pursuant to CDC [103.040](#).

C. A petition for review by the Council sitting as a fact-finding body may be taken pursuant to CDC [103.080](#).

67.040 STATUS

A. A non-conforming use of land shall be allowed to continue; however, it shall not be:

1. Enlarged, increased, or extended to occupy a greater area of land or space than was occupied at the effective date of this code; or
2. Moved in whole or in part to any portion of the lot other than that occupied on the effective date of this code.

B. No additional structure, building, or sign shall be constructed on the land in conjunction with the non-conforming use of land.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 Chp. 55 non compliance
Date: Saturday, March 17, 2012 6:31:15 PM

Dear Planning Commissioners,

Please, for the sake of humanity, carefully take a look at the amount of impervious surface and the path of 18 wheel trucks that will be operating in people's backyards. One backyard has the driveway less than 18 feet away. Look at Dwg. 3.3, Sheet 20.

Mind you, it says IMPERVIOUS!!!!!! Not pervious. So this ungodly amount of asphalt will harm the environment, increase noise levels, create huge amounts of runoff into peoples backyards, allow diesel fumes to inundate homes, and create heat sinks that will harm the local microclimate between the two streets.

I promise you that the large covered playground in CUP 10-03 pales in total impact to the buildings and driveways proposed for this water plant. This is an order of magnitude greater than what was illegally allowed last time at Trillium Creek. Also, I have completed a typology study of Water Treatment Plant facilities and I cannot find a single example of a plant of this size ever being allowed in an R-10 with these small setbacks. The proposal is without precedent and will impact public welfare and safety. I think in all other jurisdictions, this type of plant would not even be considered. Certainly, this would never fly in Cascade Summit, Rosemont Summit, Tanner Basin, nor Sunset.

To further explain, the easement in the back of my house is 30 feet wide and they just finished putting in an eight foot wide path. So I know the experience of setbacks and the impact of new surfaces. Thank goodness mine is only a pedestrian path and semi pervious. Lucky me, it does not look half bad.

NOT so for the treatment facility. The setbacks for the Water Plant vehicular circulation are insufficient to protect the well being of neighbors or the character of the homes most immediate to the site, with exception to one. There is not a single code that justifies the existence of this driveway layout. **The design is actually the result of an improper use expanded beyond the reasonable accommodation of the land available and the configuration of property lines.**

From an equity standpoint, you will notice that some neighbors will bear the brunt of the impacts more than others. You need to physically go in your own backyards and measure out 17 feet and see if you would not be impacted adversely by 18 wheelers driving along side the corner of your backyard. Yet other neighbors enjoy setbacks greater than 300 feet. Gee, I wonder who is coming out to speak in favor of the water plant? Ask them where they live and have them point to the house before you believe a word they say. Context is everything!

This proposal is wickedly obscene. No joke. I am literally sick to my stomach.

Gary Hitesman

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: [Heisler, Jane](#)
Subject: CUP 12-02 -Conditional Use and Zoning Purpose Conflict
Date: Friday, March 16, 2012 5:01:12 PM

CUP 12-02 violates resident's rights against unwanted uses and violates the purpose of CDC Chapter 5.

There are many examples and language in the CDC that have not been addressed by the City nor taken up by "OUR" Good neighbors over in Lake Oswego and Tigard. Also, the submittal is replete with generalizations that skip the nuance and detailed protections provided in the Code. This tactic, often used in other failed 'Conditional Use' applications, is referred to as "cherry picking."

The neighborhood has long had standing CC&R's that the applicant has gone to Clackamas County Court over, with the one exception being the City owned property. One resident was quoted:

First:

"The neighbors, however, know the **CC&Rs exist to protect them against unwanted property uses.**

"They protect us from industrial and businesses that have **chemicals,**" said longtime Robinwood resident Mary Robinson. "We don't want those to go away." - Tidings, March 15, 2012

Second:

Chapter 5 states:

05.010 PURPOSE

The purpose of the zoning provisions of this code is: to implement the Comprehensive Plan; to provide rules, regulations, and standards governing the use of land and structures; to carry out the development pattern and plan of the City; **to promote the public health, safety, and general welfare; to lessen congestion in the streets; to secure safety from fire, flood, pollution, and other dangers; to provide adequate light and air, prevent overcrowding of land,** and facilitate adequate provision for transportation, water supply, sewage, and drainage; and to encourage the conservation of energy resources.

Analysis and Recommendation for Denial. What is new in this proposal and what does not meet the conditional use requirements are the **size** and **type of chemicals** that will be needed to operate the Treatment Plant. It is still a water treatment plant, BUT it is now "**the scale**" at which the new plant violates the CC&R's and CDC Section 05.010. Section 5 purposes promoting public health, for Robinwood; general welfare, for Robinwood; and the prevention of crowding, for Robinwood; and the proposal is grossly inappropriate as well as violating many of the tenets for any Residential Zone.

To add, the project does not encourage the conservation of energy resources. It actually projects to consume 200% of the available water at the source and would endanger otherwise productive fishing for sport and the environment. And as for facilitating adequate provision of water supply, the added

provision would not be for Robinwood, but for other destinations well outside the boundaries of the neighborhood bearing the brunt of this atrocity. Even if you were to make an argument for providing an adequate water supply, none of the other intended purposes are met.

Deny CUP 12-02. It does not comply with the most basic of protections for the public welfare, CDC Section 5.010, General- Purpose

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 Design Criteria References & City capabilities
Date: Sunday, March 18, 2012 2:10:38 PM

How will the Planning Commission be enabled to make an objective decision based on current resources in the City of West Linn? Please provide a list describing city staff's previous experience in delivering an objective analysis of a water works project.

More importantly, the City of West Linn Engineering Department is without an experienced departmental director after the latest sacking. What are the experiences and resources of the engineering review board that can efficiently describe the issues to the planning commission?

Attached below are recommended design criteria for water works facilities in the upper Midwest Mississippi watershed. What are the local design criteria stipulations **that can help determine nexus?**

I think the City, to meet the intent of State regulations and local codes, should contract with a third party reviewer with no financial interest in the project.

If this is not done, please tell me why not?

The city manager has five accountants working for him and several attorneys. He also has oversight responsibilities and accountability over the Planning and Engineering Department, yet those departments are woefully under resourced and as experience demonstrates, incapable of processing even the simplest of conditional use applications. Given the city manager's track record, and looking at the submittal, I have observed that the city manager does not have adequate resources, nor the skills to properly oversee his charges, to review and achieve compliance.

However, the city council is the only body with authority to oversee the city manager. But the city manager has directed the creation of what is called the "beery memo" which **prevents** residents from assuring their safety and rights will be protected and leaves citizens **without the ability to talk with their elected representatives**. Under the Bill of Rights;

Congress ***shall make no law*** respecting an establishment of religion, or prohibiting the free exercise thereof; or ***abridging the freedom of speech***, or of the press; or the right of the people peaceably to assemble, and ***to petition the Government for a redress of grievances***.

There have been many grievances placed against this proposal and the City of West Linn has not only been negligent in its complete lack of representation, but has left no viable options for affected neighborhoods and residents to seek remedies in a timely fashion meeting the intent of CDC Chapter 99.

Before this application can be reviewed and brought before the Commission, The city needs to retain a city manager, or consultant, who can objectively fulfill his duties capably and address the continuing welfare and safety of the public.

1.4 DESIGN CRITERIA

A summary of complete design criteria shall be submitted for the proposed project, containing but not limited to the following:

- a. long-term dependable yield of the source of supply,
- b. reservoir surface area, volume, and a volume-versus-depth curve, if applicable,
- c. area of watershed, if applicable,
- d. estimated average and maximum day water demands for the design period,
- e. number of proposed services,
- f. fire fighting requirements,
- g. flash mix, flocculation and settling basin capacities,
- h. retention times,
- i. unit loadings,
- j. filter area and the proposed filtration rate,
- k. backwash rate,
- l. feeder capacities and ranges.

m. minimum and maximum chemical application rates.

1.5 REVISIONS TO APPROVED PLANS

Any substantial deviations from approved plans or specifications must be approved by the reviewing authority before such changes are made. These include, but are not limited to deviations in: capacity, hydraulic conditions, operating units, the functioning of water treatment processes, or the quality of water to be delivered. Revised plans or specifications should be submitted in time to permit the review and approval of such plans or specifications before any construction work, which will be affected by such changes, is begun.

1.6 ADDITIONAL INFORMATION REQUIRED

The reviewing authority may require additional information which is not part of the construction drawings, such as head loss calculations, proprietary technical data, copies of deeds, copies of contracts, etc.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 Fails ORS 197
Date: Monday, March 19, 2012 5:28:08 PM

Attached are the Council Goals as written in the Comprehensive Plan. **The Water Treatment Plant meets none of these goals.** ORS 197 stipulates that the codes must reinforce and support the Comprehensive Plan. This should be stated by more than one person as the conditional use determination is subjective and the comprehensive plan is the document that any subjective determinism should be made.

In other words, ORS 197 states that if the local code is vague or unclear, the comprehensive plan is to be used as a guide and authority supporting the decision.

#7 and #9 have no applicability. All other Council Goals are not met. The applicant fails to address how the WTP meets the intent of the Comprehensive Plan.

Deny CUP 12-02 for failure to meet the City of West Linn Comprehensive Plan per relevant sections of ORS 197.

Adopted Feb. 5, 2003

1. Maintain and protect West Linn's quality of life and livability.
2. Actively support and encourage West Linn's neighborhood associations and promote citizen involvement in civic life. Establish and maintain policies that give neighborhoods real control over their future.
3. Maintain and strengthen trust and credibility in City government.
4. Preserve and protect West Linn's water resources.
5. Maintain a budgetary process that is fiscally prudent and provides quality and cost-effective City services to the citizens of West Linn.
6. Promote land use policies, both locally and regionally, that are based on the concepts of sustainability, carrying capacity, and environmental quality.
7. Foster an active partnership with the School District that promotes a safe and positive learning environment for West Linn's students.
8. Maintain openness and accessibility for the public to the members of the City Council.
9. Oppose urbanization of the Stafford Triangle and pursue policies that would permanently retain that area as a rural buffer between West Linn and neighboring communities.

10. Pursue City policies predicated on the assumption that growth should pay 100% of the cost impacts it creates.

11. Assert through both planning and policy that compatibility with existing development should be a primary goal in West Linn's land use process.

From: [GARY](#)
To: [Pelz, Zach](#); [Sonnen, John](#)
Subject: CUP 12-02 Improper Decoupling and another 99.083(E) argument
Date: Thursday, March 15, 2012 10:17:05 AM

Dear Planning Commissioners,

To the City of West Linn Planning Department,

There is a question about the appropriateness of separating the Water Treatment Plant, CUP 12-02, from it's other part, the pipeline. This was an issue that was advocated and supported by;

- 1.) Peter Spir, city employee and planner on the debauched CUP 10-03 application,
- 2.) readily agreed to by LO, and backed solely,
- 3.) without discussion at the Robinwood Association(need verification), by the former RNA president.

I believe the transcripts of the preapplication meeting will back me up on this assertion.

The two projects are like Ginger Rogers and Fred Astair. Please see <http://www.youtube.com/watch?v=OMOBdQykKQY>

(My, Oh, My.....my fine feathered friend.)

Recently, A State Park Official had this to say:

"because of the intricacies of the process, apparently the sewer line project(LOTWP) that proposes to pass under Mary S. Young can't even pursue land use approval unless they have an agreement from us (State Parks) to grant an easement. There's an action item on our April 4 meeting agenda dealing with the easement request. The easement itself would still be contingent on passing local land use review, as I said earlier, but this is a new wrinkle."

SO!

How can the West Linn Planning Department do a review of a project and make a recommendation when the other half is not included? What other critical elements or commonalities will be missed?

In addition, due to the overlapping jurisdictional agencies and regulations protecting public welfare, the LOT partnership may have allowed certain criteria and protection to fall through the cracks in the way that bypasses codes and regulations. I keep harping on 99.083(E) because I believe there are a plethora of "misrepresentations" that have occurred by allowing these two projects to be separated.

With new information coming down the pipeline, these misrepresentations will cloud the Commissions ability to objectively hear this conditional use on April 18. ~This is why I quote Ms. Ginger Rogers above.

Gary Hitesman

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 ORS 227.178
Date: Sunday, March 18, 2012 2:45:25 PM

The planning commission should be made aware that there are sections of the ORS that allow extensions to project review longer than 120 days.

227.178 Final action on certain applications required within 120 days; procedure; exceptions; refund of fees.

(5) The 120-day period set in subsection (1) of this section may be extended for a specified period of time at the written request of the applicant. The total of all extensions, except as provided in subsection (11) of this section for mediation, may ***not exceed 245 days.***

(11) The period set forth in subsection (1) of this section and the period set forth in subsection (5) of this section may be ***extended by up to 90 additional days,*** if the applicant and the city agree that a dispute concerning the application will be mediated.

From: [RNA Great Neighbor Committee](#)
To: [Pelz, Zach](#); [Kerr, Chris](#)
Cc: [Sonnen, John](#)
Subject: CUP-12-02 Staff recommendation regarding required improvements on Mapleton
Date: Friday, March 30, 2012 10:48:12 AM

There is some consternation amongst the Mapleton community regarding what form of right-of-way improvements will be recommended for this project, given the chasm between the existing streetscape and the TSP requirement. The gaping hole in the streetscape scenario, exemplified by the 'Marylhurst Freeway' on 43 in LO is the worst case scenario, but the ugly hazardous roadside ditches and permeable paths to nowhere at 4262, 4284 Mapleton run a close second. At what point does our Planning Department involve the community in shaping the streetscape that WE all live with every day for the rest of lives in West Linn?

Kevin Bryck, Chair

RNA Great Neighbor Committee

RNAGNC@gmail.com

<http://rnagreatneighbors.blogspot.com/>

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP12-02 - ORS 227.173
Date: Sunday, March 18, 2012 3:15:32 PM

Planning Commissioners and Director of Planning Mr. John Sonnen,

I appreciate your time in reviewing my observations regarding the WTP under CUP 12-02. Given the history of conditional use process, hearings have often let vagarities and relative matters unaddressed and left up to the discretion of the engineering department, planning director, or other related city department. And that is when the trouble usually begins.

The burden of proof rests with the applicant. But what defines proof and how can the commission enforce "proof" as well as "compliance"? ORS Chapter 227 provides a viable rationale that must be applied to the water TREATMENT plant application.

227.173 Basis for decision on permit application or expedited land division; statement of reasons for approval or denial. (1) Approval or denial of a *discretionary permit application* shall be based on standards and criteria, which shall be set forth in the development ordinance and which shall relate approval or denial of a discretionary permit application to the development ordinance and to the comprehensive plan for the area in which the development would occur and to the development ordinance and comprehensive plan for the city as a whole.

(2) *When an ordinance establishing approval standards is required under ORS 197.307 to provide only clear and objective standards, the standards must be clear and objective on the face of the ordinance.*

(3) Approval or denial of a permit application or expedited land division shall be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth.

(4) Written notice of the approval or denial shall be given to all parties to the proceeding.

In reviewing previous conditional uses, very often the commission has been faced with addressing poorly crafted policies and ordinances that cancel one another out. As a result, commissioners are often instructed to follow the directions of staff or throw it back to the department director. This has almost always led to unmitigated disasters of the character and environment in West Linn. But what is 197.307?

ORS 197.307 promotes housing; something this conditional use destroys or lessens desirability and the intent of an R-10 zoning designation.

197.307 Effect of need for certain housing in urban growth areas; approval standards for certain residential development; placement standards for approval of manufactured dwellings. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

(2) Many persons of lower, *middle and fixed income* depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.

(3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.

As you review the application and city response, please ask yourself " Are the standards clear and objective on the face of the ordinance? **In this case, what is an industrial utility doing in an R-10 zone and how is the application creating affordable, decent, safe, and sanitary housing opportunities in a clear and objective way?**

If not clear, than it is the burden of the applicant to clarify and address. Failure to adequately do so should result in a denial of the CUP due to failure to meet ORS 227.173 (2) under the 2011 edition of the City Planning and Zoning.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP12-02 Landfill Concerns
Date: Sunday, March 25, 2012 11:54:55 PM

The City Review is not due out until around April 8, so I am forwarding this concern and request the city engineer verify the claims and concerns regarding 1.) geology, 2.) LANDFILL DOCUMENTATION, and 3.) Rate of water flushing back into the Willamette with chemical composition, volume, and system of disposal.

Subject: Landfill

There may be existing conditions with geology on the hill on the eastside of Nixon that goes up to Kentrope. Long time residents say the property was used as a landfill for years. It started much further west than the existing drop off that is there today. In '94 and '98 there were landslides. A resident that may still live up on Terra Vista had to have a geological survey done and they did not find solid ground. The resident may have had to reinforce the hillside.

The lot across from Cena is possibly sinking. A resident claims it has sunk four feet. Hard to believe and needs verification as to the existing geology being able to absorb the level of expansion proposed. But 'that' lot also had a big landslide a few years ago. Unknown and/or human caused factors may have contributed to some degree but needs a geologist to provide input.

More information will be gathered from concerned residents if time allows. The applicant, who has the burden of proof, will hopefully address this matter. The City could require a survey be done by an independent source documenting the history of that landfill use.

From: GSEY
To: [Dix, Zach](#); [Jordan, Chris](#)
Cc: [CWL Planning Commission](#); [Tony Vandenberg](#)
Subject: CUP12-02 -Lessons learned from CUP10-03
Date: Tuesday, March 06, 2012 10:56:50 PM

7 March 2012

SPIR'S FOLLY or JOLLY ROGER'S INCREDULOUS MANIFESTATION

Dear Planning Commissioners,

I apologize. Not only am I disgusted at what the City allows, but appalled at the complete lack of stewardship in our municipal government. Planning staff are obscene and offensive monsters that bolster arguments, metaphorically speaking, for euthanasia. Every time I revisit my photographs, I want to, metaphorically speaking, shoot myself. The play structure is incredulous. What ever happened with the CREST North promised by Roger Woehl, former West Linn school superintendent?

I firmly believe the West Linn Planning Department cannot be trusted to convey information or make recommendations in an objective fashion that possesses any credibility or integrity. To use one example, I request the PC revisit your deliberations regarding Trillium Creek Elementary School. Most information can be accessed on the web under CUP 10-03. Residents had many concerns that were too quickly dismissed by city staff and we are now experiencing the negative impacts of their negligence.

Unfortunately, there is a problem in downloading this file.

http://westlinnoregon.gov/sites/default/files/projects/cup-10-03_web_11.15.10.pdf

But within the documentation were concerns submitted regarding the "drainage ditch", shortened setbacks, pervious surfaces, and the covered play structure. I want the Commission to pay particular attention to the Covered Play Area and my observation that the Play Structure did not meet Chapter 55. The file that I cannot download describes in detail my objections to the play structure. Peter Spir acknowledged my observation and provided a solution, using banding, to help break up the massing. I knew at that time that the Planning Department hadn't the foggiest idea of the impact or what they were even looking at in terms of scale and Chapter 55. The nature of the drawings, at 1" = 10', to the novice, is alarmingly deceptive.

Sadly, this type of unprofessional and irresponsible representations are the status quo within the local industry. And with the excellent renderings produced by MWA, the seductiveness of the drawings in CUP 12-02 are that more illusory and misleading. Please be leery and beware!

The drawing that showed the covered play structure is shown here:

LU3.06; [Sheet 17](#), Section F-F

<http://westlinnoregon.gov/sites/default/files/projects/Plan%20files%20resubmit.pdf>

Attached are photographs of the structure as it is being erected. When I first saw the structure, I was immediately flabbergasted that the play structure had grown in scale. But after looking at the drawings, I noticed that the structure is built exactly as the drawings indicated and as exactly as what I had protested.

Please see the attached photographs. I am shocked at the complete inappropriateness of the structure and that the previous planning commission did not heed the community's concerns. I am sadly discouraged with the leadership of the department and that of the commission.

Relationship to CUP 12-02 The current buildings in CUP 12-02 do not satisfy Chapter 55. Not even close. It is a joke. Please do not be swayed by what planning staff may tell you. LOTWP and WL City staff have no integrity, no objectivity, and no accountability to enforce Chapter 55.

Back when CUP 10-03 was under review, *that* was the time to mitigate the negative impacts created by the so-called professionals and unaccountable municipal staff. Commissioners, please note the potential negative impacts of a water plant **are of greater consequence** than an elementary school. And given a cursory review of the CUP 12-02 submittal, the application is sorely lacking and does not meet the slimmest of conditions. There is important information left out and the application does not satisfy the requisite proof. Unless an independent third party is hired to review compliance of this project, than the information you receive from the City of West Linn is just a waste of *your time*. The PD has proven project after project that the city cannot be trusted with protecting our communities nor adequately enforcing the weakest of planning standards. This water plant is an assault on the senses and decency, not to mention out of compliance with the CDC. Deny 12-02 outright. LOTWP can, and should, provide a more appropriate response relative to it's context of a small, well-established, suburban neighborhood. Just look what the city did to my neighborhood!!!



Where are the trees that are shown in the Section F on sheet 17? The block wall is grossly out of proportion and lacks the detail of the surrounding context and the new school beyond. The Silver Lining? West Linn can now brag that it has an empty Costco waiting in the wings thanks to Peter Spir.



The structure is the West Linn Costco. The obscene folly? Notice the banding as suggested by Senior Planner Peter Spir? Welcome to [Spir's Folly](#).



The efflorescence on the play structure detracts from the neighborhood. The notion of 'white elephant' comes to mind. Unmentioned is the reverberation and noise levels of the busses turning around less than 50 feet away from the Covered Play Structure. If I lived in one of those homes in the background, I would not be so polite as I have been in this missive. Even if this meets seismic requirements, I hope I am not under the structure when a Fukushima-like earthquake hits the Northwest! And our kids are supposed to play around this monstrosity? Welcome to the Hindenberg, kids!



I count approx. 99 courses of brick. At three inches a course, that would make the structure 25 feet tall. At four inches each, the height is about 32 feet. The drawings presented to the planning commission deserve more scrutiny.

Looking at the construction of the pathway and "bridge", I am reminded of Animal House. We could all use a laugh about now.
<http://www.imdb.com/title/tt007975/quotes>



[Dean Vernon Wormer](#): Put Neidermeyer on it. He's a sneaky little shit just like you.

Obviously, a topic to be addressed later.

Cheers, Gary Hitesman

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: Enter the blog into the official record
Date: Thursday, March 15, 2012 10:29:15 AM

Zach,

I request the City to submit the following blog to the Planning Commission for their review and consideration.

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

From: [Shannon Valentine](#)
To: shanonmv@comcast.net; [Pelz, Zach](#)
Subject: FW: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 3:29:08 PM

You keep sending e-mail to the wrong e-mail address. Please correct it in your address book so that the correct person can receive her e-mail.

Thank you!


From: Pelz, Zach [mailto:ZPELZ@westlinnoregon.gov]
Sent: Wednesday, January 18, 2012 2:35 PM
To: 'Walters, Rebecca'; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; shannonmv@comcast.net; patvicsmith@q.com; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Cc: Kerr, Chris; Spir, Peter; Sonnen, John
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

The City of Lake Oswego's application, and supporting documentation, to expand its water treatment plant at 4260 Kenthorpe Way is now available online at the City's Planning Department website. For details regarding this application, please visit <http://westlinnoregon.gov/planning/4260-kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm>

Thanks,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Walters, Rebecca [<mailto:Rebecca.Walters@adp.com>]
Sent: Tuesday, January 17, 2012 4:43 PM
To: Pelz, Zach; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; shannonmv@comcast.net; patvicsmith@q.com; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Cc: amanda.m.dotson@odot.state.or.us; steven.b.schalk@odot.state.or.us; robert.w.ebeling@odot.state.or.us; Kerr, Chris; Spir, Peter; Sonnen, John
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Thanks Mr. Pelz. We so appreciate your notification and we will want to get a copy of that. Can you let us all know when the application is on the website so we can download it?

Thanks,
Rebecca Walters

From: Pelz, Zach [<mailto:ZPELZ@westlinnoregon.gov>]
Sent: Tuesday, January 17, 2012 4:27 PM
To: lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; Walters, Rebecca (DS); shannonmv@comcast.net; patvicsmith@q.com; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Cc: amanda.m.dotson@odot.state.or.us; steven.b.schalk@odot.state.or.us; robert.w.ebeling@odot.state.or.us; Kerr, Chris; Spir, Peter; Sonnen, John
Subject: Application received - Lake Oswego Water Treatment Plant
Importance: High

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

From: [Shannon Valentine](#)
To: shanonmv@comcast.net; [Pelz, Zach](#)
Subject: FW: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 3:34:22 PM
Attachments: [image8e9b04.gif@2498b6eb.c9ed4514](#)
Importance: High

You sent this to the wrong e-mail address. Please correct in your address book.

Thanks

From: Pelz, Zach [mailto:ZPELZ@westlinnoregon.gov]
Sent: Tuesday, January 17, 2012 4:27 PM
To: lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca_walters@adp.com; shannonmv@comcast.net; patvicsmith@q.com; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Cc: amanda.m.dotson@odot.state.or.us; steven.b.schalk@odot.state.or.us; robert.w.ebeling@odot.state.or.us; Kerr, Chris; Spir, Peter; Sonnen, John
Subject: Application received - Lake Oswego Water Treatment Plant
Importance: High

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Cc: [Sonnen, John](#)
Subject: FW: City of West Linn's responsibility to its residents
Date: Monday, March 19, 2012 7:50:51 AM
Attachments: [image8e4b1d.gif@5f7cc0c9.2c864188](#)

Could one of you please respond to Mr. Heath's questions? Perhaps forwarding Pam Beery's memo might be helpful.

Thanks.

Chris

Chris Jordan, City Manager

Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kovash, John
Sent: Friday, March 16, 2012 9:59 AM
To: Carson, Jody; Cummings, Teri; Tan, Jennifer; Jones, Michael
Cc: Jordan, Chris
Subject: RE: City of West Linn's responsibility to its residents

Chris, perhaps we should forward Pam's memo to Mr. Heath and put him in touch with the folks who attended the last council meeting.

Any other ideas? John

 Mayor John Kovash
jkovash@westlinnoregon.gov
West Linn Mayor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

From: charles.c.heath@ubs.com [<mailto:charles.c.heath@ubs.com>]
Sent: Friday, March 16, 2012 9:49 AM
To: Kovash, John; Carson, Jody; Cummings, Teri; Tan, Jennifer; Jones, Michael
Subject: City of West Linn's responsibility to its residents

Dear Mr. Mayor and Council Members,

The purpose of this letter is to determine what role the City of West Linn plans to take with regard to the Lake Oswego - Tigard Water Partnership (proposed?)/(approved?) construction of a pipeline and water treatment plant within the Robinwood neighborhood. I have a number of questions for the city and hope that you may forward my concerns to the proper department for response. My apologies for the lack of information on my part, as it is possible some of the information I am seeking has already been provided to the public. However, my attendance at the Robinwood Neighborhood Association Land Use Meeting last night has raised several questions concerning West Linn's responsibility to its citizens.

1. It appeared to me that no one from any West Linn City department including, your office, city council or planning attended the meeting. If you had, you would have seen how Lake Oswego is running roughshod over your constituents. I was at first surprised and then angry that the city apparently has no interest or feels it is powerless to impact this process. I would urge you to review the minutes and video of last night's meeting and you will see how well reasoned and reasonable the citizen input was.
2. If West Linn is receiving any kind of benefit for allowing this project to be completed it would be in the City's best interest to let its citizens know just what benefit they will see and let us know that the City is at least looking out for our best interests. From the meeting last night it is clear that Lake Oswego benefits by locating a water treatment plant in a West Linn residential neighborhood rather than within its own city limits where there are several more suitable sites. Lake Oswego citizens will benefit from lower water rates, will not have to put up with two years of construction, and will not have an industrial use in the midst of any of its neighborhoods. (Note that Lake Oswego residents use 3 or 4 times the water per capita of the rest of the state so they could fulfill much of their "need" from conservation rather than draining the Clackamas).
3. Why is Lake Oswego able to separate the treatment plant discussion from the water pipeline conditional use? Neither one will be feasible without the other. By separating the two they try to minimize the scope of the project and dilute any opposition.
4. How is it that West Linn feels comfortable allowing Lake Oswego to come in and condemn property rights located in West Linn. Does West Linn believe Lake Oswego would allow you the same courtesy?

There are a number of specific issues regarding this conditional use including, impact on fish and other users of the Clackamas, their intention to do the very minimal of reclamation of damages to the neighborhood from the project, geological issues in a slide prone area where the pipeline and plant are being built and lack of specific insurance to cover a catastrophe should the plant cause a problem to those those located downhill from this much water. My suspicion is that even if this project is completed, the City of West Linn is not requiring anywhere near the level of concessions to compensate for the damage to your citizens as would be required of any private developer looking for a

similar conditional use approval.

I sincerely hope that I am just not well informed of West Linn's work on my behalf in seeing that this project is feasible and that West Linn is being treated fairly by Lake Oswego. If the recent discussion in the paper concerning Lake Oswego's continued attempt to ban anyone other than their citizens from using a public body of water (Oswego Lake) is any indication, I fear West Linn will certainly regret getting the short end of the stick once this water pipeline and plant project is approved.

Thank you for your time.

C. Craig Heath
19220 Nixon Avenue
West Linn, OR 97068
(503) 635-7353

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: community comments at council meeting tonight
Date: Friday, February 03, 2012 9:03:09 AM
Attachments: [imageb672d6.gif@0e622b69.13f94615](#)

For the record

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [mailto:shanonmv@comcast.net]
Sent: Thursday, February 02, 2012 5:51 PM
To: Jordan, Chris; Jordan, Chris; CWL Council; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com
Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck; CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com
Subject: Re: community comments at council meeting tonight

Mr. Jordan,

I was at that meeting today with Chris Kerr!! I would like you to please explain why and how you think that meeting is a substitute for the work session we were told would take place? Today's meeting in no way shape or form should take the place of a work session and it is typical of your office to once again take it upon them selves to stone wall the citizens of the city you work for and that pays your salary. You are single handedly keeping us from participating in the the process.

The council agreed it would be fair and right for a work session to be scheduled since they had already had several meetings with LOT. It is UNACCEPTABLE, UNREASONABLE AND UNFAIR that you chose to NOT schedule that work session and decide that a meeting with the GNC and Chris Kerr was sufficient. How is it acceptable by our council and mayor that you disregard their request for a scheduled work session?

I intentionally left you off my earlier email as I did not want nor need a response form you. I requested and continue to request that our Mayor and Council Members respond.

At this point, all I can say is "WOW". You once again have successfully boxed us out! Now that an application has been submitted by LOT, I am sure you will use that as your excuse now...."oh, well our council can't speak to you about this as an application has been filed and our attorney has told us of the exparte rule keeping them from speaking with you about a pending application." How convenient it is....the request buy council for a scheduled work session was PRIOR to an application being filed and there was time to schedule that meeting...YOU just chose not to. Again I

say, UNACCEPTABLE.

I am disappointed with our council and Mayor that each of you tolerate this kind of injustice and unfairness in the city you represent.

I would still like a reply from the Mayor and Council Members as to why a work session was never scheduled and why none of you saw to it that it happen. I need no further reply from you Mr. Jordan.

Thank you,
Shanon Vroman

From: "Chris Jordan" <cjordan@westlinnoregon.gov>
To: shanonmv@comcast.net, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Thursday, February 2, 2012 3:49:34 PM
Subject: RE: community comments at council meeting tonight

Ms. Vroman –

Thank you for your e-mail. At my direction, we opted not to respond in writing to the request for a work session because Chris Kerr already had a meeting scheduled with members of Robinwood's Great Neighbor Committee. We decided that face-to-face communication on this issue – with the opportunity for the committee members to ask direct questions – was preferable to a continuing e-mail dialogue. Chris Kerr's meeting with the Committee began at 3:00 today and is continuing as I am responding to this e-mail.

I'm sure members of the committee, or Chris, can let you know what was discussed and the outcome of that meeting.

In addition, we have authorized additional hours for the planner (DJ Heffernan) hired by the City to assist the neighborhood. City staff continue to work with DJ and I am sure he has been communicating with the GNC.

Chris Jordan



Chris Jordan
cjordan@westlinnoregon.gov
City Manager
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [<mailto:shanonmv@comcast.net>]
Sent: Thursday, February 02, 2012 2:49 PM
To: CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com
Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck
Subject: Re: community comments at council meeting tonight

Hello Council and Mayor,

I am STILL waiting to hear when a meeting has been scheduled for the community, RNA or Maplegrove owners to sit with you at a work session to discuss the industrial plant looking to expand in our city. We have been told there would be a meeting set up. We were told we would hear when....AND as is VERY TYPICAL of our city government these days, WE HAVE HEARD NOTHING!!! The clock keeps ticking, LOT continues to move forward with their industrial plant project and they have had MULTIPLE meetings with the West Linn staff/government.

WHY IS IT SO DARN DIFFICULT for our city officials to recognize their tax payers/voters. Why is it continuing to be so clear that you are more than willing to spend time talking with LOT but unwilling to talk with the people directly impacted by this industrial plant?????

Who the heck is in charge up there on the hill....LOT seems to be running the show at this point for the City of West Linn.

Mayor Kovash, I specifically look to you as the leader of this community....YOU should see that FOLLOW THROUGH occurs. When you and your council ask staff to arrange a work session with us, why are you not making sure it happens? You absolutely can not rely on Chris Jordan....he has repeatedly stone-walled this process for the citizens. We have tried endlessly to be involved in the public process and get shut down over and over again. But not LOT.

The one sidedness of this situation becomes more and more uneven! Seriously, it is embarrassing how much attention and time and dialog you have with LOT and how little you as a body have had with your own citizens. We continue to send in our questions and we continue to get NO ANSWERS. We are once again told, "we won't

be answering those", "ask Lake Oswego".

I would be very interested in a direct reply from you Mayor Kovash, and each of the council members individually, as it relates to why a work session has yet to be set up.

Thank you,
Shanon Vroman

From: shanonmv@comcast.net
To: "cwl council" <cwl_council@westlinnoregon.gov>, "John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\" <jcarson@westlinnoregon.gov>; \"Michael Jones\" <mjones@westlinnoregon.gov>; \"Teri Cummings\" <tcummings@westlinnoregon.gov>; \"CWL Council\" <jt看@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Monday, January 9, 2012 9:05:08 PM
Subject: community comments at council meeting tonight

Hello Mayor Kovash and Council Members,

I appreciate the opportunity to share during community comments tonight. I forgot to leave copies of my statement with the city recorder so I am attaching them now.

I also want to thank you for making a statement of acknowledgment that an opportunity to speak with the citizens is important and I will look forward to hearing from the city manager or whomever sets the agenda and notifies us that we can join you at that time!

Thank you,
Shanon Vroman

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: community comments at council meeting tonight
Date: Friday, February 03, 2012 9:02:53 AM
Attachments: [imageb672d6.gif@0e622b69.13f94615](#)

For the record

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [mailto:shanonmv@comcast.net]
Sent: Thursday, February 02, 2012 6:10 PM
To: Jordan, Chris; CWL Council; chamberinfo@westlinchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com
Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck; Carson, Jody
Subject: Re: community comments at council meeting tonight

And by the way Mr. Jordan...you noted in your email to me that, at your direction, you chose to not schedule a work session as a meeting with Chris Kerr was already scheduled. This in fact is a slight untruth. The request by the council for a work session happened weeks ago. The meeting with Chris Kerr was just suggested to be scheduled last week with a final confirmation of the meeting time and date happening this week. Saying that it was scheduled and that is why you previously had not scheduled a work session does not jive. Weeks passed since the request by council for a work session and you did NOTHING to schedule that meeting. Then last week when the idea of a meeting with Chris Kerr and members of the GNC came up, you apparently chose or are choosing to use this as your excuse for why you did not do what your council requested of you to do.

Shanon Vroman

From: shanonmv@comcast.net
To: "Chris Jordan" <cjordan@westlinnoregon.gov>, "Chris Jordan" <cjordan@westlinnoregon.gov>, "wl council" <wl_council@westlinnoregon.gov>, "John Kovash" <johnkovash@westlinnoregon.gov>, "Jennifer Tan" <jtan@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, "CWL Council" <cwl_council@westlinnoregon.gov>, chamberinfo@westlinchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinchamber.com, lisa@waterwatch.org,

ndecosta@westlinntidings.com

Sent: Thursday, February 2, 2012 5:51:24 PM

Subject: Re: community comments at council meeting tonight

Mr. Jordan,

I was at that meeting today with Chris Kerr!! I would like you to please explain why and how you think that meeting is a substitute for the work session we were told would take place? Today's meeting in no way shape or form should take the place of a work session and it is typical of your office to once again take it upon them selves to stone wall the citizens of the city you work for and that pays your salary. You are single handedly keeping us from participating in the the process.

The council agreed it would be fair and right for a work session to be scheduled since they had already had several meetings with LOT. It is UNACCEPTABLE, UNREASONABLE AND UNFAIR that you chose to NOT schedule that work session and decide that a meeting with the GNC and Chris Kerr was sufficient. How is it acceptable by our council and mayor that you disregard their request for a scheduled work session?

I intentionally left you off my earlier email as I did not want nor need a response form you. I requested and continue to request that our Mayor and Council Members respond.

At this point, all I can say is "WOW". You once again have successfully boxed us out! Now that an application has been submitted by LOT, I am sure you will use that as your excuse now...."oh, well our council can't speak to you about this as an application has been filed and our attorney has told us of the exparte rule keeping them from speaking with you about a pending application." How convenient it is....the request buy council for a scheduled work session was PRIOR to an application being filed and there was time to schedule that meeting...YOU just chose not to. Again I say, UNACCEPTABLE.

I am disappointed with our council and Mayor that each of you tolerate this kind of injustice and unfairness in the city you represent.

I would still like a reply from the Mayor and Council Members as to why a work session was never scheduled and why none of you saw to it that it happen. I need no further reply from you Mr. Jordan.

Thank you,
Shanon Vroman

From: "Chris Jordan" <cjordan@westlinnoregon.gov>

To: shanonmv@comcast.net, "CWL Council" <cwl_council@westlinnoregon.gov>,

"Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com

Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>

Sent: Thursday, February 2, 2012 3:49:34 PM

Subject: RE: community comments at council meeting tonight

Ms. Vroman –

Thank you for your e-mail. At my direction, we opted not to respond in writing to the request for a work session because Chris Kerr already had a meeting scheduled with members of Robinwood's Great Neighbor Committee. We decided that face-to-face communication on this issue – with the opportunity for the committee members to ask direct questions – was preferable to a continuing e-mail dialogue. Chris Kerr's meeting with the Committee began at 3:00 today and is continuing as I am responding to this e-mail.

I'm sure members of the committee, or Chris, can let you know what was discussed and the outcome of that meeting.

In addition, we have authorized additional hours for the planner (DJ Heffernan) hired by the City to assist the neighborhood. City staff continue to work with DJ and I am sure he has been communicating with the GNC.

Chris Jordan

 Chris Jordan
cjordan@westlinnoregon.gov
City Manager
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [<mailto:shanonmv@comcast.net>]

Sent: Thursday, February 02, 2012 2:49 PM

To: CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com

Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck

Subject: Re: community comments at council meeting tonight

Hello Council and Mayor,

I am STILL waiting to hear when a meeting has been scheduled for the community, RNA or Maplegrove owners to sit with you at a work session to discuss the industrial plant looking to expand in our city. We have been told there would be a meeting set up. We were told we would hear when....AND as is VERY TYPICAL of our city government these days, WE HAVE HEARD NOTHING!!! The clock keeps ticking, LOT continues to move forward with their industrial plant project and they have had MULTIPLE meetings with the West Linn staff/government.

WHY IS IT SO DARN DIFFICULT for our city officials to recognize their tax payers/voters. Why is it continuing to be so clear that you are more than willing to spend time talking with LOT but unwilling to talk with the people directly impacted by this industrial plant?????

Who the heck is in charge up there on the hill....LOT seems to be running the show at this point for the City of West Linn.

Mayor Kovash, I specifically look to you as the leader of this community....YOU should see that FOLLOW THROUGH occurs. When you and your council ask staff to arrange a work session with us, why are you not making sure it happens? You absolutely can not rely on Chris Jordan....he has repeatedly stone-walled this process for the citizens. We have tried endlessly to be involved in the public process and get shut down over and over again. But not LOT.

The one sidedness of this situation becomes more and more uneven! Seriously, it is embarrassing how much attention and time and dialog you have with LOT and how little you as a body have had with your own citizens. We continue to send in our questions and we continue to get NO ANSWERS. We are once again told, "we won't be answering those", "ask Lake Oswego".

I would be very interested in a direct reply from you Mayor Kovash, and each of the council members individually, as it relates to why a work session has yet to be set up.

Thank you,
Shanon Vroman

From: shanonmv@comcast.net

To: "cwl council" <cwl_council@westlinnoregon.gov>, "John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\" <jcarson@westlinnoregon.gov>; \"Michael Jones\" <mjones@westlinnoregon.gov>; \"Teri Cummings\" <tcummings@westlinnoregon.gov>; \"CWL Council\" <jt看@westlinnoregon.gov>, chamberinfo@westlinchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com

Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>

Sent: Monday, January 9, 2012 9:05:08 PM

Subject: community comments at council meeting tonight

Hello Mayor Kovash and Council Members,

I appreciate the opportunity to share during community comments tonight. I forgot to leave copies of my statement with the city recorder so I am attaching them now.

I also want to thank you for making a statement of acknowledgment that an opportunity to speak with the citizens is important and I will look forward to hearing from the city manager or whomever sets the agenda and notifies us that we can join you at that time!

Thank you,
Shanon Vroman

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: community comments at council meeting tonight
Date: Friday, February 03, 2012 9:02:27 AM
Attachments: [imageb672d6.gif@0e622b69.13f94615](#)

For the record

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Thursday, February 02, 2012 6:14 PM
To: shanonmv@comcast.net
Cc: Rebecca Walters; Natalie Cooper; Kevin Bryck; CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com; Jordan, Chris
Subject: Re: community comments at council meeting tonight

Mr Jordan -

I am in complete agreement with Ms Vroman. I was also under the distinct understanding that these two meetings had very separate objectives and audiences. In fact, when several of us saw the meeting offer from Chris Kerr our first comment was that we hope the City does not think this is a one and only meeting. That topic was supposed to be first on the Agenda with Chris today.

I look forward to the City's reconsideration of this matter.

From: shanonmv@comcast.net
To: "Chris Jordan" <cjordan@westlinnoregon.gov>, "Chris Jordan" <cjordan@westlinnoregon.gov>, "wl council\"; \"John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\"; \"\"; \"\"; \"\"\"\"CWL Council" <cwl_council@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Sent: Thursday, February 2, 2012 5:51:24 PM
Subject: Re: community comments at council meeting tonight

Mr. Jordan,

I was at that meeting today with Chris Kerr!! I would like you to please explain why and how you think that meeting is a substitute for the work session we were told would take place? Today's meeting in no way shape or form should take the place of

a work session and it is typical of your office to once again take it upon them selves to stone wall the citizens of the city you work for and that pays your salary. You are single handedly keeping us from participating in the the process.

The council agreed it would be fair and right for a work session to be scheduled since they had already had several meetings with LOT. It is UNACCEPTABLE, UNREASONABLE AND UNFAIR that you chose to NOT schedule that work session and decide that a meeting with the GNC and Chris Kerr was sufficient. How is it acceptable by our council and mayor that you disregard their request for a scheduled work session?

I intentionally left you off my earlier email as I did not want nor need a response form you. I requested and continue to request that our Mayor and Council Members respond.

At this point, all I can say is "WOW". You once again have successfully boxed us out! Now that an application has been submitted by LOT, I am sure you will use that as your excuse now...."oh, well our council can't speak to you about this as an application has been filed and our attorney has told us of the exparte rule keeping them from speaking with you about a pending application." How convenient it is....the request buy council for a scheduled work session was PRIOR to an application being filed and there was time to schedule that meeting...YOU just chose not to. Again I say, UNACCEPTABLE.

I am disappointed with our council and Mayor that each of you tolerate this kind of injustice and unfairness in the city you represent.

I would still like a reply from the Mayor and Council Members as to why a work session was never scheduled and why none of you saw to it that it happen. I need no further reply from you Mr. Jordan.

Thank you,
Shanon Vroman

From: "Chris Jordan" <cjordan@westlinnoregon.gov>
To: shanonmv@comcast.net, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Thursday, February 2, 2012 3:49:34 PM
Subject: RE: community comments at council meeting tonight

Ms. Vroman –

Thank you for your e-mail. At my direction, we opted not to respond in writing to the request for a work session because Chris Kerr already had a meeting scheduled with members of Robinwood's Great Neighbor Committee. We decided that face-to-face communication on this issue – with the opportunity for the committee members to ask direct questions – was preferable to a continuing e-mail dialogue. Chris Kerr's meeting with the Committee began at 3:00 today and is continuing as I am responding to this e-mail.

I'm sure members of the committee, or Chris, can let you know what was discussed and the outcome of that meeting.

In addition, we have authorized additional hours for the planner (DJ Heffernan) hired by the City to assist the neighborhood. City staff continue to work with DJ and I am sure he has been communicating with the GNC.

Chris Jordan

 Chris Jordan
cjordan@westlinnoregon.gov
City Manager
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [<mailto:shanonmv@comcast.net>]
Sent: Thursday, February 02, 2012 2:49 PM
To: CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com
Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck
Subject: Re: community comments at council meeting tonight

Hello Council and Mayor,

I am STILL waiting to hear when a meeting has been scheduled for the community, RNA or Maplegrove owners to sit with you at a work session to discuss the industrial plant looking to expand in our city. We have been told there would be a meeting set up. We were told we would hear when....AND as is VERY TYPICAL of our city government these days, WE HAVE HEARD NOTHING!!! The clock keeps ticking,

LOT continues to move forward with their industrial plant project and they have had MULTIPLE meetings with the West Linn staff/government.

WHY IS IT SO DARN DIFFICULT for our city officials to recognize their tax payers/voters. Why is it continuing to be so clear that you are more than willing to spend time talking with LOT but unwilling to talk with the people directly impacted by this industrial plant?????

Who the heck is in charge up there on the hill....LOT seems to be running the show at this point for the City of West Linn.

Mayor Kovash, I specifically look to you as the leader of this community....YOU should see that FOLLOW THROUGH occurs. When you and your council ask staff to arrange a work session with us, why are you not making sure it happens? You absolutely can not rely on Chris Jordan....he has repeatedly stone-walled this process for the citizens. We have tried endlessly to be involved in the public process and get shut down over and over again. But not LOT.

The one sidedness of this situation becomes more and more uneven! Seriously, it is embarrassing how much attention and time and dialog you have with LOT and how little you as a body have had with your own citizens. We continue to send in our questions and we continue to get NO ANSWERS. We are once again told, "we won't be answering those", "ask Lake Oswego".

I would be very interested in a direct reply from you Mayor Kovash, and each of the council members individually, as it relates to why a work session has yet to be set up.

Thank you,
Shanon Vroman

From: shanonmv@comcast.net

To: "cwl council" <cwl_council@westlinnoregon.gov>, "John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\" <jcarson@westlinnoregon.gov>; \"Michael Jones\" <mjones@westlinnoregon.gov>; \"Teri Cummings\" <tcummings@westlinnoregon.gov>; \"CWL Council\" <jt看@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com

Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>

Sent: Monday, January 9, 2012 9:05:08 PM

Subject: community comments at council meeting tonight

Hello Mayor Kovash and Council Members,

I appreciate the opportunity to share during community comments tonight. I forgot to

leave copies of my statement with the city recorder so I am attaching them now.

I also want to thank you for making a statement of acknowledgment that an opportunity to speak with the citizens is important and I will look forward to hearing from the city manager or whomever sets the agenda and notifies us that we can join you at that time!

Thank you,
Shanon Vroman

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: community comments at council meeting tonight
Date: Friday, February 03, 2012 9:02:07 AM
Attachments: [imageb672d6.gif@0e622b69.13f94615](#)

For the record

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [mailto:shanonmv@comcast.net]
Sent: Thursday, February 02, 2012 6:16 PM
To: Vicky and Pat
Cc: Rebecca Walters; Natalie Cooper; Kevin Bryck; CWL Council; Carson, Jody; chamberinfo@westlininchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com; Jordan, Chris
Subject: Re: community comments at council meeting tonight

At the meeting today with Chris Kerr, we brought up the idea of the work session to be scheduled and our frustration that it hadn't been scheduled yet. We commented that we hoped today's meeting was not in place of that and he said no, that was not his understanding.

Shanon Vroman

From: "Vicky and Pat" <patvicsmith@q.com>
To: shanonmv@comcast.net
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlininchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com, "Chris Jordan" <cjordan@westlinnoregon.gov>
Sent: Thursday, February 2, 2012 6:13:41 PM
Subject: Re: community comments at council meeting tonight

Mr Jordan -

I am in complete agreement with Ms Vroman. I was also under the distinct understanding that these two meetings had very separate objectives and audiences. In fact, when several of us saw the meeting offer from Chris Kerr our first comment was that we hope the City does not think this is a one and only meeting. That topic was supposed to be first on the Agenda with Chris today.

I look forward to the City's reconsideration of this matter.

From: shanonmv@comcast.net

To: "Chris Jordan" <cjordan@westlinnoregon.gov>, "Chris Jordan" <cjordan@westlinnoregon.gov>, "wl council\"; \"John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\"; \"\"; \"\"; \"\"\"CWL Council" <cwl_council@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com

Sent: Thursday, February 2, 2012 5:51:24 PM

Subject: Re: community comments at council meeting tonight

Mr. Jordan,

I was at that meeting today with Chris Kerr!! I would like you to please explain why and how you think that meeting is a substitute for the work session we were told would take place? Today's meeting in no way shape or form should take the place of a work session and it is typical of your office to once again take it upon them selves to stone wall the citizens of the city you work for and that pays your salary. You are single handedly keeping us from participating in the the process.

The council agreed it would be fair and right for a work session to be scheduled since they had already had several meetings with LOT. It is UNACCEPTABLE, UNREASONABLE AND UNFAIR that you chose to NOT schedule that work session and decide that a meeting with the GNC and Chris Kerr was sufficient. How is it acceptable by our council and mayor that you disregard their request for a scheduled work session?

I intentionally left you off my earlier email as I did not want nor need a response form you. I requested and continue to request that our Mayor and Council Members respond.

At this point, all I can say is "WOW". You once again have successfully boxed us out! Now that an application has been submitted by LOT, I am sure you will use that as your excuse now...."oh, well our council can't speak to you about this as an application has been filed and our attorney has told us of the exparte rule keeping them from speaking with you about a pending application." How convenient it is....the request buy council for a scheduled work session was PRIOR to an application being filed and there was time to schedule that meeting...YOU just chose not to. Again I say, UNACCEPTABLE.

I am disappointed with our council and Mayor that each of you tolerate this kind of injustice and unfairness in the city you represent.

I would still like a reply from the Mayor and Council Members as to why a work

session was never scheduled and why none of you saw to it that it happen. I need no further reply from you Mr. Jordan.

Thank you,
Shanon Vroman

From: "Chris Jordan" <cjordan@westlinnoregon.gov>
To: shanonmv@comcast.net, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Thursday, February 2, 2012 3:49:34 PM
Subject: RE: community comments at council meeting tonight

Ms. Vroman –

Thank you for your e-mail. At my direction, we opted not to respond in writing to the request for a work session because Chris Kerr already had a meeting scheduled with members of Robinwood's Great Neighbor Committee. We decided that face-to-face communication on this issue – with the opportunity for the committee members to ask direct questions – was preferable to a continuing e-mail dialogue. Chris Kerr's meeting with the Committee began at 3:00 today and is continuing as I am responding to this e-mail.

I'm sure members of the committee, or Chris, can let you know what was discussed and the outcome of that meeting.

In addition, we have authorized additional hours for the planner (DJ Heffernan) hired by the City to assist the neighborhood. City staff continue to work with DJ and I am sure he has been communicating with the GNC.

Chris Jordan

Chris Jordan
cjordan@westlinnoregon.gov
City Manager
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F: (503) 650-9041



Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [<mailto:shanonmv@comcast.net>]

Sent: Thursday, February 02, 2012 2:49 PM

To: CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com

Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck

Subject: Re: community comments at council meeting tonight

Hello Council and Mayor,

I am STILL waiting to hear when a meeting has been scheduled for the community, RNA or Maplegrove owners to sit with you at a work session to discuss the industrial plant looking to expand in our city. We have been told there would be a meeting set up. We were told we would hear when....AND as is VERY TYPICAL of our city government these days, WE HAVE HEARD NOTHING!!! The clock keeps ticking, LOT continues to move forward with their industrial plant project and they have had MULTIPLE meetings with the West Linn staff/government.

WHY IS IT SO DARN DIFFICULT for our city officials to recognize their tax payers/voters. Why is it continuing to be so clear that you are more than willing to spend time talking with LOT but unwilling to talk with the people directly impacted by this industrial plant?????

Who the heck is in charge up there on the hill....LOT seems to be running the show at this point for the City of West Linn.

Mayor Kovash, I specifically look to you as the leader of this community....YOU should see that FOLLOW THROUGH occurs. When you and your council ask staff to arrange a work session with us, why are you not making sure it happens? You absolutely can not rely on Chris Jordan....he has repeatedly stone-walled this process for the citizens. We have tried endlessly to be involved in the public process and get shut down over and over again. But not LOT.

The one sidedness of this situation becomes more and more uneven! Seriously, it is embarrassing how much attention and time and dialog you have with LOT and how little you as a body have had with your own citizens. We continue to send in our questions and we continue to get NO ANSWERS. We are once again told, "we won't

be answering those", "ask Lake Oswego".

I would be very interested in a direct reply from you Mayor Kovash, and each of the council members individually, as it relates to why a work session has yet to be set up.

Thank you,
Shanon Vroman

From: shanonmv@comcast.net
To: "cwl council" <cwl_council@westlinnoregon.gov>, "John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\" <jcarson@westlinnoregon.gov>; \"Michael Jones\" <mjones@westlinnoregon.gov>; \"Teri Cummings\" <tcummings@westlinnoregon.gov>; \"CWL Council\" <jt看@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Monday, January 9, 2012 9:05:08 PM
Subject: community comments at council meeting tonight

Hello Mayor Kovash and Council Members,

I appreciate the opportunity to share during community comments tonight. I forgot to leave copies of my statement with the city recorder so I am attaching them now.

I also want to thank you for making a statement of acknowledgment that an opportunity to speak with the citizens is important and I will look forward to hearing from the city manager or whomever sets the agenda and notifies us that we can join you at that time!

Thank you,
Shanon Vroman

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: community comments at council meeting tonight
Date: Friday, February 03, 2012 9:04:34 AM
Attachments: [imageb672d6.gif@0e622b69.13f94615](#)

For the record

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net [mailto:lamontking@comcast.net]
Sent: Thursday, February 02, 2012 9:30 PM
To: Jordan, Chris
Cc: Carson, Jody; Cummings, Teri; Jones, Michael; Tan, Jennifer; Vroman, Shannon; Bryck, Kevin
Subject: Re: community comments at council meeting tonight

Hi Chris.

What is going on my friend? I personally met with you and arranged meetings with members of the RNA Committee to address our concerns with this water plant expansion. We discussed this and I believed you were willing to work with us to address our concerns. We always were looking out for the city and not just our neighborhood even though we are to bear the brunt of construction and operational problems. You were the one who mentioned your work in Lake Oswego obtaining a \$300,000 fund from Tualatan to mitigate possible traffic issues when they were building out Bridgeport. You did arrange for funds for our planning advisor after you originally said our own staff couldn't meet with us after we appeared before the council and they indicated some level of support.

Then you introduced the "exparte rule" which you interpreted to mean we could not meet with staff or council without tainting the process. You later changed this to allow limited contact with our planners but still tried to discourage our contact with council. Then at a meeting in December, you hire an outside attorney who says you had it all wrong. We could in fact meet but those meetings would have to be disclosed. Why were you confused by this procedure when parts of it go back to at least 1996? Why didn't our own attorneys know about it?

Now you take it upon yourself to arbitrarily to bar us from a work session with the council similar to the two meetings they held with Lake Oswego. Why are you not supporting the members of the community you serve in this process? I also would like to know why members of our council are missing an opportunity to meet with concerned citizens who are interested in protecting West Linn from an expansion that is designed to enrich our neighboring city at the expense of our city without having the courtesy to at least meet with us?

I request that the council set a work session to meet with concerned citizens of West Linn, represented by a duly selected committee from an established Neighborhood Association and discuss these issue.

Best Regards,

Lamont King

From: shanonmv@comcast.net
To: "Lamont King" <lamontking@comcast.net>
Sent: Thursday, February 2, 2012 7:19:27 PM
Subject: Fwd: community comments at council meeting tonight

From: shanonmv@comcast.net
To: "Chris Jordan" <cjordan@westlinnoregon.gov>, "Chris Jordan" <cjordan@westlinnoregon.gov>, "wl council"; \John Kovash\; \Jennifer Tan\; \Jody Carson\; \"; \"; \\"CWL Council" <cwl_council@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Sent: Thursday, February 2, 2012 5:51:24 PM
Subject: Re: community comments at council meeting tonight

Mr. Jordan,

I was at that meeting today with Chris Kerr!! I would like you to please explain why and how you think that meeting is a substitute for the work session we were told would take place? Today's meeting in no way shape or form should take the place of a work session and it is typical of your office to once again take it upon them selves to stone wall the citizens of the city you work for and that pays your salary. You are single handedly keeping us from participating in the the process.

The council agreed it would be fair and right for a work session to be scheduled since they had already had several meetings with LOT. It is UNACCEPTABLE,

UNREASONABLE AND UNFAIR that you chose to NOT schedule that work session and decide that a meeting with the GNC and Chris Kerr was sufficient. How is it acceptable by our council and mayor that you disregard their request for a scheduled work session?

I intentionally left you off my earlier email as I did not want nor need a response from you. I requested and continue to request that our Mayor and Council Members respond.

At this point, all I can say is "WOW". You once again have successfully boxed us out! Now that an application has been submitted by LOT, I am sure you will use that as your excuse now...."oh, well our council can't speak to you about this as an application has been filed and our attorney has told us of the ex parte rule keeping them from speaking with you about a pending application." How convenient it is....the request by council for a scheduled work session was PRIOR to an application being filed and there was time to schedule that meeting...YOU just chose not to. Again I say, UNACCEPTABLE.

I am disappointed with our council and Mayor that each of you tolerate this kind of injustice and unfairness in the city you represent.

I would still like a reply from the Mayor and Council Members as to why a work session was never scheduled and why none of you saw to it that it happen. I need no further reply from you Mr. Jordan.

Thank you,
Shanon Vroman

From: "Chris Jordan" <cjordan@westlinnoregon.gov>
To: shanonmv@comcast.net, "CWL Council" <cwl_council@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com
Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Thursday, February 2, 2012 3:49:34 PM
Subject: RE: community comments at council meeting tonight

Ms. Vroman –

Thank you for your e-mail. At my direction, we opted not to respond in writing to the request for a work session because Chris Kerr already had a meeting scheduled with members of Robinwood's Great Neighbor Committee. We decided that face-to-face communication on this issue – with the opportunity for the committee members to ask direct questions – was preferable to a continuing e-

mail dialogue. Chris Kerr's meeting with the Committee began at 3:00 today and is continuing as I am responding to this e-mail.

I'm sure members of the committee, or Chris, can let you know what was discussed and the outcome of that meeting.

In addition, we have authorized additional hours for the planner (DJ Heffernan) hired by the City to assist the neighborhood. City staff continue to work with DJ and I am sure he has been communicating with the GNC.

Chris Jordan



Chris Jordan
cjordan@westlinnoregon.gov
City Manager
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: shanonmv@comcast.net [<mailto:shanonmv@comcast.net>]
Sent: Thursday, February 02, 2012 2:49 PM
To: CWL Council; Carson, Jody; chamberinfo@westlinnchamber.com; lisa@waterwatch.org; ndecosta@westlinntidings.com
Cc: Rebecca Walters; PATRICK & Vicky N SMITH; Natalie Cooper; Kevin Bryck
Subject: Re: community comments at council meeting tonight

Hello Council and Mayor,

I am STILL waiting to hear when a meeting has been scheduled for the community, RNA or Maplegrove owners to sit with you at a work session to discuss the industrial plant looking to expand in our city. We have been told there would be a meeting set up. We were told we would hear when....AND as is VERY TYPICAL of our city government these days, WE HAVE HEARD NOTHING!!! The clock keeps ticking, LOT continues to move forward with their industrial plant project and they have had MULTIPLE meetings with the West Linn staff/government.

WHY IS IT SO DARN DIFFICULT for our city officials to recognize their tax payers/voters. Why is it continuing to be so clear that you are more than willing to

spend time talking with LOT but unwilling to talk with the people directly impacted by this industrial plant?????

Who the heck is in charge up there on the hill....LOT seems to be running the show at this point for the City of West Linn.

Mayor Kovash, I specifically look to you as the leader of this community....YOU should see that FOLLOW THROUGH occurs. When you and your council ask staff to arrange a work session with us, why are you not making sure it happens? You absolutely can not rely on Chris Jordan....he has repeatedly stone-walled this process for the citizens. We have tried endlessly to be involved in the public process and get shut down over and over again. But not LOT.

The one sidedness of this situation becomes more and more uneven! Seriously, it is embarrassing how much attention and time and dialog you have with LOT and how little you as a body have had with your own citizens. We continue to send in our questions and we continue to get NO ANSWERS. We are once again told, "we won't be answering those", "ask Lake Oswego".

I would be very interested in a direct reply from you Mayor Kovash, and each of the council members individually, as it relates to why a work session has yet to be set up.

Thank you,
Shanon Vroman

From: shanonmv@comcast.net

To: "cwl council" <cwl_council@westlinnoregon.gov>, "John Kovash\"; \"Jennifer Tan\"; \"Jody Carson\" <jcarson@westlinnoregon.gov>; \"Michael Jones\" <mjones@westlinnoregon.gov>; \"Teri Cummings\" <tcummings@westlinnoregon.gov>; \"CWL Council\" <jt看@westlinnoregon.gov>, chamberinfo@westlinchamber.com, lisa@waterwatch.org, ndecosta@westlinntidings.com

Cc: "Rebecca Walters" <Rebecca.Walters@adp.com>, "PATRICK & Vicky N SMITH" <patvicsmith@q.com>, "Natalie Cooper" <n.nahey.4.coopers@comcast.net>, "Kevin Bryck" <kevinbryck@comcast.net>

Sent: Monday, January 9, 2012 9:05:08 PM

Subject: community comments at council meeting tonight

Hello Mayor Kovash and Council Members,

I appreciate the opportunity to share during community comments tonight. I forgot to leave copies of my statement with the city recorder so I am attaching them now.

I also want to thank you for making a statement of acknowledgment that an opportunity to speak with the citizens is important and I will look forward to hearing from the city manager or whomever sets the agenda and notifies us that we can join

you at that time!

Thank you,
Shanon Vroman

From: [GARY](#)
To: [Pelz, Zach](#); [Selby, Jeff](#)
Cc: [Heisler, Jane](#)
Subject: Fw: CUP 12-02 LOTWP Correspondence, snark attack, and \$100 million contingency plan
Date: Wednesday, March 14, 2012 5:39:03 PM

Jeff, Don't be a jerk! People's homes and lives are being gravely affected and you have the audacity to advertise what your opinion is?! Brother, you have no idea the amount of reserve I am applying right now.

Jeff, honey, ***emotion has nothing to do with this.***;-) It is all about your self inflated narcissistic view of your own project and that set of blinders you have on, sweetheart. The LOTWP is involved in neglectful stewardship and being penny wise and pound foolish. The Good Neighbor Plan and the CUP application are inadequate, incomplete, and out of compliance. I know Brown and Caldwell and they normally do good work. Sometimes their work is great!

Sadly, the changing dynamic boils down to the clientele they serve.

Like for instance, when you said a plant relocation would cost \$30 million...no wait.....\$100 million. That figure needs to be substantiated sir! Your only contingency plan costs \$100 million? I think you are making this up! What kind of program manager is LOTWP?

It is too bad LOTWP did not let them work to their standard of care and professional excellence. It didn't need to be this way. LOTWP proceeded at their own risk and you shall reap what you sow.

Now, back up the \$100 million. And bring back Jane!
Turn on at 1:50 into the video.

<http://www.youtube.com/watch?feature=endscreen&NR=1&v=t2Z8kPpLg1g>

Gary

From: jselby@ci.oswego.or.us
To: hitesman@q.com
Date: Wed, 14 Mar 2012 15:37:02 -0700
Subject: RE: invoice and side bar note

Hi

I will forward your concerns to the rest of the Project Team and I appreciate you taking the time to send them to me.

Obviously, from our point of view, we have strived to be good neighbors and have spent much time and many resources working with the Robinwood NA and GNC.

I can understand the emotional and construction impacts that this project will have on your neighborhood and we really do want to ensure we are good neighbors throughout the process.

As for the invoice, your committee understands that we are property owners and a voting member of the Robinwood Neighborhood Association.

Given our Robinwood neighbor status, the last-minute change from the originally quoted charge was not warranted.

Sorry you had to be the messenger—I appreciate your awkward position.

So, in another good faith effort on our part, we will pay the new charge—as a good neighbor.

Thanks,
Jeff

Jeff Selby

Citizen Information Coordinator
Lake Oswego · Tigard Water Partnership

p.503.697.6514

f. 503.534.5229

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Sonnen, John](#)
To: [Seitz, Peter](#); [Bolz, Zach](#)
Subject: FW: CUP12-02 -Lessons learned from CUP10-03
Date: Wednesday, March 14, 2012 4:43:41 PM
Attachments: [image009930.gif&size=44%20x42px](#)

Zach see highlighted section

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, March 14, 2012 4:28 PM
To: Sonnen, John
Subject: Re: CUP12-02 -Lessons learned from CUP10-03

Dear Planning Director John Sonnen and Commissioner Babbitt,

Thank you for your professionalism and the time of the commission to review my observation. Your reply is courteous as much as it is unexpected. I had dropped in at the job site and it was confirmed that the structure is 24 feet, give or take. Mr. Pyleat commented that the grade is 30 inches higher than it should be, according to his GPS. And Tony Vanderbilt said he would discuss with his team placing more mature and higher number of trees around the structure.

That being said, it is still a tremendous oversight and a disgrace. From a planning perspective, it is incredibly sad. From a neighborhood perspective, a travesty that will live for 50 plus years. Politically; quite, quite ironic as much as it is troubling.

I hope there will come a day when planning will be treated as it should be and that the city would respect the time of the commissioners by hiring real planners; doing real planning work. Hopefully Mr. Greene's departure will provide a step in the right direction.

As a courtesy, someone at the City may want to review the engineering aspects of the WTP. With Greene now gone, if any engineering irregularities show up, I don't want someone like you taking the fall for it. Nor Dennis. And if I see anything, I will let Zach know. That 'genius' Chris fired Bryan before he found out how badly the Holiday Inn app had been futared.

Sorry, if I get off my soapbox now I will fall to my peril.
Gary

----- Original Message -----

From: [Sonnen, John](#)
To: [GARY](#)
Cc: [Babbitt, Michael](#)
Sent: Wednesday, March 14, 2012 3:36 PM
Subject: RE: CUP12-02 -Lessons learned from CUP10-03

Hi Gary,

The Planning Commission asked me to let you know that they reviewed your email and the approved drawings for the school at their March 7 meeting. The two new members watched the video of the public hearing for the school to better understand your assertions. (By the way, at the request of one member, the Building Official measured the structure; its 24 feet 3 inches above existing grade. It will be 23 feet 10 inches above finished grade). The Planning Commission has been advised not to rely on staff recommendations and to look critically at proposed projects relative to the approval criteria in light of the public hearing testimony and correspondence.

Take care

John

John Sonnen
CITY OF ISONNEN@westlinnoregon.gov
Planning and Building Director
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2524
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [mailto:hitesman@q.com]
Sent: Tuesday, March 06, 2012 10:56 PM
To: [Pritz, Zach](#); [Jordan, Chris](#)
Cc: CWL Planning Commission; [Tony Vandenberg](#)
Subject: CUP12-02 -Lessons learned from CUP10-03

7 March 2012

SPIR'S FOLLY or JOLLY ROGER'S INCREDULOUS MANIFESTATION

Dear Planning Commissioners,

I apologize. Not only am I disgusted at what the City allows, but appalled at the complete lack of stewardship in our municipal government. Planning staff are obscene and offensive monsters that bolster arguments, metaphorically speaking, for euthanasia. Every time I revisit my photographs, I want to, metaphorically speaking, shoot myself. The play structure is incredulous. What ever happened with the CREST North promised by Roger Woehl, former West Linn school superintendent?

I firmly believe the West Linn Planning Department cannot be trusted to convey information or make recommendations in an objective fashion that possesses any credibility or integrity. To use one example, I request the PC revisit your deliberations regarding Trillium Creek Elementary School. Most information can be accessed on the web under CUP 10-03. Residents had many concerns that were too quickly dismissed by city staff and we are now experiencing the negative impacts of their negligence.

Unfortunately, there is a problem in downloading this file.

http://westlinnoregon.gov/sites/default/files/projects/cup-10-03_web_11.15.10.pdf

But within the documentation were concerns submitted regarding the "drainage ditch", shortened setbacks, pervious surfaces, and the covered play structure. I want the Commission to pay particular attention to the Covered Play Area and my observation that the Play Structure did not meet Chapter 55. The file that I cannot download describes in detail my objections to the play structure. Peter Spir acknowledged my observation and provided a solution, using banding, to help break up the massing. I knew at that time that the Planning Department hadn't the foggiest idea of the impact or what they were even looking at in terms of scale and Chapter 55. The nature of the drawings, at 1"=10', to the novice, is alarmingly deceptive.

Sadly, this type of unprofessional and irresponsible representations are the status quo within the local industry. And with the excellent renderings produced by MWA, the seductiveness of the drawings in CUP 12-02 are that more illusory and misleading. Please be leery and beware!

The drawing that showed the covered play structure is shown here:

LU3.06; [Sheet 17](#); Section F-F

<http://westlinnoregon.gov/sites/default/files/projects/Plan%20files%20resubmit.pdf>

Attached are photographs of the structure as it is being erected. When I first saw the structure, I was immediately flabbergasted that the play structure had grown in scale. But after looking at the drawings, I noticed that the structure is built exactly as the drawings indicated and as exactly as what I had protested.

Please see the attached photographs. I am shocked at the complete inappropriateness of the structure and that the previous planning commission did not heed the community's concerns. I am sadly discouraged with the leadership of the department and that of the commission.

Relationship to CUP 12-02. The current buildings in CUP 12-02 do not satisfy Chapter 55. Not even close. It is a joke. Please do not be swayed by what planning staff may tell you. LOTWP and WL City staff have no integrity, no objectivity, and no accountability to enforce Chapter 55.

Back when CUP 10-03 was under review, **that** was the time to mitigate the negative impacts created by the so-called professionals and unaccountable municipal staff. Commissioners, please note the potential negative impacts of a water plant **are of greater consequence** than an elementary school. And given a cursory review of the CUP 12-02 submittal, the application is sorely lacking and does not meet the slimmest of conditions. There is important information left out and the application does not satisfy the requisite proof. Unless an independent third party is hired to review compliance of this project, than the information you receive from the City of West Linn is just a *waste of your time*. The PD has proven project after project that the city cannot be trusted with protecting our communities nor adequately enforcing the weakest of planning standards. This water plant is an assault on the senses and decency, not to mention out of compliance with the CDC. Deny 12-02 outright. LOTWP can, and should, provide a more appropriate response relative to it's context of a small, well-established, suburban neighborhood. Just look what the city did to my neighborhood!!!



Where are the trees that are shown in the Section F on sheet 17? The block wall is grossly out of proportion and lacks the detail of the surrounding context and the new school beyond. The Silver Lining? West Linn can now brag that it has an empty Costco waiting in the wings thanks to Peter Spir.



The structure is the West Linn Costco. The obscene folly? Notice the banding as suggested by Senior Planner Peter Spir? Welcome to [Spir's Folly](#).



The efflorescence on the play structure detracts from the neighborhood. The notion of 'white elephant' comes to mind.
Unmentioned is the reverberation and noise levels of the busses turning around less than 50 feet away from the Covered Play Structure.
If I lived in one of those homes in the background, I would not be so polite as I have been in this missive. Even if this meets seismic requirements, I hope I am not under the structure when a Fukushima-like earthquake hits the Northwest! And our kids are supposed to play around this monstrosity? Welcome to the Hindenberg, kids!



I count approx. 99 courses of brick. At three inches a course, that would make the structure 25 feet tall. At four inches each, the height is about 32 feet. The drawings presented to the planning commission deserve more scrutiny.

Looking at the construction of the pathway and "bridge" , I am reminded of Animal House. We could all use a laugh about now.
<http://www.imdb.com/title/tt007975/quotes>



[Dean Vernon Wormer](#): Put Neidermeyer on it. He's a sneaky little shit just like you.

Obviously, a topic to be addressed later.

Cheers, Gary Hitesman

From: [Sonnen, John](#)
To: [Pelz, Zach](#)
Subject: FW: Ex-parte disclosure for LOTWP
Date: Friday, February 10, 2012 3:07:25 PM
Attachments: [imageb8c1f2.gif@5f32d5ae.a2114a0d](#)

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Tan, Jennifer
Sent: Friday, February 10, 2012 9:01 AM
To: Sonnen, John
Cc: City Council; Kerr, Chris
Subject: Ex-parte disclosure for LOTWP

Hi John,

Can you please include this communication report as part of the ex-parte disclosure record for LOTWP?
Thank you.

- During my citizens' coffee outreach on Wednesday February 8, WL citizen Grey Mayo brought up the LOTWP. He only stated that he had heard various concerns about this project. I then told him that I was unable to speak about this subject to maintain neutrality.

- While in Oahu, Hawaii, on Monday January 30, I randomly met a Lake Oswego resident, Steve Fox. While casually chatting, he spoke to me about his profession, and how he had bid on work related to the LOTWP. I then told him that I was unable to discuss this subject further.

Thank you,
Jenni

 Councilor Jennifer Tan
jtan@westlinnoregon.gov
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Sonnen, John](#)
To: [Pelz, Zach](#)
Subject: FW: Ex-parte disclosure for LOTWP
Date: Monday, February 13, 2012 11:24:36 AM
Attachments: [imageb8c1f2.gif@5f32d5ae.a2114a0d](#)

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Tan, Jennifer
Sent: Friday, February 10, 2012 9:01 AM
To: Sonnen, John
Cc: City Council; Kerr, Chris
Subject: Ex-parte disclosure for LOTWP

Hi John,
Can you please include this communication report as part of the ex-parte disclosure record for LOTWP?
Thank you.

- During my citizens' coffee outreach on Wednesday February 8, WL citizen Grey Mayo brought up the LOTWP. He only stated that he had heard various concerns about this project. I then told him that I was unable to speak about this subject to maintain neutrality.

- While in Oahu, Hawaii, on Monday January 30, I randomly met a Lake Oswego resident, Steve Fox. While casually chatting, he spoke to me about his profession, and how he had bid on work related to the LOTWP. I then told him that I was unable to discuss this subject further.

Thank you,
Jenni

 Councilor Jennifer Tan
jtan@westlinnoregon.gov
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Sonnen, John](#)
To: [Pelz, Zach](#)
Subject: FW: I would appreciate some feedback...
Date: Friday, February 10, 2012 3:08:01 PM
Attachments: [image887234.gif@85a34652.07fe4b38](#)

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Tan, Jennifer
Sent: Friday, February 10, 2012 8:52 AM
To: lamontking@comcast.net
Cc: City Council; Sonnen, John; Kerr, Chris
Subject: RE: I would appreciate some feedback...

Dear Mr. King,
Thank you for your message. I was copied on the recent response that Mike Jones sent you, and I apologize that I must also offer the same reasoning as to why I am unable to meet with you or the Committee. Given that an application has been filed with the City, I must maintain my neutrality. I kindly request that you please present the relevant issues and concerns during the hearing.

Warm regards,
Jenni Tan

CITY OF
West Linn
Councilor Jennifer Tan
jtan@westlinnoregon.gov
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net [lamontking@comcast.net]
Sent: Thursday, February 09, 2012 12:29 PM
To: Tan, Jennifer
Subject: I would appreciate some feedback...

Hi Jenny,

My name is Lamont King and I am on the Good Neighbor Committee representing the Robinwood Neighborhood Association. I am trying to reach out to members of the council to find out what is the reason for their refusal to meet with us about the LO

Water Plant expansion. I have arranged meetings with Chris Jordan earlier to make it known that we wish to work with the city and do what is best for the city. Instead, we have been shut out off the process by procedural tactics and disingenuous information. The "ex parte" rule was used for over one year to block our quest for information and the ability to sit down and discuss our concerns with the people we elected to represent us. Could you please provide me with an explanation of why we are being excluded by the city and would it be possible for you to meet with me or other on the committee to hear our issues?

Thank you for your consideration!

Lamont King

From: [Kerr, Chris](#)
To: [Pelz, Zach](#)
Subject: FW: Lake Oswego/ Tigard water treatment plant
Date: Monday, March 19, 2012 11:37:21 AM

For record

Chris Kerr, Interim Assistant City Manager

Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kerr, Chris
Sent: Monday, March 19, 2012 11:36 AM
To: 'tessamess@gmail.com'
Subject: Lake Oswego/ Tigard water treatment plant

Ms. Christensen:

Councilor Cummings forwarded me your email regarding the LOWTP project. I am the City planner reviewing the treatment plant application and I'm glad to discuss the project with you. My afternoon today is busy, but I am available most afternoons this week. Thanks

Chris Kerr
503-723-2538

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#); [Sonnen, John](#)
Subject: FW: Letter for Mayor Hoffman's signature
Date: Friday, February 17, 2012 4:05:04 PM
Attachments: [021712 FINAL jt Letter to Chair of Robinwood NA.pdf](#)

FYI

Chris Jordan, City Manager

Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Joanne Bengtson [mailto:joanne@tigard-or.gov]
Sent: Friday, February 17, 2012 4:00 PM
To: 'Heisler, Jane'
Cc: Councilmail Councilmail; Dennis Koellermeier; John Goodrich; Komarek, Joel; 'Hoffman, Jack'; Jordan, Chris; Gudman, Jeff; Jordan, Donna; Kehoe, Mike; Moncrieff, Sally; Olson, Mary; Tierney, William
Subject: RE: Letter for Mayor Hoffman's signature

Hi Jane,
I'm mailing it today to Mr. Bracco and the partners will receive it in this 'cc'. If I missed anyone, please send it on.

Thanks!

Joanne Bengtson
Exec. Asst. to City Manager & Mayor
City of Tigard
13125 SW Hall Blvd
Tigard, OR 97223
503-718-2476
joanne@tigard-or.gov

From: Heisler, Jane [mailto:jheisler@ci.oswego.or.us]
Sent: Friday, February 17, 2012 3:02 PM
To: Joanne Bengtson
Cc: Komarek, Joel
Subject: FW: Letter for Mayor Hoffman's signature

You can take it from here, Joanne. If you could send a signed copy to us, we'd appreciate it, as well as the date that it was mailed. Thanks.

From: McGarvin, Jane
Sent: Friday, February 17, 2012 2:59 PM
To: Heisler, Jane
Cc: joanne@tigard-or.gov
Subject: RE: Letter for Mayor Hoffman's signature

Here is signed letter

Jane

From: Heisler, Jane
Sent: Friday, February 17, 2012 2:40 PM
To: McGarvin, Jane
Cc: joanne@tigard-or.gov
Subject: Letter for Mayor Hoffman's signature

Thanks Jane. If you could return it ASAP, copying Joanne as well, I would much appreciate it.

Jane Heisler | Communications Director | Lake Oswego-Tigard Water Partnership | Voice - 503-697-6573 | Mail - P. O. Box 369, Lake Oswego, OR 97034 | lotigardwater.org



PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

DISCLAIMER: E-mails sent or received by City of Tigard employees are subject to public record laws. If requested, e-mail may be disclosed to another party unless exempt from disclosure under Oregon Public Records Law. E-mails are retained by the City of Tigard in compliance with the Oregon Administrative Rules "City General Records Retention Schedule."

From: [Sonnen, John](#)
To: [Pelz, Zach](#)
Subject: FW: Letter from Oversight Committee
Date: Tuesday, February 21, 2012 2:39:37 PM
Attachments: [imagebca1c6.gif@1cba0cdf.b6214462](#)

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kerr, Chris
Sent: Tuesday, February 21, 2012 2:15 PM
To: Sonnen, John
Subject: FW: Letter from Oversight Committee

[file](#)

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kovash, John
Sent: Tuesday, February 21, 2012 1:43 PM
To: Kerr, Chris
Subject: FW: Letter from Oversight Committee

[Do you have this letter? John](#)

 Mayor John Kovash
jkovash@westlinnoregon.gov
West Linn Mayor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

From: Anthony Bracco [<mailto:anthonybracco@yahoo.com>]
Sent: Tuesday, February 21, 2012 9:24 AM
To: Kevin Bryck; Kovash, John; Tan, Jennifer; Carson, Jody; Cummings, Teri
Subject: Fw: Letter from Oversight Committee

Gentlemen and Ladies,

Here is the letter they sent.

I would like to add that the items/mitigations mentioned that we had in "common" were ones that were already required by the city of West Linn or ODDOT so we removed them from our mitigation list (along with the ones that were completely unreasonable).

Peace,

Tony

----- Forwarded Message -----

From: "Heisler, Jane" <jheisler@ci.oswego.or.us>
To: "Tony Bracco (anthonybracco@yahoo.com)" <anthonybracco@yahoo.com>
Sent: Friday, February 17, 2012 4:59 PM
Subject: Letter from Oversight Committee

Tony,

This letter from the Oversight committee was mailed to you today. It was emailed to Chris Jordan and others, so I thought you should have it now, too, and not have to wait until Monday.

Let me know if you want to talk about it.

Also, I got a call from Bob Stowell. He wants us to put more signs on Hwy 43, at Arbor Drive. I told him we had a couple of extras so we could do that, so it will likely happen on Tuesday.

Have a great weekend. Do you get Presidents Day off from classes?

Jane Heisler|Communications Director| Lake Oswego-Tigard Water Partnership|Voice - 503-697-6573|Mail - P. O. Box 369, Lake Oswego, OR 97034 |lotigardwater.org



PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [GARY](#)
To: [President HSNA; Pelz, Zach](#)
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 10:37:18 AM

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Mon, 27 Feb 2012 15:25:57 -0800
From: Alex Kachirisky <president@hiddenspringsna.org>
Organization: Hidden Springs Neighborhood Association
To: 'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC: 'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking

the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board

presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [GARY](#)
To: [Pelz, Zach](#); [Day, Eric](#); [Heisler, Jane](#)
Cc: [President HSNA](#); [GARY](#)
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 12:04:23 PM

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
- 8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:50 AM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:37 AM
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion

Date:Mon, 27 Feb 2012 15:25:57 -0800

From:Alex Kachirisky <president@hiddenspringsna.org>

Organization:Hidden Springs Neighborhood Association

To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>

CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know

what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [Kerr, Chris](#)
To: [Pelz, Zach](#)
Subject: FW: Mapleton Drive sidewalk issue
Date: Friday, March 30, 2012 1:07:46 PM

For the file

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kerr, Chris
Sent: Wednesday, March 28, 2012 1:19 PM
To: 'Steve Hopkins'
Subject: RE: Mapleton Drive sidewalk issue

Thanks – the neighborhood association provided their recommendations about 6 weeks ago. It came from the robinwood neighborhood’s ‘great neighbor committee’ and was voted on by the NA at an NA meeting.

It helps to remember that there are two applications associated with the project – the plant redevelopment on their property and the pipeline that will run the length of Mapleton. We only have the request from them for the plant application at this time. For this application, the city is requesting that applicant place a pedestrian path that will meander onto their property along their property frontage, it will not be a curbtight sidewalk, it meanders onto their property to preserve the existing trees along the street. The applicant will also repave their half of the street and add appropriate drainage to the roadway along their frontage– the city’s goals are maintain the existing character of the street, so we aren’t requiring any dedication of right-of-way, any street widening or any street lights. I believe that this will be a good balance of maintain the current aesthetics that provides for drainage needs and a safe, albeit short, route for pedestrians and bikers that don’t want to share the road with cars. Note also that the site plan also proposes a public pedestrian path to Kenthorpe that cuts thru their property.

Again, these requirements are only for the portion of roadway in front of the treatment plant, not the remainder of Mapleton or Kenthorpe. For the pipeline application we will not be requiring that the applicant provide any new street widening, drainage, or sidewalks along Mapleton.

The ultimate decision making body will be the Planning Commission – so if you have recommendations, or comments, you can email them to me and I will place into the record and will provide them to the PC.

Feel free to call me to discuss or for greater explanation as well.

thanks

CK

From: Steve Hopkins [<mailto:sfhopkins9@aol.com>]
Sent: Wednesday, March 28, 2012 11:23 AM
To: Kerr, Chris
Cc: nhop101@aol.com
Subject: Mapleton Drive sidewalk issue

Chris,

Thanks for your prompt response to our concern about adding sidewalks to Mapleton Drive. I'm sorry my acknowledgement of your response wasn't sooner--we've been out of town since the 10th and just saw your letter yesterday. We appreciate your explanation of the reason sidewalk construction was included in the city's "preapplication" message and your advisement of the Robinwood Neighborhood Association's request for "paths or increased pavement widths".

I've attended many of the association's meetings this past year and have read all the numerous emails concerning the unfortunate expansion of the water treatment plant, but have been unaware of the RNA's request for sidewalks. Perhaps it occurred when I was out-of-town. I am pleased to read that their request is for less than the city's plans for sidewalks on both sides the full length of Mapleton. However, their request doesn't reflect the overwhelming response to my survey: 25 residents responded NO to any sidewalks within 24 hours of receiving the survey. And I know of a few more who don't want them who don't use a computer. I doubt that as many Mapleton property owners were involved in the sidewalk request. I've been in neighborhood meetings with fewer than 25 residents from the entire association.

Please help me and my neighbors better understand the city's sidewalk plans:

- 1) When was the RNA's sidewalk request submitted and by whom?
- 2) If the Lake Oswego/Tigard expansion plan is approved, does West Linn plan to incorporate sidewalks into the resulting street reconstruction? You say that West Linn cannot require Lake Oswego to construct the sidewalks, but when asked whether they plan to put in sidewalks as well as repave the street, their representative said yes. And when asked what they would do if the residents didn't want sidewalks, she said they would pay West Linn to put them along some other street. Obviously, Lake Oswego is aware of West Linn's plan to put sidewalks on both sides of Mapleton Drive and I suspect West Linn officials are aware of Lake Oswego's willingness to do so.
- 3) If sidewalk installation is not part of the street reconstruction, when would West Linn plan to add them?
- 4) Who would pay for sidewalk construction, erosion control and landscape damage mitigation?
- 5) What would it take to convince West Linn officials not to widen the thoroughfare with unwanted sidewalks?

Thanks for improving communications on the sidewalk issue.

Steve Hopkins

From: [Sonnen, John](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: Please add citizen comments to record
Date: Monday, March 19, 2012 9:21:02 AM

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Cummings, Teri
Sent: Sunday, March 18, 2012 8:29 PM
To: nathalie christensen
Cc: Sonnen, John
Subject: RE: Please add citizen comments to record

Dear Natalie,

I hope you will understand I am not at liberty to engage in discussing merits of this situation but will forward your questions to staff in case they can help explain what is going on.

Sincerely,
Teri Cummings

22500 Salamo Road
West Linn, Oregon 97068

503-635-9241

Councilor Teri Cummings
<mailto:tcummings@westlinnoregon.gov>
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: <http://westlinnoregon.gov>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public. _____

From: nathalie christensen [tessamess@gmail.com]
Sent: Thursday, March 15, 2012 2:16 PM
To: Cummings, Teri
Subject: Re: Please add citizen comments to record

Good afternoon Teri

I had one more question and I'm not sure that you will be able to answer, but I will ask anyway. From my understanding you can't take any party because LO is an owner of those properties... but the thing I did realize is that they have not paid any property taxes on those specific properties! I would love to not have to pay mine either...

Also I was able to get in contact with a lot of citizens in West Linn and the first questions they asked was " How does the city benefit from this change of land use and for having an industrial water plant belonging to other cities?" I honestly do not have the answer.

Please remember, I'm not trying to be confrontational or sassy, I just would like to understand.

Thsnk you very much for your time and again it was a pleasure meeting you,

Nathalie Christensen

On Tue, Mar 13, 2012 at 2:06 PM, Cummings, Teri <tcummings@westlinnoregon.gov> wrote:

> Dear Nathalie Christensen,

> It was a pleasure to meet you yesterday at the library. It means a lot to me when citizens take the time to share their views on city matters.

> Please let me know if I need to make any correction regarding your comments noted for the record to prevent ex-parte contact.

>

> Ms Natalie Christiansen, a property owner on Mapleton voiced concerns that "this LO/Tigard situation is getting very contentious". "I honestly believed that the city would protect citizens, but it looks like my city is giving preferential treatment to other cities,especially when choosing to meet with them and not citizens . She perceives this as a " done deal". Also she worries about her property being flooded and is disappointed that the "city won't talk to us about the risk of the pipe".

> I informed Ms Christensen both before and after she spoke that I would not be at liberty to discuss, debate or in any way lean toward a judgement prior to any hearing that may take place in the future.

> Sincerely yours,

> Teri Cummings

>

> 22500 Salamo Road

> West Linn, Oregon 97068

>

> 503-635-9241

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

From: [Sonnen, John](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: FW: Property owners in the city?
Date: Friday, March 16, 2012 9:02:39 AM

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Cummings, Teri
Sent: Thursday, March 15, 2012 9:37 PM
To: Jack and Karlene; jsselby@ci.oswego.or.us; Sonnen, John
Cc: Randall Fastabend; Kevin Bryck; President RNA; Tan, Jennifer; Carson, Jody
Subject: RE: Property owners in the city?

Thank you Mr. Norby I will request staff to add your comment to the record in order to avoid exparte contact., Teri Cummings

22500 Salamo Road
West Linn, Oregon 97068

503-635-9241

Councilor Teri Cummings
<mailto:tcummings@westlinnoregon.gov>
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: <http://westlinnoregon.gov>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public. _____

From: Jack and Karlene [jnorb@comcast.net]
Sent: Wednesday, March 14, 2012 6:46 PM
To: jsselby@ci.oswego.or.us
Cc: Randall Fastabend; Kevin Bryck; President RNA; Tan, Jennifer; Carson, Jody; Cummings, Teri
Subject: Property owners in the city?

Hi Jeff

You probably aren't aware but the City of LO for years claimed their houses on Mapleton were part of the LO community when it came to saying they had low cost housing. You can't have it both ways. I initially was neutral on this project despite being lied to in my living room five years ago about LO's

future plans. You have idiots in charge when it comes to public relations. Disingenuous and arrogant are the terms I would use for the managers of this project and the LO officials that have been behind it.

When West Linn was not invited to the transportation planning last year it became obvious that Lake access wasn't the only one-sided thing you were doing...now this.

I am a voting member of the Robinwood Station and one of the four that did the work so that you could have a meeting. If your city hadn't been so blatant, we would waive the fee. This is a training or "information" meeting that you have to do to make money from Tigard. If Burgerville had a training meeting, we would charge them.

Hold your meeting somewhere else if you don't want to pay.

Jack Norby 503 720-4733

From: [Sonnen, John](#)
To: [Pelz, Zach](#)
Subject: FW: The role of the community in WL GOVT.
Date: Monday, February 13, 2012 11:17:53 AM
Attachments: [imageac1d01.gif@f9ef6dac.db8f4b4a](#)

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Tan, Jennifer
Sent: Friday, February 10, 2012 5:01 PM
To: Sonnen, John
Cc: City Council; Kerr, Chris
Subject: FW: The role of the community in WL GOVT.

Hi John,
Can you please add to the record.
Warm regards,
Jenni

 Councilor Jennifer Tan
itan@westlinnoregon.gov
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net [lamontking@comcast.net]
Sent: Friday, February 10, 2012 1:28 PM
To: Tan, Jennifer
Subject: Fwd: The role of the community in WL GOVT.

Hi Jenny,

Thank you for your response! I am forwarding you the letter I sent Mike. I do appreciate the both of you taking time to respond to my emails and I just wish we had the opportunity to sit down and try to find common ground on some of these issues.

Have a great day!

Lamont King

From: lamontking@comcast.net
To: "Michael Jones" <mjones@westlinnoregon.gov>
Sent: Friday, February 10, 2012 1:25:04 PM
Subject: Re: The role of the community in WL GOVT.

Mike,

Thank you for your response! I am disappointed that it appears our city has taken the position that subjugates the concerns of our citizens to the commercial concerns of a neighboring city. My take on "exparte communication" according to what I heard from the outside attorney hired is that communication is allowed as long as it is reported and not done in private. With that said, how about a meeting that exercises your "policy function" which was your justification for the 12/19 meeting and we confine our discussion to the WL water systems. We on the committee believe that this deal with Lake Oswego is not in our city's best interest for our water systems and we would like the opportunity to discuss our concerns with the council.

One other issue that I think may raise some problems with certain groups in our community. I is my understanding that the council plans to push through a Lake Oswego Exception to our city code requiring a vote before placing pipes in parks. It wasn't that long ago the citizens of West Linn made it clear that this was important to them and thus the code. I understand this is inconvenient for Lake Oswego and I hope the wishes of our citizens are not compromised by our city's wish to please Lake Oswego.

Thank you again for responding to my email and I hope we have an opportunity to discuss some of these issues in person. I and everyone on our citizens committee want what we believe is best for West Linn which is what I believe you and the rest of the council stand for. Give us a chance to voice our concerns(with disclosure) and perhaps find middle ground in our veiws.

Best Regards,

Lamont King

From: "Michael Jones" <mjones@westlinnoregon.gov>
To: lamontking@comcast.net
Cc: "City Council" <ima_citycouncil@westlinnoregon.gov>, "Chris Kerr" <ckerr@westlinnoregon.gov>, pam@gov-law.com
Sent: Thursday, February 9, 2012 3:34:33 PM
Subject: RE: The role of the community in WL GOVT.

Lamont-

I apologize for taking a day or so to get back to you but I really wanted to give your email some thought. I would agree with you that you raise issues that are relevant to a land use hearing on the LOT Water Treatment Plant and that you present them when the hearing is held. That being said, given that an application has been filed with the City, I must maintain my neutrality. It is important that as a

Council member I am able to hear and decide any land use appeal related to this application in a completely fair and impartial manner. I can assure you that this is as much in your best interest as it is in mine or Lake Oswego's.

I don't know if you have seen the recent email Chris Jordan sent to the RNA President. It is a letter from our attorney that explains in some detail why we are responding the way we are. It was originally for the Council's use and therefore confidential but the Council decided that the information needed to be shared. Chris is copied on this email and will forward that communication to you. To summarize at least one part, our attorney has said I need to maintain neutrality and not discuss your specific concerns and I think you would agree that following your attorney's advice is generally a pretty good course of action.

I know this issue is critically important to the City, your neighborhood, and my neighbors. I want to make sure we are all prepared to respond in the best manner possible.


Sincerely-Mike Jones

mjones@westlinnoregon.gov

503.344.4683

><((((">... ><((((">... ><((((">... ><((((">... ><((((">... ><((((">... ><((((">... ><((((">...

Save the Salmon

Before you print, think about the ENVIRONMENT 



Councilor Michael Jones
mjones@westlinnoregon.gov
West Linn City Councilor
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F:
Web:

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net [lamontking@comcast.net]

Sent: Wednesday, February 08, 2012 12:28 PM

To: Jones, Michael

Subject: The role of the community in WL GOVT.

Hi Mike,

We spoke briefly about the water treatment plant expansion early in the process. You appear to be someone I could talk to and someone trying to make West Linn a better place. Could you please explain to me why our city government refuses to sit down and speak to the citizens in the Robinwood Neighborhood Association about their concerns with the Lake Oswego expansion. Lake Oswego has bullied the people in our neighborhood and acted like their plans were a done deal from the beginning. I have personally met with Chris Jordan and tried to work within the city on this issue. I like Chris but feel he has misled me and not allowed appropriate discussion to occur with our neighborhood and the council. For over one year he has claimed they

couldn't meet with us and then last month a outside attorney, hired by the city said it was okay as long as it was disclosed.

The committee I am on represents and enjoys the full support of a recognized group of citizens in this community. Yet our own council chooses to meet with Lake Oswego and refuses to sit down with us. Lake Oswego has begun condemnation proceedings in our city and our own city leaders refuse to meet with us and hear our veiws. How do you suppose West Linn would fare if we decided to expand an industrial site in a Lake Oswego neighborhood with the goal of making a profit at their neighborhoods expense?

I would appreciate a response.

Best Regards,

Lamont King

From: [Kerr, Chris](#)
To: [Pelz, Zach](#)
Subject: FW: WL Lot
Date: Friday, February 24, 2012 8:32:38 AM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

CC

Chris Kerr, Interim Assistant City Manager

Administration, #1538

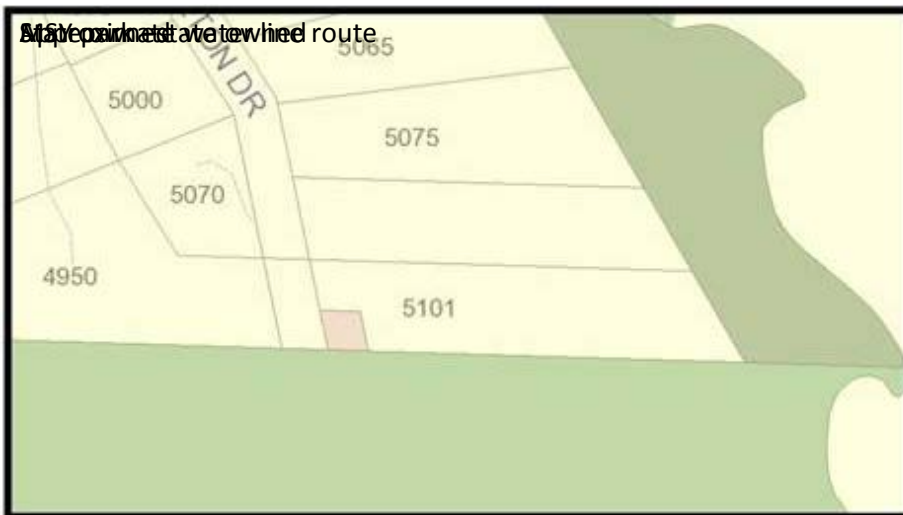
West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kerr, Chris
Sent: Friday, February 24, 2012 8:32 AM
To: 'Dave Froode'
Subject: RE: WL Lot

Dave - This may help. The ownership info. is below - the water pipe route is APPROXIMATE - if the applicant wants to cross the small city property, there would still be no need for a city-wide vote - because it is not a park/open space property.

City owned property



-----Original Message-----

From: Dave Froode [<mailto:dfroode@comcast.net>]

Sent: Friday, February 24, 2012 5:50 AM

To: Kerr, Chris

Subject: Fwd: WL Lot

Chris:

Now I am confused.

Please refer to the Clackamas County map showing the city's parcel at the end of Mapleton. First there is the private residence of 5075 Mapleton, then two lots south of that residence before MSY park. The second one has the small square adjacent to Mapleton Drive. Is this the small square the lot for the sewage facility West Linn owns? Or does WL also own the land east of the square outside the metal fencing all the way to the meandering line of the river? This same area in question would border the northern most for MSY park.

The satellite display I saw on the WL city worker's survey equipment showed one continuous lot without the small square adjacent to Mapleton. The lot went all the way to the meandering line of the river bank.

Why the discrepancy between the survey tool display and county map?

Regarding the WL facility being industrial, agree if the property ends inside the metal fencing. If the city's property is outside that fencing extending to the river would seem it is open space and used as an egress to MSY and Cedar Island parks given the trails.

http://web5.co.clackamas.or.us/tmp/4f4790c6_7c5e_0.png

Thanks, Dave

From: [Kerr, Chris](#)
To: [Pelz, Zach](#)
Subject: FW: WTP Application Review
Date: Thursday, February 09, 2012 3:10:33 PM
Attachments: [Review LOTWP WTP Application.docx](#)

Pls review and we'll discuss next steps

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: DJ Heffernan [<mailto:djheff1@gmail.com>]
Sent: Thursday, February 09, 2012 2:53 PM
To: Kerr, Chris
Cc: Kevin Bryck
Subject: WTP Application Review

I am done with this phase, Chris. On ice 'til the pipeline application comes in. Kevin can fill you in on how the NA intends to make use of this - initially in meetings with LOTWP. It may be that the issues I've ID'd here are things they will bring up in land use review and not bring to the LOTWP directly. My sense is that the group has more heartburn with off-site impacts related to the pipeline that with the WTP design save for the items listed in the memo and also concerns about potential operating problems related to emergencies that could impact surrounding properties. But the group has been conducting its own review so I am not confident the memo covers the universe of concerns.

I will invoice for this work. About 10 hours of effort.

--

DJ Heffernan
503.310.2306

From: [Kerr, Chris](#)
To: ["Heisler, Jane"](#)
Cc: [Pelz, Zach](#)
Subject: FW: WTP Fencing
Date: Thursday, March 08, 2012 8:54:48 AM

Take a look at Ch. 44 –

The max fence height is always six feet.

The only way to get a higher fence is a variance – but you could put the fence on a berm (which would get to 8.5 feet total)

CK

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Heisler, Jane [mailto:jheisler@ci.oswego.or.us]
Sent: Wednesday, March 07, 2012 9:04 PM
To: Pelz, Zach
Cc: Kerr, Chris
Subject: WTP Fencing

Zach

What are your regulations about fence height? Lorie Griffith to the west of the WTP site would like us to install a sight obscuring fence on our property line abutting her lot. Many of the diseased trees that we removed were along her frontage and she's feeling a little 'exposed'. She is asking for a taller-than-code fence so it really blocks the view. (I'm not sure what she is thinking, maybe 8 feet tall?) I want to make sure that whatever we install meets your requirements. Is there a difference in height allowed for a 'construction fence' as opposed to a typical fence?

Jane Heisler | Communications Director | Lake Oswego-Tigard Water Partnership | Voice - 503-697-6573 | Mail - P. O. Box 369, Lake Oswego, OR 97034 | lotigardwater.org



PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: Fwd: Oswego and MSY Park
Date: Thursday, February 09, 2012 7:30:30 AM

Sent from my iPhone

Begin forwarded message:

From: "Cummings, Teri" <tcummings@westlinnoregon.gov>
Date: February 8, 2012 11:50:37 PM PST
To: CWL Council <cwl_council@westlinnoregon.gov>, "Jordan, Chris" <cjordan@westlinnoregon.gov>, "Worcester, Ken" <kworcester@westlinnoregon.gov>
Subject: FW: Oswego and MSY Park

Please add the following communication to the LO/Tigard application record
Teri Cummings

22500 Salamo Road
West Linn, Oregon 97068

503-635-9241

Councilor Teri Cummings
<mailto:tcummings@westlinnoregon.gov>
West Linn City Councilor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: <http://westlinnoregon.gov>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.
Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

Chris Jordan, City Manager

Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Cummings, Teri
Sent: Wednesday, February 08, 2012 11:50 PM
To: Dave Froode
Subject: RE: Oswego and MSY Park

Dear Dave,
I trust you will understand that City Councilors are not at liberty to weigh in or respond in any way at this point because the application has been filed. We must reserve judgment for quasi-judicial proceedings.
I will forward your communication to staff for legal clarification and placement on the record in order to avoid ex-parte contact
Teri Cummings

22500 Salamo Road
West Linn, Oregon 97068

503-635-9241

From: Dave Froode [dfroode@comcast.net]
Sent: Wednesday, February 08, 2012 7:28 AM
To: Cummings, Teri
Subject: Oswego and MSY Park

Teri:

I asked Parks Director if the charter would be applied to MSY Park and Oswego installing a pipe line. You can read the answer. I do not agree. The intent of the charter was to protect our parks from situations like Wilderness Park absorbed several years ago. I would like to hear your version too.

- * Our city codes be they building or land use apply to MSY Park in every way. Why is Oswego an exception?
- * At one point the Willamette River Greenway code was also to apply. Is that now been shoved aside?
- * Our city is invested in this park with tax dollars and staff maintenance. We have many volunteers that assist in its maintenance. We have ownership. Does that not count?

Granted Ecola and Tryon are State parks and MSY is a state asset. But Canon Beach and Oswego do not have their city personnel doing maintenance in either park. Further who dare try to convince me The Friends of Tryon Creek State Park would allow Portland, West Linn or even Oswego to put a four foot pipeline through sensitive and protected areas of that park?

I am seeing way too much compromise by our city and really do not like it. The Mapleton owners have been marginalized and villified, the RNA is being ignored in spite of considerable effort to create a very reasonable Good Neighbor Plan and both mayors from Tigard and Oswego promised a Great

Neighbor Plan. The more I probe this project the more I become convinced it is for Oswego's profit.

----- Original Message -----

Subject: Re: Oswego and MSY Park

Date: Tue, 07 Feb 2012 17:27:23 -0800

From: Dave Froode <dfroode@comcast.net> <<mailto:dfroode@comcast.net>>

To: Worcester, Ken

<Kworcester@westlinnoregon.gov> <<mailto:Kworcester@westlinnoregon.gov>>

How is it the West Linn Willamette River Greenway code, the watershed, and building codes apply to MSY Park, yet the charter does not?

If Ecola or Tryon were managed by the cities, those citizens might feel differently.

On 2/7/2012 4:06 PM, Worcester, Ken wrote:
Dave,

In this case the charter would not kick in. Regardless of the intent of our charter, Mary S. Young Park is a State of Oregon asset. As such, I doubt the State would ever(or even could for that matter) relinquish complete control or authority over a State asset to a vote of one local jurisdiction. Management agreements aside, it would be like letting the townsfolk of Cannon Beach (Ecola State Park) or even Lake Oswego (Tryon Creek) vote on something that you as an Oregon resident may or may not want to see in of those parks, but you would be powerless to do anything because you were not a resident.

[cid:part1.05000308.07080708@comcast.net]

Ken Worcester

Kworcester@westlinnoregon.gov <<mailto:Kworcester@westlinnoregon.gov>>

Parks & Recreation Director

22500 Salamo Road, Box 1100

West Linn, OR 97068

P: (503) 723-2555

F: (503) 656-4106

Web: westlinnoregon.gov <<http://westlinnoregon.gov>>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Dave Froode [mailto:dfroode@comcast.net]
Sent: Tuesday, February 07, 2012 11:49 AM
To: Worcester, Ken
Subject: Oswego and MSY Park

If Oswego runs their pipe through MSY park will the city charter kick in and call for a citizen vote? Or will the city call MSY a "state park" and not apply the charter? This is one of those issues of intent of the law vs letter of the law.

I had a letter to the editor in Oregonlive.com last week. Had 400 hits. My Turn: West Linn resident not sold on Lake Oswego's plan to expand water facility February 02, 2012

http://blog.oregonlive.com/mywestlinn/2012/02/my_turn_west_linn_resident_not.html

Thanks, Dave

From: [Jordan, Chris](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: Fwd: WLRA Statement
Date: Tuesday, February 21, 2012 10:47:03 AM

For the record because it was sent to the mayor

Sent from my iPhone

Begin forwarded message:

From: Dave Froode <dfroode@comcast.net>
Date: February 21, 2012 10:34:17 AM PST
To: President RNA <anthonymbracco@yahoo.com>
Cc: "Jordan, Chris" <cjordan@westlinnoregon.gov>, "Kovash, John" <jkovash@westlinnoregon.gov>
Subject: Re: Fwd: Fwd: Fwd: Re: WLRA Statement

Yes. Thus the letter from the WLRA in opposition.

So much for the Great Neighbor Plan Mayors Jack Hoffman and Craig Dirksen promised.

On 2/21/2012 9:08 AM, Anthony Bracco wrote:

Hey Dave, Chris, and John

Did you here that L.O. decided to not honor ANY mitigations that we (RNA) requested due to "costs"?

Peace,

Tony

From: Dave Froode <dfroode@comcast.net>
To: "Jordan, Chris" <cjordan@westlinnoregon.gov>; "Kovash, John" <jkovash@westlinnoregon.gov>
Sent: Monday, February 20, 2012 1:57 PM
Subject: Fwd: Fwd: Fwd: Re: WLRA Statement

Dear Mayor Kovash and West Linn City Council:

On behalf of the West Linn Riverfront Association, the Board of Directors is opposed to the methods employed by Lake Oswego to expand their water treatment facility in a West Linn residential area. The WLRA requests Lake Oswego not be allowed to proceed until they have gained the approval of property owners impacted by this project.

The WLRA also asks the City of West Linn require Lake

Oswego to honor all city codes affording protection to our natural resources and environment.

Finally, the WLRA strongly opposes Lake Oswego litigating against private property owners. Good faith negotiations to arrive at amicable agreements is always preferred.

Respectively submitted,
West Linn Riverfront Association Board of Directors
David J. Froode, Chairperson
Feb. 20, 2012

CC Mr Chris Jordan,
City of West Linn

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Perkins, Michael](#)
To: [Pelz, Zach](#)
Subject: lo treatment plant trees
Date: Monday, April 02, 2012 3:32:16 PM

I agreed over the phone with Joel, that a plan or condition that they will try to save the trees using standard construction methods with the understanding that the trees will most likely need to be taken out but an attempt will be made. The third tree by the solids thickening may be saved after all, since they are looking at a different layout up there.

Michael Perkins, City Arborist/Park Development Coordinator
Parks and Recreation, #1554

[West Linn Sustainability](#) Please consider the impact on the environment before printing a paper copy of this email.

[Public Records Law Disclosure](#) This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: LO Water Plant Blog
Date: Tuesday, February 28, 2012 1:39:00 PM

Zach,

For your consideration, I have attached a blog that I am administrating.

<http://civictomfoolery.blogspot.com/>

Any formal community comments I may have will be submitted to you with the proper planning case designations.

Please feel free to distribute as you may deem allowable.

Cheers. Gary Hitesman

From: [Shroyer, Shauna](#)
To: [Mohling, Karen](#)
Cc: [Pelz, Zach](#)
Subject: LO Water Treatment Plant
Date: Wednesday, January 18, 2012 2:47:42 PM

Hi Karen,

I just wanted to let you know that the Lake Oswego Tigard Partnership has submitted their [application for the water treatment plant](#) at 4260 Kenthorpe Way and it has been posted on the City website.

Shauna Shroyer

Shauna Shroyer, Administrative Assistant

Planning, #1557

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [GARY](#)
To: [Pelz, Zach](#); [Day, Eric](#)
Subject: LOTP Review_WL012012PPQ
Date: Saturday, February 25, 2012 10:30:17 AM

25 February 2012

Eric Day,

I have started to collect the data regarding both the pipeline and the proposed overscaled water plant in Robinwood, West Linn. One thing that appears to be happening is a systematic revision of definitions and lowering of standards?

Current Events suggest this is occurring in West Linn as West Linn creates new, different sources of revenue to assist with the financial burdens your project will impose upon residents and businesses in West Linn?

What appears to be occurring is that the City of West Linn has replaced principals and proper public stewardship with the **wordsmithing** by the Planning Department. What am I missing in this assumption? For example;

Notes from the Pre-App provide this ruling under "potentially applicable"~

Goal 2: Land Use Planning ○

Residential Development ▪ Policies •

8. Protect residentially zoned areas from the negative impacts of commercial, civic, and mixed-use development, and other potentially incompatible land uses.

9. Foster land use planning that emphasizes livability and carrying capacity.

Goal 2 is very clear with it's 'intent'. What is not clear is the City of West Linn adding the "potentially applicable" in front of the Goal statements. ***It seems to me that either the goal, or policy statement, is applicable, or not.*** And that is where the changing definitions and slippery slope begins. The wording from the City of West Linn opens a hole into it's requirements large enough to drive a 1000 gallon hydrozide chlorine truck through. Ultimately, I think the project will pass muster if all current community codes are addressed equally, WITHOUT MODIFICATION or exemption. But it does not appear that the City of West Linn Planning Department will be entrepreting the work as much as they will change the rules of the game.

Is this observation correct?

Cheers, Gary Hitesman

From: [RNA Great Neighbor Committee](#)
To: [President RNA](#); [Vroman Shanon](#); [Jones Eric](#); [King Lamont](#); [Mutschler Mark](#); [Stowell Bob](#); [Heffernan DJ](#); [Caraher David](#); [Blake Steve](#); [Smith Vicki](#)
Subject: LOTWP Oversight Committee Doc Link
Date: Wednesday, January 25, 2012 8:52:10 PM

<http://www.lotigardwater.org/?p=oversight-committee-meetings>

Kevin Bryck, Chair

RNA Great Neighbor Committee

RNAGNC@gmail.com

<http://rnagreatneighbors.blogspot.com/>

From: [Kerr, Chris](#)
To: [City Council](#)
Cc: [Pelz, Zach](#); [Shroyer, Shauna](#); [Jordan, Chris](#); [Sonnen, John](#)
Subject: LOTWP Water treatment plant expansion application
Date: Tuesday, January 17, 2012 3:54:44 PM
Attachments: [WL land use process overview opinion MEM \(00187821\).pdf](#)

All:

The Lake Oswego Tigard Water Partnership has submitted an application for Conditional Use/Design Review for a proposed upgrade to the existing water treatment plant at 4200 Kenthorpe Way in West Linn.

Conditional Use and Design Review approvals require Planning Commission review – however, the final decision is appealable to the City Council. All correspondence/contact with the applicant or neighbors is considered to be ex parte communications. Please exercise caution in your communications regarding this matter. Feel free to call me with any questions. The following excerpts and attached memo from our legal counsel provide guidance for limitations on communication between the public and decision-making bodies:

- *...ORS 227.180(3)(a) requires that members of the decision-making body disclose “the substance of any written or oral ex parte communications concerning the decision or action” (attached City Attorney memo, pg. 2).*
- *The purpose of the ex parte contact statutes is to ensure that land use decisions are based on information or evidence the decision-makers receive within the public process and not based on information or evidence received outside the public process (attached City Attorney memo, pg. 3).*

Please refer to the attached memo from Special Legal Counsel, Pamela J. Beery, regarding ex parte communications for more details on appropriate communications in pending quasi-judicial land use decisions.

Thank you and please do not hesitate to contact me with questions. (Shauna is forwarding this to the Planning Commission as well.)

Chris Kerr

Chris Kerr, Interim Assistant City Manager

Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Le, Khoi](#)
To: [Pelz, Zach](#); [Kerr, Chris](#)
Subject: LOT-WWTP
Date: Friday, February 03, 2012 2:27:20 PM

Followings are items that I would like to see on the plan:

Street Improvement

- Area of pavement improvement on both Kenthorpe Way and Mapleton Drive on plan view
- Location of street light on plan view
- Sidewalk improvement on the east side of the project to extend along the property line on plan view
- Cross section of the street improvement

Dedication and Easement

- Show dedication and denote with dimension on plan view
- Show easement and denote with dimension on plan view

Utility

- Storm Drainage and other utilities plans involved to be included in the plan set not just in the submittal narrative package.

These items may not necessary incomplete items but I would like to see them show on the plan prior to planning commission so they all get approved at the time of approval to avoid complication during construction phase.

Additional helpful information but not necessary required information:

Technical information on the Water Treatment Process with information on how much solid waste produced and discharged.

Let meet on Monday if you are available for a short time to discuss the above items.

Once we are all in agreement, I would like to set up a meeting with their design engineers to discuss with them how they would like to handle these items; whether to show these items now or in form of conditions of approval.

Thanks,

Khoi

Khoi Le, Public Improvement Program Manager

Public Works, #1517

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Walters, Rebecca](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: meetings
Date: Thursday, February 16, 2012 2:12:10 PM

Hi Mr. Kerr and Mr. Pelz:

I am interested in attending the planning meetings related to Lake Oswego's water treatment plant expansion and pipeline. Where on our city's website is there information about meetings that citizens can attend and have input on?

Thanks,
Rebecca Walters

I've learned that it is better to be kind than right.
503-402-3308

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

From: GSEY
To: Jones, Michael; Carson, Jody; Dennis, Jennifer; Tan, Cummings, Teri; Jordan, Chris; Kovash, John; Polz, Zach; Tony Vandenberg
Cc: rhoadesw@wlv.k12.or.us; ghalley@oregonian.com; CWL Planning Commission; Worcester, Ken; Heister, Jane; ndocosta@westlinncity.com
Subject: Mr. Jordan, tear down this wall!
Date: Wednesday, March 07, 2012 8:37:59 AM

7 March 2012

To the West Linn City Council, The West Linn Planning Director, and The West Linn City Manager,

A great monstrosity has arisen that I request be rectified immediately. Through ANOTHER gaffe in oversight responsibilities, West Linn City Staff has let residents down again. The covered play structure as proposed under CUP 10-03 should never have been allowed. PERIOD.

I am starting a petition drive to have the structure torn down. The fact that the structure was improperly built and shows excessive efflorescence will help you as it appears that the City, the property owner, the contractor, and the subcontractor laying the CMU blocks are ALL at fault to some degree. I'll leave that to the arbitration process. But the wall needs modification **Right Now**, or complete tear down.

From my own planning perspective, this white elephant could not have come at a worse time. The City has botched oversight of the Palomino Loop Trail, the Water Plant application from LOTWP, the solar highway with the misguided bike path to nowhere, the library parking lot, etc. The list goes on and on and on. There is not a single neighborhood that "your collective" lack of oversight has not defiled. This is civic malfeasance and gross indifference of the first order.

I will not be going away until that WALL does! I have changed my blog accordingly. Please see <http://civictomfoolery.blogspot.com/> and <http://civictomfoolery.blogspot.com/p/wall.html>

Respectfully yours,
Gary Hitesman



From: [GARY](#)
To: eday@ci.oswego.or.us
Cc: [Pelz, Zach](#); [President HSNA](#)
Subject: Proposed LOTP waterline preapplication submittal
Date: Wednesday, February 22, 2012 2:00:58 PM

Mr. Day, I want to thank you and the project Team for allowing West Linn residents to involve themselves with your project. Some comments:

1.) The proposed Staging Area is too vague. Is it possible to see a detailed analysis of the impacts created within the staging area? What will the impacts be to the rest of the park in accessing the staging area and delivering construction equipment, workers, and material to the project? I hike there everyday and I am not convinced that you will even be allowed to do what it is you are proposing. Please cite the codes you are using and exceptions sought in seeking this waiver.

2.) Regarding RWP Mapping resources. How can the breadth of the investigation be unclear? 50 feet is not enough nor is the assumption justifiable. There is at least one salmon bearing stream that so far does not appear within your report and for which 50 feet is likely insufficient. The unmitigated storm runoff from Hwy 43 alone will need to be fully addressed? Please substantiate.

For precedent, you may want to refer to the submitted documents for Trillium Creek Elementary School. This is an ongoing project that went through some Goal 5 issues. Your request for allowed exceptions run counter to what was approved on this project? On timing; on scale; on impacts; and on livability standards.

3.) The JPA is a critical component with potential detrimental impacts that a Draft could potentially miss. There are too many 'bad' precedents in West Linn for the Planning Director to waive this requirement. The potential impact and scale alone make your request apparently unreasonable. Brown and Caldwell ***is capable*** and has the resources to do the job in a timely fashion that you require. This is an argument that I suggest is problematic for you.

The LOTP project also faces some uphill battles with precedent setting planning decisions regarding proposed construction in riparian and environmentally sensitive areas. Why would the City allow another City to make exceptions when they have not allowed similar intrusions by other residents?

4.) The sheer scale of the project and the purpose are unsustainable. Where is the information regarding the proposed intertie and the associated schedule?

5.) Who owns, and who WILL own, Hwy 43 in the future?

6.) Have all the impacts been addressed? Is there a checklist the project team can submit to demonstrate that all potential impacts have been documented, risk assessed, and addressed?

7.) The Sample Noise Variance Request appears alarming to me in terms of potential adverse health risks to the community. What was this submitted?

8.) I have a concern about the relationship the West Linn Planning Director may/may not have with Brown and Caldwell. With what other projects did Director Sonnen & Brown and Caldwell work together? And if so, in what capacities?

Thank you for your consideration. Some of these questions may be for the City and not your responsibility. I'm getting acquainted with the work completed to date and will need to educate myself. Thank you, as well, for your patience.

Gary Hitesman

From: [Shroyer, Shauna](#)
To: eday@ci.oswego.or.us
Cc: jheisler@ci.oswego.or.us; [Kerr, Chris](#); [Pelz, Zach](#)
Subject: Public Hearing Notice
Date: Monday, April 02, 2012 3:38:31 PM
Attachments: [Returned Public Hearing Notice - E.Day.pdf](#)

Eric,

Attached please find the Public Hearing Notice for CUP-12-02/DR-12-04 Water Treatment Plant at 4260 Kenthorpe Way. This notice was mailed to you as well as other parties as required. For unknown reasons, the notice to you was returned as undeliverable. I have scanned a copy for your records.

Shauna Shroyer

Shauna Shroyer, Administrative Assistant
Planning, #1557

[West Linn Sustainability](#) Please consider the impact on the environment before printing a paper copy of this email.

[Public Records Law Disclosure](#) This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Vicky and Pat](#)
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#); [chuck landskronercrm](#); [Kevin Bryck](#); [King Lamont](#); [vroman shanon](#); [steven.b.schalk@odot.state.or.us](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 26, 2012 7:22:06 AM
Attachments: [image87c004.gif@96fd01bc.62634a0c](#)
[Responses to 21 Questions from neighborhood.pdf](#)

Zach –

We have reviewed the City's answers to our 21 questions. They were mostly surprising or absent.

Surprising. That the City of West Linn, as stewards and leasers of Mary S. Young State Park, could relinquish responsibility to an applicant, as implied by your answers, such as to questions # 6 and 13.

Absent. Because you failed to answer the questions directed to the City, such as question #16.

In review of your response to question #1, the City appears to consider our question incidental. We do not. We are concerned it highlights that the applicant and City may be unfamiliar with the parcels this project is proposing to impact. We reviewed the 3 page document (SKMBT_C55011122212080.pdf) you provided to us. Your answer implies the City is confident this is good enough. We disagree. It appears, the only property that ODOT is granting permission for is Mary S. Young Park. No other parcels are referenced in their email.

The three residential parcels owned by the State of Oregon, are NOT formally part of Mary S. Young Park. They are residentially zoned lots owned by the State of Oregon. Therefore, the applicant should have requested permission from the State for the all parcels they propose to use in addition to the Mary S Young property. It is our expectation that the applicant and the City of West Linn understand the ownership, limits and legal conditions of all impacted parcels and to follow the necessary procedures required. Will the City please review the applicants submittal and confirm the status of permission as is required by the City's code.

We are trying to participate in the public process, because we value this community, our neighbors and the place we live. Our neighborhood expected a partnership with our City staff on what is most likely the largest infrastructure project the City has been involved with. Instead we seem to be completely shut out and only the applicant is allowed to meet with again and again.

We have been promised a meeting with City Staff and the Mayor more than a few times but the City has not followed through. We truly hope that will change.

Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Kevin Bryck" <kevinbryck@comcast.net>, "King Lamont" <lamontking@comcast.net>

Sent: Wednesday, January 25, 2012 11:04:51 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -
Thanks for answers.

Specific to question 1, the permission ODOT granted that you forwarded to us appeared to be ONLY for Mary S. Young Park, not the two adjacent residential parcels owned by the state that the pipe goes across, that was the question we were asking. Can you confirm permission was also granted for these?

I will share your responses with the GNC this evening.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Wednesday, January 25, 2012 10:52:37 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Mr. Landskroner, thank you for bringing SB 264 to our attention; we have not yet had an opportunity to determine whether the City Code is consistent with it. If you or anyone believes the water treatment plant application or a future pipeline application fails to meet a code requirement, you may submit that evidence to the City of West Linn's record on an eventual decision.

Responses to the previous 21 questions are attached. Many of the questions are directed to Lake Oswego/Tigard Water Partnership representatives; please be aware that this document was given to the project representatives at our pre-application conference on January 5, 2012.

Thanks and have a great weekend,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck landskronercrm [mailto:chucklandskronercrm@hotmail.com]
Sent: Wednesday, January 25, 2012 10:25 AM
To: Vicky and Pat; Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; President RNA; stowell5050@aol.com; vroman shanon
Subject: Re: Application received - Lake Oswego Water Treatment Plant

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](#)
Sent: Wednesday, January 25, 2012 7:25 AM
To: [Zach Pelz](#)
Cc: [amanda m dotson](#) ; [steven b schalk](#) ; [robert w ebeling](#) ; [Chris Kerr](#) ; [Peter Spir](#) ; [John Sonnen](#) ; [lamontking@comcast.net](#) ; [noelblake@comcast.net](#) ; [Kevinbryck@comcast.net](#) ; [rebecca walters](#) ; [President RNA](#) ; [chucklandskronercrm@hotmail.com](#) ; [stowell5050@aol.com](#) ; [vroman shanon](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com,

"Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Kerr, Chris](#)
To: ["Vicky and Pat"; Pelz, Zach](#)
Cc: [Spir, Peter](#); [Sonnen, John](#); [chuck landskronercrm](#); [Kevin Bryck](#); [King Lamont](#); [vroman shanon](#); [steven.b.schalk@odot.state.or.us](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 26, 2012 10:15:18 AM

All:

I think some of these questions require some discussion. If you can schedule time for me on your next GNC agenda - I'll attend and provide an update on the project and answer any questions. Let me know, thanks

CK

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Thursday, January 26, 2012 7:22 AM
To: Pelz, Zach
Cc: Kerr, Chris; Spir, Peter; Sonnen, John; chuck landskronercrm; Kevin Bryck; King Lamont; vroman shanon; steven.b.schalk@odot.state.or.us
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach –

We have reviewed the City's answers to our 21 questions. They were mostly surprising or absent.

Surprising. That the City of West Linn, as stewards and leasers of Mary S. Young State Park, could relinquish responsibility to an applicant, as implied by your answers, such as to questions # 6 and 13.

Absent. Because you failed to answer the questions directed to the City, such as question #16.

In review of your response to question #1, the City appears to consider our question incidental. We do not. We are concerned it highlights that the applicant and City may be unfamiliar with the parcels this project is proposing to impact. We reviewed the 3 page document (SKMBT_C5501122212080.pdf) you provided to us. Your answer implies the City is confident this is good enough. We disagree. It appears, the only property that ODOT is granting permission for is Mary S. Young Park. No other parcels are referenced in their email.

The three residential parcels owned by the State of Oregon, are NOT formally part of Mary S. Young Park. They are residentially zoned lots owned by the State of Oregon. Therefore, the applicant should have requested permission from the State for the all parcels they propose to use in addition to the Mary S Young property. It is our expectation that the applicant and the City of West Linn understand the ownership, limits and legal conditions of all impacted parcels and to follow the necessary procedures required. Will the City please review the applicants submittal and

confirm the status of permission as is required by the City's code.

We are trying to participate in the public process, because we value this community, our neighbors and the place we live. Our neighborhood expected a partnership with our City staff on what is most likely the largest infrastructure project the City has been involved with. Instead we seem to be completely shut out and only the applicant is allowed to meet with again and again.

We have been promised a meeting with City Staff and the Mayor more than a few times but the City has not followed through. We truly hope that will change.

Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Kevin Bryck" <kevinbryck@comcast.net>, "King Lamont" <lamontking@comcast.net>
Sent: Wednesday, January 25, 2012 11:04:51 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -
Thanks for answers.

Specific to question 1, the permission ODOT granted that you forwarded to us appeared to be ONLY for Mary S. Young Park, not the two adjacent residential parcels owned by the state that the pipe goes across, that was the question we were asking. Can you confirm permission was also granted for these?

I will share your responses with the GNC this evening.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Wednesday, January 25, 2012 10:52:37 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Mr. Landskroner, thank you for bringing SB 264 to our attention; we have not yet had an opportunity to determine whether the City Code is consistent with it. If you or anyone believes the water treatment plant application or a future pipeline application fails to meet a code requirement, you may submit that evidence to the City of West Linn's record on an eventual decision.

Responses to the previous 21 questions are attached. Many of the questions are directed to Lake Oswego/Tigard Water Partnership representatives; please be aware that this document was given to the project representatives at our pre-application conference on January 5, 2012.

Thanks and have a great weekend,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck landskronercrm [<mailto:chucklandskronercrm@hotmail.com>]
Sent: Wednesday, January 25, 2012 10:25 AM
To: Vicky and Pat; Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; President RNA; stowell5050@aol.com; vroman shanon
Subject: Re: Application received - Lake Oswego Water Treatment Plant

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](#)
Sent: Wednesday, January 25, 2012 7:25 AM
To: [Zach Pelz](#)
Cc: [amanda m dotson](#) ; [steven b schalk](#) ; [robert w ebeling](#) ; [Chris Kerr](#) ; [Peter Spir](#) ; [John Sonnen](#) ; [lamontking@comcast.net](#) ; [noelblake@comcast.net](#) ; [Kevinbryck@comcast.net](#) ; [rebecca walters](#) ; [President RNA](#) ; [chucklandskronercrm@hotmail.com](#) ; [stowell5050@aol.com](#) ; [vroman shanon](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the [Transmission line](#).

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>,

chucklandskronercrm@hotmail.com, stowell5050@aol.com

Sent: Wednesday, January 18, 2012 6:49:58 AM

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>

To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>

Sent: Tuesday, January 17, 2012 4:26:56 PM

Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106



Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [chuck landskronercrm](#)
To: [Pelz, Zach](#); [Vicky and Pat](#)
Cc: [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 25, 2012 12:11:00 PM
Attachments: [image87c004.gif@96fd01bc.62634a0c](#)

The local governments under SB 264 **ARE REQUIRED TO PUT IN PLACE**, certain measures as provided in section (2).....

From: [Pelz, Zach](#)
Sent: Wednesday, January 25, 2012 10:52 AM
To: '[chuck landskronercrm](#)'; [Vicky and Pat](#)
Cc: [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Mr. Landskroner, thank you for bringing SB 264 to our attention; we have not yet had an opportunity to determine whether the City Code is consistent with it. If you or anyone believes the water treatment plant application or a future pipeline application fails to meet a code requirement, you may submit that evidence to the City of West Linn's record on an eventual decision.

Responses to the previous 21 questions are attached. Many of the questions are directed to Lake Oswego/Tigard Water Partnership representatives; please be aware that this document was given to the project representatives at our pre-application conference on January 5, 2012.

Thanks and have a great weekend,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck landskronercrm [mailto:chucklandskronercrm@hotmail.com]
Sent: Wednesday, January 25, 2012 10:25 AM
To: Vicky and Pat; Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; President RNA; stowell5050@aol.com; vroman shanon
Subject: Re: Application received - Lake Oswego Water Treatment Plant

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](#)

Sent: Wednesday, January 25, 2012 7:25 AM

To: [Zach Pelz](#)

Cc: [amanda m dotson](#) ; [steven b schalk](#) ; [robert w ebeling](#) ; [Chris Kerr](#) ; [Peter Spir](#) ; [John Sonnen](#) ; [lamontking@comcast.net](#) ; [noelblake@comcast.net](#) ; [Kevinbryck@comcast.net](#) ; [rebecca walters](#) ; [President RNA](#) ; [chucklandskronercrm@hotmail.com](#) ; [stowell5050@aol.com](#) ; [vroman.shanon](#)

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>

To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>

Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tchoes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Sent: Thursday, January 19, 2012 12:23:45 PM

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line

alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Worcester, Ken](#)
To: [Sonnen, John](#)
Cc: [Pelz, Zach](#); [Kerr, Chris](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 19, 2012 4:15:05 PM

We also walked the route and told them there would need to be a shift in the alignment to avoid the removal of some trees but would cause the removal of some others.

It also seems reasonable that if there are already utility easements granted in the park that this easement would not create a reversion.

And just as an FYI, as it relates to reversion below is a response from the National Park Service relating to its reversionary policies.

>>> <Gloria_Shinn@nps.gov> 8/15/2011 4:53 PM >>>
NPS concurs.

Gloria

Bringing the NPS mission home!

Gloria Shinn
LWCF/UPARR Project Manager
National Park Service
Pacific West Region
909 1st Ave, 5th Floor
Seattle, WA 98104-1060

Voice: (206) 220-4126
Fax: (206) 220-4224

"Marilyn
Lippincott"
<marilyn.lippinco
tt@state.or.us>

08/15/2011 01:07
PM

"Gloria Shinn"
<Gloria_Shinn@nps.gov>

To

cc

Subject

Underground Water Line

Need your concurrence.

The construction of an underground water line through a portion of Mary S Young Park would be allowable as long as the easement site is restored to its pre-existing condition to ensure the continuation of public outdoor recreation use of the easement area within 12 months after the ground within the easement area is disturbed. NPS review and approval would not be required for the construction of this underground waterline.

If the restoration exceeds the 12 month period, or the easement activities result in permanent above ground changes, NPS will need to be consulted to determine if the changes will trigger a conversion.

If present or future outdoor recreation opportunities will be impacted in the easement area or in the remainder of Mary S Young Park, a conversion will be triggered.

Construction of this underground water line through a portion of Mary S Young Park does not constitute a "temporary non-conforming" use and does not need to be reviewed and approved by NPS.

Is this correct and do you concur. Will need to get back to the City of West Linn and the City of Lake Oswego on their proposal.

Thank you for the brief phone conversation today about this issue.

Marilyn Lippincott
Senior Grants Project Coordinator
725 Summer St. NE, Suite C
Salem, OR 97301
marilyn.lippincott@state.or.us
(503) 986-0711

Ken Worcester, Parks and Recreation Director
Parks and Recreation, #1555

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Sonnen, John
Sent: Thursday, January 19, 2012 1:13 PM
To: Worcester, Ken
Subject: FW: Application received - Lake Oswego Water Treatment Plant

FYI

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Thursday, January 19, 2012 12:24 PM
To: Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; shannonmv@comcast.net; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk"

<steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Sent: Wednesday, January 18, 2012 6:49:58 AM

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>

To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>

Sent: Tuesday, January 17, 2012 4:26:56 PM

Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Vicky and Pat](#)
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#); [chuck landskronercrm](#); [Kevin Bryck](#); [King Lamont](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 25, 2012 11:04:54 AM
Attachments: [image87c004.gif@96fd01bc.62634a0c](#)

Zach -
Thanks for answers.

Specific to question 1, the permission ODOT granted that you forwarded to us appeared to be ONLY for Mary S. Young Park, not the two adjacent residential parcels owned by the state that the pipe goes across, that was the question we were asking. Can you confirm permission was also granted for these?

I will share your responses with the GNC this evening.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Wednesday, January 25, 2012 10:52:37 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Mr. Landskroner, thank you for bringing SB 264 to our attention; we have not yet had an opportunity to determine whether the City Code is consistent with it. If you or anyone believes the water treatment plant application or a future pipeline application fails to meet a code requirement, you may submit that evidence to the City of West Linn's record on an eventual decision.

Responses to the previous 21 questions are attached. Many of the questions are directed to Lake Oswego/Tigard Water Partnership representatives; please be aware that this document was given to the project representatives at our pre-application conference on January 5, 2012.

Thanks and have a great weekend,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck landskronercrm [mailto:chucklandskronercrm@hotmail.com]
Sent: Wednesday, January 25, 2012 10:25 AM
To: Vicky and Pat; Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; President RNA; stowell5050@aol.com; vroman shanon
Subject: Re: Application received - Lake Oswego Water Treatment Plant

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](#)
Sent: Wednesday, January 25, 2012 7:25 AM
To: [Zach Pelz](#)
Cc: [amanda m dotson](#) ; [steven b schalk](#) ; [robert w ebeling](#) ; [Chris Kerr](#) ; [Peter Spir](#) ; [John Sonnen](#) ; [lamontking@comcast.net](#) ; [noelblake@comcast.net](#) ; [Kevinbryck@comcast.net](#) ; [rebecca walters](#) ; [President RNA](#) ; [chucklandskronercrm@hotmail.com](#) ; [stowell5050@aol.com](#) ; [vroman shanon](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tchoes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tchoes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Worcester, Ken](#)
To: [Sonnen, John](#)
Cc: [Pelz, Zach](#); [Kerr, Chris](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 19, 2012 4:15:05 PM

We also walked the route and told them there would need to be a shift in the alignment to avoid the removal of some trees but would cause the removal of some others.

It also seems reasonable that if there are already utility easements granted in the park that this easement would not create a reversion.

And just as an FYI, as it relates to reversion below is a response from the National Park Service relating to its reversionary policies.

>>> <Gloria_Shinn@nps.gov> 8/15/2011 4:53 PM >>>
NPS concurs.

Gloria

Bringing the NPS mission home!

Gloria Shinn
LWCF/UPARR Project Manager
National Park Service
Pacific West Region
909 1st Ave, 5th Floor
Seattle, WA 98104-1060

Voice: (206) 220-4126
Fax: (206) 220-4224

"Marilyn
Lippincott"
<marilyn.lippinco
tt@state.or.us>

08/15/2011 01:07
PM

"Gloria Shinn"
<Gloria_Shinn@nps.gov>

To

cc

Subject

Underground Water Line

Need your concurrence.

The construction of an underground water line through a portion of Mary S Young Park would be allowable as long as the easement site is restored to its pre-existing condition to ensure the continuation of public outdoor recreation use of the easement area within 12 months after the ground within the easement area is disturbed. NPS review and approval would not be required for the construction of this underground waterline.

If the restoration exceeds the 12 month period, or the easement activities result in permanent above ground changes, NPS will need to be consulted to determine if the changes will trigger a conversion.

If present or future outdoor recreation opportunities will be impacted in the easement area or in the remainder of Mary S Young Park, a conversion will be triggered.

Construction of this underground water line through a portion of Mary S Young Park does not constitute a "temporary non-conforming" use and does not need to be reviewed and approved by NPS.

Is this correct and do you concur. Will need to get back to the City of West Linn and the City of Lake Oswego on their proposal.

Thank you for the brief phone conversation today about this issue.

Marilyn Lippincott
Senior Grants Project Coordinator
725 Summer St. NE, Suite C
Salem, OR 97301
marilyn.lippincott@state.or.us
(503) 986-0711

Ken Worcester, Parks and Recreation Director
Parks and Recreation, #1555

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Sonnen, John
Sent: Thursday, January 19, 2012 1:13 PM
To: Worcester, Ken
Subject: FW: Application received - Lake Oswego Water Treatment Plant

FYI

John Sonnen, Planning Director
Planning and Building, #1524

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Thursday, January 19, 2012 12:24 PM
To: Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; shannonmv@comcast.net; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk"

<steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Sent: Wednesday, January 18, 2012 6:49:58 AM

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>

To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>

Sent: Tuesday, January 17, 2012 4:26:56 PM

Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck_landskroner@comcast.net
To: [Vicky and Pat](mailto:Vicky_and_Pat@westlinn-oregon.gov); [Pelz, Zach](mailto:Zach_Pelz@westlinn-oregon.gov)
Cc: [amanda_m_dotson](mailto:amanda_m_dotson@odot.state.or.us); [steven_b_schalk](mailto:steven_b_schalk@odot.state.or.us); [robert_w_ebeling](mailto:robert_w_ebeling@odot.state.or.us); [Kerr, Chris](mailto:Kerr_Chris@westlinn-oregon.gov); [Spir, Peter](mailto:Spir_Peter@westlinn-oregon.gov); [Sonnen, John](mailto:Sonnen_John@westlinn-oregon.gov); lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; [rebecca_walters](mailto:rebecca_walters@adp.com); [President RNA](mailto:President_RNA@anthonymbracco@yahoo.com); stowell5050@aol.com; [vroman_shanon](mailto:vroman_shanon@hotmail.com)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 25, 2012 10:18:37 AM
Attachments: [image8e9b04.gif@2498b6eb.c9ed4514](#)

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](mailto:Vicky_and_Pat@westlinn-oregon.gov)
Sent: Wednesday, January 25, 2012 7:25 AM
To: [Zach Pelz](mailto:Zach_Pelz@westlinn-oregon.gov)
Cc: [amanda_m_dotson](mailto:amanda_m_dotson@odot.state.or.us); [steven_b_schalk](mailto:steven_b_schalk@odot.state.or.us); [robert_w_ebeling](mailto:robert_w_ebeling@odot.state.or.us); [Chris Kerr](mailto:Chris_Kerr@westlinn-oregon.gov); [Peter Spir](mailto:Peter_Spir@westlinn-oregon.gov); [John Sonnen](mailto:John_Sonnen@westlinn-oregon.gov); lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; [rebecca_walters](mailto:rebecca_walters@adp.com); [President RNA](mailto:President_RNA@anthonymbracco@yahoo.com); chucklandskroner@comcast.net; stowell5050@aol.com; [vroman_shanon](mailto:vroman_shanon@hotmail.com)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinn-oregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinn-oregon.gov>, "Peter Spir" <Pspir@westlinn-oregon.gov>, "John Sonnen" <JSONNEN@westlinn-oregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca_walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskroner@comcast.net, stowell5050@aol.com
Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com,

"Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Kerr, Chris](#)
To: [Pelz, Zach](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 1:27:24 PM

Please send a tickler tomorrow. Thanks

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pelz, Zach
Sent: Wednesday, January 18, 2012 1:22 PM
To: Kerr, Chris
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Yes; last Friday.

Zach Pelz, Associate Planner
Planning and Building, #1542

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kerr, Chris
Sent: Wednesday, January 18, 2012 1:17 PM
To: Pelz, Zach
Subject: RE: Application received - Lake Oswego Water Treatment Plant

I've forgotten, did we send these to pam/chris?

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pelz, Zach
Sent: Wednesday, January 18, 2012 12:56 PM
To: 'Vicky and Pat'
Cc: Kerr, Chris
Subject: RE: Application received - Lake Oswego Water Treatment Plant

No problem. Our pre-application summary notes should be available by early next week.

Thanks,

Zach Pelz, Associate Planner
Planning and Building, #1542

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Wednesday, January 18, 2012 11:34 AM
To: Pelz, Zach
Cc: Kerr, Chris
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Sorry for the confusion - I was asking about the staff report on the pre-app for the pipeline NOT the WTP and answers to the questions for that.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>
Sent: Wednesday, January 18, 2012 10:04:30 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

You're welcome.

Staff reports are typically not available until about 10 days prior to the first evidentiary hearing on quasi-judicial land use decisions. For this application, that would be 10 days prior to the first Planning Commission hearing; this date has not yet been scheduled. The next step for us (City staff) is to determine if the Applicant's submittal includes all of the required submittal materials. The City has 30 days to complete this review and make a determination as to whether all of the materials have been submitted.

Once the City determines that the application is complete, we will begin our review of the Applicant's proposal in light of the applicable standards from the West Linn Community Development Code. The findings during this analysis will be included in the staff report that is presented to the Planning Commission.

I anticipate that the applicant incorporated many of your comments from the pre-application meeting into the application; and we will include many of the questions/comments into our analysis and review of the application. However, be aware that since the application was filed just yesterday, it does not include any previous public comments— therefore, I would strongly advise you to submit to the City (email to me is fine) all of the comments that you would like to be included into the official record. You may want to review their application before you write up your comments, since many may have been addressed already. They will all be included as attachments to the staff report for the decision making body to consider. While we provide a summary of public comments in the staff report, it is not always possible to address each individual question.

Thanks,

Zach



West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Wednesday, January 18, 2012 6:50 AM
To: Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; shannonmv@comcast.net; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>

Sent: Tuesday, January 17, 2012 4:26:56 PM

Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn’s Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Vicky and Pat](#)
To: [Pelz, Zach](#)
Cc: [amanda_m_dotson](#); [steven_b_schalk](#); [robert_w_ebeling](#); [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#); [lamontking@comcast.net](#); [noelblake@comcast.net](#); [Kevinbryck@comcast.net](#); [rebecca_walters](#); [President RNA](#); [chucklandskronercrm@hotmail.com](#); [stowell5050@aol.com](#); [vroman_shanon](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 25, 2012 7:25:46 AM
Attachments: [image8e9b04.gif@2498b6eb.c9ed4514](#)
[Pre-app_questions_-_word11.doc](#)

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the [Transmission line](#).

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the

potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to lose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks


From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Kerr, Chris](#)
To: [Pelz, Zach](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 1:17:17 PM

I've forgotten, did we send these to pam/chris?

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pelz, Zach
Sent: Wednesday, January 18, 2012 12:56 PM
To: 'Vicky and Pat'
Cc: Kerr, Chris
Subject: RE: Application received - Lake Oswego Water Treatment Plant

No problem. Our pre-application summary notes should be available by early next week.

Thanks,

Zach Pelz, Associate Planner
Planning and Building, #1542

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Wednesday, January 18, 2012 11:34 AM
To: Pelz, Zach
Cc: Kerr, Chris
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Sorry for the confusion - I was asking about the staff report on the pre-app for the pipeline NOT the WTP and answers to the questions for that.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>
Sent: Wednesday, January 18, 2012 10:04:30 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

You're welcome.

Staff reports are typically not available until about 10 days prior to the first evidentiary hearing on

quasi-judicial land use decisions. For this application, that would be 10 days prior to the first Planning Commission hearing; this date has not yet been scheduled. The next step for us (City staff) is to determine if the Applicant's submittal includes all of the required submittal materials. The City has 30 days to complete this review and make a determination as to whether all of the materials have been submitted.

Once the City determines that the application is complete, we will begin our review of the Applicant's proposal in light of the applicable standards from the West Linn Community Development Code. The findings during this analysis will be included in the staff report that is presented to the Planning Commission.

I anticipate that the applicant incorporated many of your comments from the pre-application meeting into the application; and we will include many of the questions/comments into our analysis and review of the application. However, be aware that since the application was filed just yesterday, it does not include any previous public comments— therefore, I would strongly advise you to submit to the City (email to me is fine) all of the comments that you would like to be included into the official record. You may want to review their application before you write up your comments, since many may have been addressed already. They will all be included as attachments to the staff report for the decision making body to consider. While we provide a summary of public comments in the staff report, it is not always possible to address each individual question.

Thanks,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]

Sent: Wednesday, January 18, 2012 6:50 AM

To: Pelz, Zach

Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; shannonmv@comcast.net; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com;

PC Meeting 4/18/2012

Exhibit PC-4 202

stowell5050@aol.com

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>

To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>

Sent: Tuesday, January 17, 2012 4:26:56 PM

Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Vicky and Pat](#)
To: [Pelz, Zach](#)
Cc: [amanda_m_dotson](#); [steven_b_schalk](#); [robert_w_ebeling](#); [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#); [lamontking@comcast.net](#); [noelblake@comcast.net](#); [Kevinbryck@comcast.net](#); [rebecca_walters](#); [shannonmv@comcast.net](#); [Boes, Thomas](#); [President RNA](#); [chucklandskronercrm@hotmail.com](#); [stowell5050@aol.com](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 19, 2012 12:23:48 PM
Attachments: [image8e9b04.gif@2498b6eb.c9ed4514](#)

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our

neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tchoes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Walters, Rebecca](#)
To: [Pelz, Zach](#); lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; shannonmv@comcast.net; patvicsmith@q.com; [Boes, Thomas](#); [President RNA](#); chucklandskronercrm@hotmail.com; stowell5050@aol.com
Cc: amanda.m.dotson@odot.state.or.us; steven.b.schalk@odot.state.or.us; robert.w.ebeling@odot.state.or.us; [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Tuesday, January 17, 2012 4:43:24 PM

Thanks Mr. Pelz. We so appreciate your notification and we will want to get a copy of that. Can you let us all know when the application is on the website so we can download it?

Thanks,
Rebecca Walters

From: Pelz, Zach [mailto:ZPELZ@westlinnoregon.gov]
Sent: Tuesday, January 17, 2012 4:27 PM
To: lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; Walters, Rebecca (DS); shannonmv@comcast.net; patvicsmith@q.com; [Boes, Thomas](#); [President RNA](#); chucklandskronercrm@hotmail.com; stowell5050@aol.com
Cc: amanda.m.dotson@odot.state.or.us; steven.b.schalk@odot.state.or.us; robert.w.ebeling@odot.state.or.us; [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#)
Subject: Application received - Lake Oswego Water Treatment Plant
Importance: High

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

From: [Vicky and Pat](#)
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 11:34:31 AM
Attachments: [image8d432a.gif@d4be8932.01d94771](#)

Zach -

Sorry for the confusion - I was asking about the staff report on the pre-app for the pipeline NOT the WTP and answers to the questions for that.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>
Sent: Wednesday, January 18, 2012 10:04:30 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

You're welcome.

Staff reports are typically not available until about 10 days prior to the first evidentiary hearing on quasi-judicial land use decisions. For this application, that would be 10 days prior to the first Planning Commission hearing; this date has not yet been scheduled. The next step for us (City staff) is to determine if the Applicant's submittal includes all of the required submittal materials. The City has 30 days to complete this review and make a determination as to whether all of the materials have been submitted.

Once the City determines that the application is complete, we will begin our review of the Applicant's proposal in light of the applicable standards from the West Linn Community Development Code. The findings during this analysis will be included in the staff report that is presented to the Planning Commission.

I anticipate that the applicant incorporated many of your comments from the pre-application meeting into the application; and we will include many of the questions/comments into our analysis and review of the application. However, be aware that since the application was filed just yesterday, it does not include any previous public comments— therefore, I would strongly advise you to submit to the City (email to me is fine) all of the comments that you would like to be included into the official record. You may want to review their application before you write up your comments, since many may have been addressed already. They will all be included as attachments to the staff report for the decision making body to consider. While we provide a summary of public comments in the staff report, it is not always possible to address each individual question.

Thanks,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Wednesday, January 18, 2012 6:50 AM
To: Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; shannonmv@comcast.net; Boes, Thomas; President RNA; chucklandskronercrm@hotmail.com; stowell5050@aol.com
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [chuck landskronercrm](#)
To: [Vicky and Pat](#); [Pelz, Zach](#)
Cc: [amanda m dotson](#); [steven b schalk](#); [robert w ebeling](#); [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#); [lamontking@comcast.net](#); [noelblake@comcast.net](#); [Kevinbryck@comcast.net](#); [rebecca walters](#); [shannonmv@comcast.net](#); [Boes, Thomas](#); [President RNA](#); [stowell5050@aol.com](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 11:32:37 AM
Attachments: [image8e9b04.gif@2498b6eb.c9ed4514](#)

Zach, will you be seeking compliance from Lake Oswego with SB 264?

From: [Vicky and Pat](#)
Sent: Wednesday, January 18, 2012 6:49 AM
To: [Zach Pelz](#)
Cc: [amanda m dotson](#); [steven b schalk](#); [robert w ebeling](#); [Chris Kerr](#); [Peter Spir](#); [John Sonnen](#); [lamontking@comcast.net](#); [noelblake@comcast.net](#); [Kevinbryck@comcast.net](#); [rebecca walters](#); [shannonmv@comcast.net](#); [Thomas Boes](#); [President RNA](#); [chucklandskronercrm@hotmail.com](#); [stowell5050@aol.com](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Vicky and Pat](#)
To: [Pelz, Zach](#)
Cc: [amanda_m_dotson](#); [steven_b_schalk](#); [robert_w_ebeling](#); [Kerr, Chris](#); [Spir, Peter](#); [Sonnen, John](#); [lamontking@comcast.net](#); [noelblake@comcast.net](#); [Kevinbryck@comcast.net](#); [rebecca_walters](#); [shannonmv@comcast.net](#); [Boes, Thomas](#); [President RNA](#); [chucklandskronercrm@hotmail.com](#); [stowell5050@aol.com](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Wednesday, January 18, 2012 6:50:00 AM
Attachments: [image8e9b04.gif@2498b6eb.c9ed4514](#)

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach

Zach Pelz, AICP

CITY OF
West
Linn

ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Vicky and Pat](#)
To: [Kerr, Chris](#)
Cc: [Spir, Peter](#); [Sonnen, John](#); [chuck landskronercrm](#); [Kevin Bryck](#); [King Lamont](#); [vroman shanon](#); [steven b schalk](#); [Pelz, Zach](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 26, 2012 12:19:16 PM
Attachments: [imageb167c6.gif@dac0eef2_9fb54dac](#)

Chris -

We appreciate your offer to meet and that is why we have been consistently asking for some time with our City staff.

However, I do think your reply to question #1 should be answered without delay, to ensure the correct approvals were provide by the State to allow the application to be submitted.

Thank you again for your time.

From: "Chris Kerr" <ckerr@westlinnoregon.gov>
To: "Vicky and Pat" <patvicsmith@q.com>, "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Kevin Bryck" <kevinbryck@comcast.net>, "King Lamont" <lamontking@comcast.net>, "vroman shanon" <shanonmv@comcast.net>, "steven b schalk" <steven.b.schalk@odot.state.or.us>
Sent: Thursday, January 26, 2012 10:15:16 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

All:

I think some of these questions require some discussion. If you can schedule time for me on your next GNC agenda - I'll attend and provide an update on the project and answer any questions. Let me know, thanks

CK



Chris Kerr
ckerr@westlinnoregon.gov
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Thursday, January 26, 2012 7:22 AM
To: Pelz, Zach
Cc: Kerr, Chris; Spir, Peter; Sonnen, John; chuck landskronercrm; Kevin Bryck; King Lamont; vroman shanon; steven.b.schalk@odot.state.or.us
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach –

We have reviewed the City's answers to our 21 questions. They were mostly surprising or absent.

Surprising. That the City of West Linn, as stewards and leasers of Mary S. Young State Park, could relinquish responsibility to an applicant, as implied by your answers, such as to questions # 6 and 13.

Absent. Because you failed to answer the questions directed to the City, such as question #16.

In review of your response to question #1, the City appears to consider our question incidental. We do not. We are concerned it highlights that the applicant and City may be unfamiliar with the parcels this project is proposing to impact. We reviewed the 3 page document (SKMBT_C55011122212080.pdf) you provided to us. Your answer implies the City is confident this is good enough. We disagree. It appears, the only property that ODOT is granting permission for is Mary S. Young Park. No other parcels are referenced in their email.

The three residential parcels owned by the State of Oregon, are NOT formally part of Mary S. Young Park. They are residentially zoned lots owned by the State of Oregon. Therefore, the applicant should have requested permission from the State for the all parcels they propose to use in addition to the Mary S Young property. It is our expectation that the applicant and the City of West Linn understand the ownership, limits and legal conditions of all impacted parcels and to follow the necessary procedures required. Will the City please review the applicants submittal and confirm the status of permission as is required by the City's code.

We are trying to participate in the public process, because we value this community, our neighbors and the place we live. Our neighborhood expected a partnership with our City staff on what is most likely the largest infrastructure project the City has been involved with. Instead we seem to be completely shut out and only the applicant is allowed to meet with again and again.

We have been promised a meeting with City Staff and the Mayor more than a few times but the City has not followed through. We truly hope that will change.

Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Kevin Bryck" <kevinbryck@comcast.net>, "King Lamont" <lamontking@comcast.net>
Sent: Wednesday, January 25, 2012 11:04:51 AM

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -
Thanks for answers.

Specific to question 1, the permission ODOT granted that you forwarded to us appeared to be ONLY for Mary S. Young Park, not the two adjacent residential parcels owned by the state that the pipe goes across, that was the question we were asking. Can you confirm permission was also granted for these?

I will share your responses with the GNC this evening.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Wednesday, January 25, 2012 10:52:37 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Mr. Landskroner, thank you for bringing SB 264 to our attention; we have not yet had an opportunity to determine whether the City Code is consistent with it. If you or anyone believes the water treatment plant application or a future pipeline application fails to meet a code requirement, you may submit that evidence to the City of West Linn's record on an eventual decision.

Responses to the previous 21 questions are attached. Many of the questions are directed to Lake Oswego/Tigard Water Partnership representatives; please be aware that this document was given to the project representatives at our pre-application conference on January 5, 2012.

Thanks and have a great weekend,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck landskronercrm [<mailto:chucklandskronercrm@hotmail.com>]
Sent: Wednesday, January 25, 2012 10:25 AM
To: Vicky and Pat; Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; President RNA; stowell5050@aol.com; vroman shanon
Subject: Re: Application received - Lake Oswego Water Treatment Plant

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](#)
Sent: Wednesday, January 25, 2012 7:25 AM
To: [Zach Pelz](#)
Cc: [amanda m dotson](#) ; [steven b schalk](#) ; [robert w ebeling](#) ; [Chris Kerr](#) ; [Peter Spir](#) ; [John Sonnen](#) ; lamontking@comcast.net ; noelblake@comcast.net ; Kevinbryck@comcast.net ; [rebecca walters](#) ; [President RNA](#) ; chucklandskronercrm@hotmail.com ; stowell5050@aol.com ; [vroman shanon](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the Transmission line.

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com

Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Kerr, Chris](#)
To: ["Vicky and Pat"](#)
Cc: [Pelz, Zach](#)
Subject: RE: Application received - Lake Oswego Water Treatment Plant
Date: Thursday, January 26, 2012 2:56:15 PM

No delay is necessary. The authorization from the state is acceptable for the pre-application conference that was held. The city and applicant have been in discussions with them about the project on a variety of issues since this summer; they are aware of the project and the various routes proposed over all of their properties. While the authorization discusses MSY park, I don't have any reason to believe it was only for that parcel of land and not for the others. They have always indicated verbally and in writing that they did not have any issues with a pre-application conference being held for the project. We discussed several pre-application issues with them prior to the meeting and have forwarded them our pre-application notes as well, so they can raise any objections, if they have any.

However, when/if LOWTP files a land use application, I will require, prior to accepting, a letter of consent from the State that clearly outlining the impacted properties.

Thanks

CK

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [mailto:patvicsmith@q.com]
Sent: Thursday, January 26, 2012 12:19 PM
To: Kerr, Chris
Cc: Spir, Peter; Sonnen, John; chuck landskronercrm; Kevin Bryck; King Lamont; vroman shanon; steven b schalk; Pelz, Zach
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Chris -

We appreciate your offer to meet and that is why we have been consistently asking for some time with our City staff.

However, I do think your reply to question #1 should be answered without delay, to ensure the correct approvals were provide by the State to allow the application to be submitted.

Thank you again for your time.

From: "Chris Kerr" <ckerr@westlinnoregon.gov>
To: "Vicky and Pat" <patvicsmith@q.com>, "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, "chuck landskronercrm"

<chucklandskronercrm@hotmail.com>, "Kevin Bryck" <kevinbryck@comcast.net>, "King Lamont" <lamontking@comcast.net>, "vroman shanon" <shanonmv@comcast.net>, "steven b schalk" <steven.b.schalk@odot.state.or.us>

Sent: Thursday, January 26, 2012 10:15:16 AM

Subject: RE: Application received - Lake Oswego Water Treatment Plant

All:

I think some of these questions require some discussion. If you can schedule time for me on your next GNC agenda - I'll attend and provide an update on the project and answer any questions. Let me know, thanks

CK

 Chris Kerr
ckerr@westlinnoregon.gov
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Vicky and Pat [<mailto:patvicsmith@g.com>]

Sent: Thursday, January 26, 2012 7:22 AM

To: Pelz, Zach

Cc: Kerr, Chris; Spir, Peter; Sonnen, John; chuck landskronercrm; Kevin Bryck; King Lamont; vroman shanon; steven.b.schalk@odot.state.or.us

Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach –

We have reviewed the City's answers to our 21 questions. They were mostly surprising or absent.

Surprising. That the City of West Linn, as stewards and leasers of Mary S. Young State Park, could relinquish responsibility to an applicant, as implied by your answers, such as to questions # 6 and 13.

Absent. Because you failed to answer the questions directed to the City, such as question #16.

In review of your response to question #1, the City appears to consider our question incidental. We do not. We are concerned it highlights that the applicant and City may be unfamiliar with the parcels this project is proposing to impact. We reviewed the 3 page document (SKMBT_C55011122212080.pdf) you provided to us. Your answer implies the City is confident this is good enough. We disagree. It appears, the only property that ODOT is granting permission for is

Mary S. Young Park. No other parcels are referenced in their email.

The three residential parcels owned by the State of Oregon, are NOT formally part of Mary S. Young Park. They are residentially zoned lots owned by the State of Oregon. Therefore, the applicant should have requested permission from the State for the all parcels they propose to use in addition to the Mary S Young property. It is our expectation that the applicant and the City of West Linn understand the ownership, limits and legal conditions of all impacted parcels and to follow the necessary procedures required. Will the City please review the applicants submittal and confirm the status of permission as is required by the City's code.

We are trying to participate in the public process, because we value this community, our neighbors and the place we live. Our neighborhood expected a partnership with our City staff on what is most likely the largest infrastructure project the City has been involved with. Instead we seem to be completely shut out and only the applicant is allowed to meet with again and again.

We have been promised a meeting with City Staff and the Mayor more than a few times but the City has not followed through. We truly hope that will change.

Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Kevin Bryck" <kevinbryck@comcast.net>, "King Lamont" <lamontking@comcast.net>
Sent: Wednesday, January 25, 2012 11:04:51 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -
Thanks for answers.

Specific to question 1, the permission ODOT granted that you forwarded to us appeared to be ONLY for Mary S. Young Park, not the two adjacent residential parcels owned by the state that the pipe goes across, that was the question we were asking. Can you confirm permission was also granted for these?

I will share your responses with the GNC this evening.

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "chuck landskronercrm" <chucklandskronercrm@hotmail.com>, "Vicky and Pat" <patvicsmith@q.com>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Wednesday, January 25, 2012 10:52:37 AM
Subject: RE: Application received - Lake Oswego Water Treatment Plant

Mr. Landskroner, thank you for bringing SB 264 to our attention; we have not yet had an

opportunity to determine whether the City Code is consistent with it. If you or anyone believes the water treatment plant application or a future pipeline application fails to meet a code requirement, you may submit that evidence to the City of West Linn's record on an eventual decision.

Responses to the previous 21 questions are attached. Many of the questions are directed to Lake Oswego/Tigard Water Partnership representatives; please be aware that this document was given to the project representatives at our pre-application conference on January 5, 2012.

Thanks and have a great weekend,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: chuck landskronercrm [<mailto:chucklandskronercrm@hotmail.com>]
Sent: Wednesday, January 25, 2012 10:25 AM
To: Vicky and Pat; Pelz, Zach
Cc: amanda m dotson; steven b schalk; robert w ebeling; Kerr, Chris; Spir, Peter; Sonnen, John; lamontking@comcast.net; noelblake@comcast.net; Kevinbryck@comcast.net; rebecca walters; President RNA; stowell5050@aol.com; vroman shanon
Subject: Re: Application received - Lake Oswego Water Treatment Plant

An additional inquiry as to the following:

Are you aware of the requirements in SB 264?

Have you determined whether the expansion will comply with SB 264?

From: [Vicky and Pat](#)
Sent: Wednesday, January 25, 2012 7:25 AM
To: [Zach Pelz](#)
Cc: [amanda m dotson](#) ; [steven b schalk](#) ; [robert w ebeling](#) ; [Chris Kerr](#) ; [Peter Spir](#) ; [John Sonnen](#) ; lamontking@comcast.net ; noelblake@comcast.net ; Kevinbryck@comcast.net ; [rebecca walters](#) ; [President RNA](#) ; chucklandskronercrm@hotmail.com ; stowell5050@aol.com ; [vroman shanon](#)
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Several people, 5 on this email string alone, will be meeting later today as members of the

RNA Good Neighbor Committee (GNC). It would be most helpful to have the answers to the 21 questions that we submitted to you in advance of the January 5th pipeline pre-app meeting. We want to be as efficient with the planner the City hired to help the RNA through this process.

The information the City of West Linn provides will help inform our discussions and committee actions. As the City is aware, the Transmission line CUP and the Water Plant CUP are covered under one GNC plan. Therefore we need to have information on both of these large projects as they move forward on their own paths.

Can you please provide as many responses to the 21 questions (attached) as possible today.

Thank you

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebeling@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Thursday, January 19, 2012 12:23:45 PM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for letting me know the Pre-app meeting notes will be available on line early next week for the [Transmission line](#).

Can you confirm you will be providing answers to our 21 neighborhood questions at that time or explain to us how these questions will be answered, specifically the ones asked of West Linn and the State.

Specific to the issues of trees, some of us have walked the "staked" transmission line alignment and it appears that several, healthy trees will be removed within Mary Young Park, just along the alignment. We are anxious to see the States response to question #13 and the potential risk of having the Park revert to the previous owners.

Also, depending on the route of the pipe in Mapleton, I alone stand to loose upwards of 14 significant trees in front of my property. We have been restoring this area to native plantings and if it is going to be destroyed as part of the transmission line work, I will stop investing time and dollars.

I am asking on behalf of a larger group. The answers from the City are important to our neighborhood. Thank you for your time.

From: "Vicky and Pat" <patvicsmith@q.com>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebelings@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>, lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Sent: Wednesday, January 18, 2012 6:49:58 AM
Subject: Re: Application received - Lake Oswego Water Treatment Plant

Zach -

Thanks for the heads up.

Can you tell us when your staff report from the LO pipeline will be available? Our neighborhood submitted questions in advance of the pre-app meeting, based on the pre-application package. Questions were for both the City of West Linn and Lake Oswego. How will these questions be answered ?

Thanks

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net, noelblake@comcast.net, Kevinbryck@comcast.net, "rebecca walters" <rebecca_walters@adp.com>, shannonmv@comcast.net, patvicsmith@q.com, "Thomas Boes" <tcboes@gmail.com>, "President RNA" <anthonymbracco@yahoo.com>, chucklandskronercrm@hotmail.com, stowell5050@aol.com
Cc: "amanda m dotson" <amanda.m.dotson@odot.state.or.us>, "steven b schalk" <steven.b.schalk@odot.state.or.us>, "robert w ebeling" <robert.w.ebelings@odot.state.or.us>, "Chris Kerr" <ckerr@westlinnoregon.gov>, "Peter Spir" <Pspir@westlinnoregon.gov>, "John Sonnen" <JSONNEN@westlinnoregon.gov>
Sent: Tuesday, January 17, 2012 4:26:56 PM
Subject: Application received - Lake Oswego Water Treatment Plant

Good afternoon –

As a courtesy, we would like to make you aware that the City of Lake Oswego has submitted an application to expand its existing water treatment plant at 4260 Kenthorpe Way in West Linn. The City now has 30 days to determine if the application is complete. The file is available for review at City Hall and will also be available on the City of West Linn's Planning Department website soon.

Thanks and have a great evening,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.



From: charles.c.heath@ubs.com
To: [Pelz, Zach](#)
Subject: RE: City of West Linn's responsibility to its residents
Date: Tuesday, March 20, 2012 12:34:09 PM
Attachments: [ATT00001.htm](#)
[disclaim.txt](#)
[image9e8ecb.gif@b5986735.ab9e46cd](#)

Dear Mr. Pelz,

Thank you for your very timely and informative email addressing many of the questions I have regarding the proposed water treatment plant and pipeline to be built in the Robinwood neighborhood of West Linn. I am sure many of my concerns are a result of being a little late to the process and your memo did a good job of bringing me up to date. Here are my revised thoughts:

West Linn's Role - your review was very good and I understand the City's role in reviewing the application. I am assuming that any land use decision by the City would be subject to further review by Clackamas County and possibly the State. Is that correct? I read the City Attorney's memo and now understand why the City council or Mayor did not attend the meeting. I believe the opinion is a bit conservative and that since these meetings are themselves open to the public and the City employees would not be taking part I doubt it is much of an exparte issue.

Benefits - As you may know this was a very strongly argued point at the meeting I attended last week, since the city already has some emergency coverage under the current agreement with Lake Oswego. Are the Lake Oswego and West Linn systems sufficiently independent that only one would be impacted by the most likely kinds of emergencies? Are there no other sources to get emergency coverage for the months of July and August?

Separate Applications - I am sorry to hear that the city does not have the power to consolidate the applications in this case. Having separate applications just means that citizens who want to provide input (either for or against) must do so in two separate sets of meetings, work plan sessions and hearings. Is West Linn getting the benefits you mentioned? If both applications are filed at or around the same time it seems you would have the same 120 days and staff would still be creating similar if not the same reports twice.

Condemnation - I find this to be very disturbing if I understand your statement. West Linn has no say over another municipality wanting to condemn property within West Linn's jurisdiction? Am I wrong to think that if Lake Oswego wants to eliminate the covenant they would have to use some type of condemnation or eminent domain proceeding?

Wildlife - I am not concerned about the impact of the pipeline or treatment plant on wildlife in the area at this point. Whether the Clackamas River can handle the removal of this much more water may be a different matter and one the West Linn may not have jurisdiction over.

Geological - I am very interested in the geological data but was unable to open the links you provided. Can you give them to me again or give me the full internet address of the report?

Thank you again for your assistance and time. If you could answer the questions I have highlighted above that would be great. Also I wonder if you would know to obtain a copy of the initial easement and the water right that Lake Oswego is relying upon for removing water from the Clackamas and for expanding the pipeline.

C. Craig Heath
19220 Nixon Ave.
West Linn, OR 97068

From: Pelz, Zach [<mailto:ZPELZ@westlinnoregon.gov>]
Sent: Tuesday, March 20, 2012 11:14 AM
To: Heath, Charles C.
Cc: Kerr, Chris; Jordan, Chris
Subject: FW: City of West Linn's responsibility to its residents

Good morning, Mr. Heath -

Your questions below, regarding Lake Oswego's proposed water treatment plant expansion, were forwarded to me from our City Manager. Your questions focus on the City's role in this process; potential benefits to the City of West Linn; submittal of individual applications for the water treatment plant and pipeline; condemnation of private CCR's; impact on wildlife, riparian and aquatic habitat; and geological hazards.

West Linn's role in this land use decision. The City of West Linn's Community Development Code as well as Municipal Code and Public Works Standards provide the adopted standards and procedures which guide both public and private land development within the City of West Linn. The basic thrust of these regulations is to promote the public health, safety and welfare while ensuring the protection of public and private property rights for land owners and land users. The City's role in this matter is to review the Applicant's (Lake Oswego/Tigard Water Partnership) proposal in light of the adopted standards and land use laws contained in the Community Development Code, Municipal Code and Public Works Design Standards. The City may ultimately approve (if the proposal is consistent with all adopted standards), approve with conditions (if the proposal can be made consistent with adopted standards subject to certain conditions placed on the development) or deny (if the proposal does not or can not comply with adopted development standards). I've attached a memo from our City Attorney which provides additional detail regarding the City Council's role in this process.

Benefits to the City of West Linn. The City of West Linn shares an emergency intertie with the City of Lake Oswego that is able to provide

water to West Linn residents during emergency events. The intertie was recently activated during a storm event that caused debris on the Clackamas River to plug West Linn's intake. Right now, the Lake Oswego Water Treatment Plant does not have the treatment capacity to supply water to this intertie during the peak summer months (July and August). What that means is that in the event of a peak season water system emergency, West Linn would only be able to rely on the approximately 4-4.25 million gallons that are stored in the City's reservoirs; that storage capacity would last for approximately 12 hours. The benefit to West Linn from Lake Oswego's water treatment plant expansion proposal is that it could provide up to 6 million gallons of water per day during a peak season emergency.

Submittal of individual applications for the water treatment plant and pipeline. Our Community Development Code does not require consolidation of applications in situations where a single decision-making body (Planning Commission) is charged with hearing more than one land use decision (water plant and pipeline). The City's authority to require consolidation of applications pertains to only those situations where multiple decisions are heard by more than one decision-making body. In the case before us, the decision regarding how to submit the various proposals is left to the Applicant.

One benefit of individual submittals is that it allows staff more time to review and discuss the details associated with the project. Oregon state law requires that a City make its final decision on a land use application 120 days following the submittal of a complete application to the City. That means that all public hearings, including any appeal hearings that are heard by the City must be completed and a final decision issued within that 120 day window. If the Applicant did submit the pipeline and water treatment plant elements as one application, staff and the City's decision-making bodies would only have one, instead of two, 120-day periods to work in and therefore, our review of the plans and project details would be afforded less attention.

Condemnation of private CCR's. The City of West Linn has no authority over the regulation of private covenants, conditions and restrictions.

Impact of wildlife, riparian and aquatic habitat. The West Linn community development code includes a number of regulations that are designed to protect plant and animal habitat. On the water treatment plant site, the applicant is proposing to preserve 83 percent of the significant trees and plant more than 300 additional trees as well as using impervious surface on a portion of the site and install stormwater treatment facilities for all new impervious areas. Although we do not yet have an application for the pipeline proposal, we have discussed the potential applicability of Community Development Code Chapters 32 (protections for water resource areas) and Chapter 28 (habitat conservation) with them and expect their proposal to be submitted consistent with these and other habitat and water resource regulations.

Geological Hazards. The Applicant submitted a geotechnical analysis for the water treatment plant site that can be accessed here <http://westlinnoregon.gov/sites/default/files/projects/17_geotech.pdf> . The report summarizes the preliminary findings, alternatives and preferred alternatives to mitigate potential seismic issues at the site.

Please feel free to call or email with additional questions. More information about the Water Treatment Plant proposal can be found on the City's website here <<http://westlinnoregon.gov/planning/4260-kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm>> .

Zach

From: charles.c.heath@ubs.com [<mailto:charles.c.heath@ubs.com>]
Sent: Friday, March 16, 2012 9:49 AM
To: Kovash, John; Carson, Jody; Cummings, Teri; Tan, Jennifer; Jones, Michael
Subject: City of West Linn's responsibility to its residents

Dear Mr. Mayor and Council Members,

The purpose of this letter is to determine what role the City of West Linn plans to take with regard to the Lake Oswego - Tigard Water Partnership (proposed?)/(approved?) construction of a pipeline and water treatment plant within the Robinwood neighborhood. I have a number of questions for the city and hope that you may forward my concerns to the proper department for response. My apologies for the lack of information on my part, as it is possible some of the information I am seeking has already been provided to the public. However, my attendance at the Robinwood Neighborhood Association Land Use Meeting last night has raised several questions concerning West Linn's responsibility to it's citizens.

1. It appeared to me that no one from any West Linn City department including, your office, city council or planning attended the meeting. If you had, you would have seen how Lake Oswego is running roughshod over your constituents. I was at first surprised and then angry that the city apparently has no interest or feels it is powerless to impact this process. I would urge you to review the minutes and video of last night's meeting and you will see how well reasoned and reasonable the citizen input was.

2. If West Linn is receiving any kind of benefit for allowing this project to be completed it would be in the City's best interest to let its citizens know just what benefit they will see and let us know that the City is at least looking out for our best interests. From the meeting last night it is clear that Lake Oswego benefits by locating a water treatment plant in a West Linn residential neighborhood rather than within its own city limits where there are several more suitable sites. Lake Oswego citizens will benefit from lower water rates, will not have to put up with two years of construction, and will not have an industrial use in the midst of any of its neighborhoods. (Note that Lake Oswego residents use 3 or 4 times the water per capita of the rest of the state so they could fulfill much of their "need" from conservation rather than draining the Clackamas).

3. Why is Lake Oswego able to separate the treatment plant discussion from the water pipeline conditional use? Neither one will be feasible without the other. By separating the two they try to minimize the scope of the project and dilute any opposition.

4. How is it that West Linn feels comfortable allowing Lake Oswego to come in and condemn property rights located in West Linn. Does West Linn believe Lake Oswego would allow you the same courtesy?

There are a number of specific issues regarding this conditional use including, impact on fish and other users of the Clackamas, their intention to do the very minimal of reclamation of damages to the neighborhood from the project, geological issues in a slide prone area where the pipeline and plant are being built and lack of specific insurance to cover a catastrophe should the plant cause a problem to those those located downhill from this much water. My suspicion is that even if this project is completed, the City of West Linn is not requiring anywhere near the level of concessions to compensate for the damage to your citizens as would be required of any private developer looking for a similar conditional use approval.

I sincerely hope that I am just not well informed of West Linn's work on my behalf in seeing that this project is feasible and that West Linn is being treated fairly by Lake Oswego. If the recent discussion in the paper concerning Lake Oswego's continued attempt to ban anyone other than their citizens from using a public body of water (Oswego Lake) is any indication, I fear West Linn will certainly regret getting the short end of the stick once this water pipeline and plant project is approved.

Thank you for your time.

C. Craig Heath
19220 Nixon Avenue
West Linn, OR 97068
(503) 635-7353

Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

Please visit our website at <http://financialservicesinc.ubs.com/wealth/E-maildisclaimer.html> for important disclosures and information about our e-mail policies. For your protection, please do not transmit orders or instructions by e-mail or include account numbers, Social Security numbers, credit card numbers, passwords, or other personal information.

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#); craigd@tigard-or.gov; [Day, Eric](#); "[Heisler, Jane](#)"
Subject: Re: COWL CUP 12-02 _STILL an Incomplete Application
Date: Wednesday, March 14, 2012 3:30:26 PM
Attachments: [image87d517.gif@d9a2ec55.4c7247ac](#)

It is good to see Chris Kerr in the Loop. Part (C) is singular and ripped out of context and intent. Parts (A) and (E) have applicability and still are not met. The application is woefully incomplete, still.

Thank you for your consideration. Gary

----- Original Message -----

From: [Pelz, Zach](#)
To: 'GARY'
Cc: '[Heisler, Jane](#)'; [Day, Eric](#); craigd@tigard-or.gov; [Kerr, Chris](#)
Sent: Wednesday, March 14, 2012 11:28 AM
Subject: RE: COWL CUP 12-02 _Incomplete Application

Gary,

The requirements for making an application are found in CDC Section 99.030(C). On February 21, 2012, the Planning Department found that the Applicant had submitted the materials necessary to satisfy these criteria and deem the application complete. Your correspondence will be included in the official record on this decision.

Have a nice day,

Zach

Zach Pelz, Associate Planner

Planning and Building, #1542

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [<mailto:hitesman@q.com>]
Sent: Wednesday, March 14, 2012 12:32 AM
To: Pelz, Zach
Cc: craigd@tigard-or.gov; Heisler, Jane; Day, Eric

Subject: COWL CUP 12-02 _Incomplete Application

Zach,

Please reply to the attached memo regarding the incomplete application for CUP 12-02 per CDC Section 99.038.

Thank you for your consideration.

Gary Hitesman



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: Re: CUP 12-02 Improper Decoupling and another 99.083(E) argument
Date: Thursday, March 15, 2012 10:30:27 AM
Attachments: [imagebfe17b.gif@e4599d36.8b36408d](#)

Thank you.

Should I be following up with formally printed letters and delivered via certified mail? Is email the same?

Gary

----- Original Message -----

From: [Pelz, Zach](#)
To: 'GARY'; [Sonnen, John](#)
Cc: [Kerr, Chris](#)
Sent: Thursday, March 15, 2012 10:28 AM
Subject: RE: CUP 12-02 Improper Decoupling and another 99.083(E) argument

Gary,

This email confirms our receipt of your correspondence, which be included in the official public record on this decision.

Thanks and have a nice day,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [mailto:hitesman@q.com]
Sent: Thursday, March 15, 2012 10:17 AM
To: Pelz, Zach; Sonnen, John
Subject: CUP 12-02 Improper Decoupling and another 99.083(E) argument

Dear Planning Commissioners,

To the City of West Linn Planning Department,

There is a question about the appropriateness of separating the Water Treatment Plant, CUP 12-02, from it's other part, the pipeline. This was an issue that was advocated and supported by;

- 1.) Peter Spir, city employee and planner on the debauched CUP 10-03 application,
- 2.) readily agreed to by LO, and backed solely,
- 3.) without discussion at the Robinwood Association(need verification), by the former RNA president.

I believe the transcripts of the preapplication meeting will back me up on this assertion.

The two projects are like Ginger Rogers and Fred Astair. Please see <http://www.youtube.com/watch?v=OMOBdQykKQY>

(My, Oh, My.....my fine feathered friend.)

Recently, A State Park Official had this to say:

"because of the intricacies of the process, apparently the sewer line project(LOTWP) that proposes to pass under Mary S. Young can't even pursue land use approval unless they have an agreement from us (State Parks) to grant an easement. There's an action item on our April 4 meeting agenda dealing with the easement request. The easement itself would still be contingent on passing local land use review, as I said earlier, but this is a new wrinkle."

SO!

How can the West Linn Planning Department do a review of a project and make a recommendation when the other half is not included? What other critical elements or commonalities will be missed?

In addition, due to the overlapping jurisdictional agencies and regulations protecting public welfare, the LOT partnership may have allowed certain criteria and protection to fall through the cracks in the way that bypasses codes and regulations. I keep harping on 99.083(E) because I believe there are a plethora of "misrepresentations" that have occurred by allowing these two projects to be separated.

With new information coming down the pipeline, these misrepresentations will cloud the Commissions ability to objectively hear this conditional use on April 18. ~This is why I quote Ms. Ginger Rogers above.

Gary Hitesman

From: [RNA Great Neighbor Committee](#)
To: [Pelz, Zach](#)
Cc: [Boes Thomas](#); [Jones Eric](#); [Froode Dave](#); [Smith Vicki](#); [Blake Steve](#); [King Lamont](#); [President RNA](#); [Mutschler Mark](#); [Stowell Bob](#); [Heffernan DJ](#); [Vroman Shanon](#); [Caraher David](#); [Kerr, Chris](#)
Subject: Re: CUP 12-02
Date: Tuesday, March 13, 2012 2:58:40 PM

Thanks. We trust that when the staff report is prepared, that we will receive immediate notification, versus having to ask.

RNA Great Neighbor Committee

RNAGNC@gmail.com

<http://rnagreatneighbors.blogspot.com/>

On Mar 13, 2012, at 2:37 PM, Pelz, Zach wrote:

RNA Great Neighbor Committee –

Our determination of a ‘complete application’ was based on the submittal materials on the City’s website, [here](#). These are the very materials we are using to prepare our staff findings and staff report that will be presented to the West Linn Planning Commission at the yet unscheduled public hearing on this matter.

Thank you,

Zach

Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

[West Linn Sustainability](#) Please consider the impact on the environment before printing a paper copy of this email.

[Public Records Law Disclosure](#) This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: RNA Great Neighbor Committee [mailto:rnagnc@gmail.com]

Sent: Tuesday, March 13, 2012 2:28 PM

To: Pelz, Zach

Cc: Boes Thomas; Jones Eric; Froode Dave; Smith Vicki; Blake Steve; King Lamont; President RNA; Mutschler Mark; Stowell Bob; Heffernan DJ; President RNA; Vroman Shanon; Caraher David

Subject: CUP 12-02 as posted

We eagerly await your confirmation whether the CUP 12-02 file as posted is the 'as deemed complete' version.

Kevin Bryck, Chair

RNA Great Neighbor Committee

RNAGNC@gmail.com

<http://rnagreatneighbors.blogspot.com/>

From: [Day, Eric](#)
To: [Pelz, Zach](#); [Kerr, Chris](#); [Le, Khoi](#)
Cc: [Komarek, Joel](#); [Heisler, Jane](#); [Eric Eisemann](#); [Teel, Brett](#); [Wobbrock, Nick](#)
Subject: RE: CUP-12-02 30-day completeness determination
Date: Thursday, February 16, 2012 3:31:55 PM
Attachments: [FW Lake Oswego Tigard WTP - Stormwater Meeting Quick question.htm](#)

To: Zach Pelz; Associate Planner West Linn

As the applicant for the Lake Oswego/Tigard Water Project, I am respectfully requesting that you waive the "operation and maintenance manual of stormwater facilities" requirement (CDC 33.030 (C)). I feel that this request should be granted as the project engineer that was assigned to review our application, Khoi Le, sent an email to the applicant team on 10/19/2011 stating that "The Operations and Maintenance Manual is nice to know so we can respond to questions from Planning Commissioner and/or the public of how Lake Oswego can keep up and maintain the private storm facilities **however it is not a submittal requirements.**" (Full email is attached). We are fully intending to submit an operation and maintenance manual at a later date and recommend that this manual becomes a condition of approval in the staff report.

Please let me know as soon as possible the outcome of this waiver request. I also respectfully ask that pending the outcome of the waiver request, a Technically Complete letter for the Water Treatment Plant application is issued at your earliest possible convenience.

Thank you,

Eric Day
Senior Planner - Lake Oswego-Tigard Water Partnership
City of Lake Oswego
(503) 534.4238 (p)
(503) 534.5231 (f)
eday@ci.oswego.or.us



From: Pelz, Zach [mailto:ZPELZ@westlinnoregon.gov]
Sent: Thursday, February 16, 2012 2:47 PM
To: Day, Eric
Cc: 'Eric Eisemann'; Kerr, Chris
Subject: CUP-12-02 30-day completeness determination

Good afternoon, Eric;

Please find our 30-day determination of completeness attached. You'll notice the letter includes

two sections; the first section lists items which are required to make your application complete and the second lists items that, while not required to deem your application complete, we believe would facilitate our review of your project.

Thanks, and as always, don't hesitate to call or email with questions,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Perkins, Michael](#)
To: [Pelz, Zach](#); [Kerr, Chris](#); [Le, Khoi](#)
Cc: [Sonnen, John](#)
Subject: RE: CUP-12-02; draft incompleteness determination
Date: Friday, February 17, 2012 11:39:43 AM
Attachments: [Incompleteness determination.docx](#)

I'll try again

Michael Perkins, City Arborist/Park Development Coordinator

Parks and Recreation, #1554

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Pelz, Zach
Sent: Tuesday, February 14, 2012 3:13 PM
To: Kerr, Chris; Le, Khoi; Perkins, Michael
Cc: Sonnen, John
Subject: CUP-12-02; draft incompleteness determination

Attached is a draft incompleteness letter for your review prior to our submittal to Lake Oswego. Our deadline to make this determination is Thursday, February 16 and therefore, I'll need your comments by tomorrow afternoon at the latest. You'll see the letter includes two separate submittal sections; the first section is reserved for those item required by our code to deem their application complete and begin the 120-day decision clock, and the second section lists additional items we would like the applicant to submit to help us review the proposal (not required to make the application complete and begin the 120-day clock).

I've struck-out and grayed-out our original requested items that have since been resolved. The items I am proposing to submit remain as non-strikeout.

The rationale for each of these items are shown as comments; please review these carefully and respond/comment where appropriate.

Thanks,

Zach

Zach Pelz, Associate Planner

Planning and Building, #1542

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Stowell5050@aol.com
To: [Pelz, Zach](#)
Subject: Re: FW: Work session with the City Council
Date: Tuesday, February 07, 2012 3:28:23 PM
Attachments: [image899b58.gif@3a2f2222.ad3d4709](#)

Thank you for the heads up. What has taken place does not surprise me.

In a message dated 2/7/2012 2:40:17 P.M. Pacific Standard Time, ZPELZ@westlinnoregon.gov writes:

Good afternoon,

The email below, regarding the City Council's decision to meet in a worksession with members of the Robinwood Neighborhood Association, was sent to the President of the Robinwood Neighborhood Association early this afternoon. I wanted to make sure each of you received a copy.

Thanks,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Jordan, Chris
Sent: Tuesday, February 07, 2012 2:13 PM
To: President RNA
Cc: City Council; Sonnen, John; Kerr, Chris; Pelz, Zach; 'Pam Beery'
Subject: Work session with the City Council

Tony –

On January 9, 2012 members of the Robinwood Neighborhood Association appeared before the Council and requested to meet with the Council in a work session to discuss the Lake Oswego-Tigard water project and the conditions that they were proposing to mitigate the impacts of that project on the neighborhood. On January 17 the City received an application from Lake Oswego-Tigard for the water treatment plant expansion. At that time, City staff requested advice from the City's attorney, Pam Beery, regarding the request for the work session.

Below is the contents of the e-mail from Pam Beery that was shared with the Council regarding the neighbors request for a work session. The Council decided last night to heed Ms. Beery's advice and not meet with the neighbors in a work session.

Please feel free to share this information with members of the Robinwood Neighborhood Association.

Chris Jordan

From Pam Beery, January 19, 2012:

Summary of comments

Three citizens appeared to express concerns and present requests with respect to the anticipated land use applications for the Lake Oswego-Tigard water project's proposed pipe line and water treatment plant expansion, as follows:

1. All three requested that Council **meet with the Good Neighbor Committee**, an ad hoc committee of concerned residents in the Robinwood Neighborhood formed to respond to the planned water project. They expressed concern that Council had met on December 19 in work session with staff and elected officials representing the proposed project but that Council had not met with them.
2. One resident asserted that the December 19 **work session was an inappropriate ex parte contact**. Another suggested Council might be **biased** in its consideration of the land use decision based on information presented at the work session concerning potential benefits to the West Linn water supply if the project goes forward.
3. Two residents suggested one purpose of meeting with the neighbors would be to hear their ideas for conditions that could be placed on any land use approval for the project. In addition,

it appeared they wished to be sure that Council understood and considered their "**Great Neighbor Plan**" developed in response to the proposed project. The Plan presumably contains requested conditions for the project should it be approved in order to address the perceived impacts of construction and siting of the plant and water line.

4. One resident expressed concern that the **application for the treatment plant expansion was being separated from that for the pipeline**, and wanted Council to consider linking them such that any approval for one would be invalid without approval for the other.

5. Finally, all three expressed general concerns that the proposed project will have disproportionate impacts on the Robinwood neighborhood especially given that the project would not serve the neighborhood.

Advice and response

1. Requested work session. Council should not conduct a work session or otherwise meet with citizens or any other party about the potential land use applications, for the reasons outlined below. As discussed in detail in the memorandum our office provided for the December 19 work session, Council was exercising its policy function with respect to its responsibility for the City water system in holding the work session in December. It was open to the public to assure transparency. I understand how concerned citizens can confuse the Council's functions but believe taking the requested step would create too much risk for the appropriate handling of the land use applications.

2. Ex parte and bias concerns. The work session was not an ex parte contact. It did not address the land use aspects of the proposed project nor any element of the West Linn Community Development Code. In an abundance of caution, our plan is to include minutes from the work session in the record of the final land use decision(s) for the project, so that we are fully addressing procedural requirements for ex parte contacts in any case. This does not make the work session an ex parte contact. One of the two land use applications was filed, we understand, this week; this is the demarcation point, as we previously advised, for the commencement of the ex parte contact rule and is an additional reason that Council should not consider meeting with the residents. Now that there is a pending application, such contacts are in fact ex parte communications. As we have advised, Council could disclose any ex parte contacts at the time of any hearing; but the risk of engaging in a meeting with concerned citizens is too high to be justifiable.

The bias question was also discussed in our December 19 memorandum. Even if the project has some potential benefit to the West Linn water system, this does not create a bias concern for Council under applicable law. Again, we will want to respond to any such assertions as part of the processing of the land use applications and we will be advising you and Council in that regard; we want to address even the appearance to residents that bias might be present.

3. Great Neighbor Plan. As you know, Council has facilitated the neighborhood's preparedness to respond to the proposed project by hiring a planning consultant to assist them. This has apparently generated a Plan with potential conditions to presumably ameliorate concerns with project impacts. The neighborhood will have a full and fair opportunity before the Planning Commission to present the Plan and the Planning Commission (and Council on appeal) will have ample time to consider it. We will be advising you and both hearing bodies on the

appropriate conditions of approval that can be tied to the project based on the criteria in the CDC throughout those proceedings.

4. Separate land use applications. There is nothing in the West Linn CDC that would allow us to require the project to file for one land use application as opposed to two; it is the applicant's right to determine how to seek approval under our code. We can evaluate the two applications during our review in terms of any benefit/ability to link them in some way as part of our decisions.

Chris Jordan, City Manager

Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Heisler, Jane](#)
To: [President RNA](#)
Cc: [Kevin Bryck](#); [Pelz, Zach](#); [Kerr, Chris](#)
Subject: RE: Fwd: Fwd: Fwd: Re: WLRA Statement
Date: Tuesday, March 13, 2012 7:56:36 AM
Attachments: [imagea642a9.gif@ae70510a.c41141d5](#)

Tony,

The Partnership has agreed to many, many of Robinwood's requests over the past two years. Not all may be reflected in the "Great Neighbor Committee" current list, but many are, and were taken from previous, extensive lists of requests as well as from the neighborhood at large, who were active in the process prior to the GNC activities. The Partnership verbally asked the GNC to provide its list in August and sent a letter to the GNC in September asking for a response in a timely manner. We received the final "adopted" list mid-December.

Robinwood reduced the GNCs quorum requirements at its January meeting because it could not get enough members to get together to transact business. It now takes only three GNC members to make recommendations to the greater neighborhood. I'm not sure whether asking other neighborhoods to vote against the project was something that your neighborhood association authorized your subcommittee to do or not, but that is what is happening.

As described in the letter you received from the Oversight Committee (OC), the OC took action to postpone further discussion of unbudgeted, out of scope requests, pending land use. No knowing what land use will bring in terms of additional and potentially costly requirements, the OVC is seeing a need to wait for more certainty as to project budget. As you can probably imagine, requests are coming in all along the alignment for a variety of costly items unrelated to the project.

Let me know if I can provide you with any other information. I am not copying your Council in that they may be hearing this application on appeal. I do not want to put them in a position of having to declare ex parte contact.

From: Anthony Bracco [anthonymbracco@yahoo.com]
Sent: Monday, March 12, 2012 10:16 PM
To: Heisler, Jane
Cc: John Kovash; Kevin Bryck; Terry Cummings; Jenny Tan
Subject: Re: Fwd: Fwd: Fwd: Re: WLRA Statement

What I understand from what you said at the last meeting and from the letter that was sent was that you were not going to honor any of the mitigation requests that the Great Neighbor Committee was making because you were already doing things for us (which I understand to be the things that were already required by West Linn and ODOT) and that the costs of the mitigation requests was too much.

Peace

From: "Heisler, Jane" <jheisler@ci.oswego.or.us>
To: "Tony Bracco (anthonymbracco@yahoo.com)" <anthonymbracco@yahoo.com>
Sent: Wednesday, February 22, 2012 4:36 PM
Subject: FW: Fwd: Fwd: Fwd: Re: WLRA Statement

Hi Tony,

Could you please contact me so we can talk about this (When I contacted your number the person who answered told me I had the wrong number—if you have a new number and are willing to share it, that would be great) . I'm attaching the memo that the Oversight Committee discussed that resulted in the letter that you received that should provide more explanation. I want to be able to answer any questions you have. If you believe that the Partnership has not honored ANY mitigations, I think we need to bridge that divide.

From: Hoffman, Jack
Sent: Tuesday, February 21, 2012 2:21 PM
To: Heisler, Jane
Subject: FW: Fwd: Fwd: Fwd: Re: WLRA Statement

thoughts?

Jack Hoffman
Mayor, City of Lake Oswego


From: Kovash, John [jkovash@westlinnoregon.gov]
Sent: Tuesday, February 21, 2012 1:40 PM
To: Hoffman, Jack
Subject: FW: Fwd: Fwd: Fwd: Re: WLRA Statement

Hi Jack,

I have city council tonight and it would be helpful to have your input on the below email from Tony.

Thanks,

John

 Mayor John Kovash
jkovash@westlinnoregon.gov
West Linn Mayor
22500 Salamo Rd
West Linn, OR 97068
P: (503) 657-0331
F: (503) 650-9041
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Anthony Bracco [<mailto:anthonymbracco@yahoo.com>]
Sent: Tuesday, February 21, 2012 9:09 AM
To: Dave Froode; Jordan, Chris; Kovash, John
Subject: Re: Fwd: Fwd: Fwd: Re: WLRA Statement

Hey Dave, Chris, and John

Did you here that L.O. decided to not honor ANY mitigations that we (RNA) requested due to "costs"?

Peace,

Tony

From: Dave Froode <dfroode@comcast.net>
To: "Jordan, Chris" <cjordan@westlinnoregon.gov>; "Kovash, John" <jkovash@westlinnoregon.gov>
Sent: Monday, February 20, 2012 1:57 PM
Subject: Fwd: Fwd: Fwd: Re: WLRA Statement

Dear Mayor Kovash and West Linn City Council:

On behalf of the West Linn Riverfront Association, the Board of Directors is opposed to the methods employed by Lake Oswego to expand their water treatment facility in a West Linn residential area. The WLRA requests Lake Oswego not be allowed to proceed until they have gained the approval of property owners impacted by this project.

The WLRA also asks the City of West Linn require Lake Oswego to honor all city codes affording protection to our natural resources and environment.

Finally, the WLRA strongly opposes Lake Oswego litigating against private property owners. Good faith negotiations to arrive at amicable agreements is always preferred.

Respectively submitted,
West Linn Riverfront Association Board of Directors
David J. Froode, Chairperson
Feb. 20, 2012

CC Mr Chris Jordan,
City of West Linn

From: [Kevin Bryck](#)
To: [Pelz, Zach](#)
Subject: Re: Letter from LOTWP OSC
Date: Tuesday, February 28, 2012 4:22:44 PM

Thanks - I had not rec'd a copy of this.
Nice to get it third hand, 11 days later.

On Feb 28, 2012, at 3:28 PM, Pelz, Zach wrote:

<021712 FINAL jt Letter to Chair of Robinwood NA (3).pdf>

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: Re: LOTP Review_WL012012PPQ
Date: Monday, February 27, 2012 12:11:16 PM
Attachments: [imageac3b0c.gif@be0126c5.4c154e1f](#)

What will the process be for submitting comments about the pre-application submissions? What is the process for proper public participation regarding the LOTP?

Where can I view the discussion regarding revenue generating as mentioned in the Tidings? Thank you.

Gary Hitesman

----- Original Message -----

From: [Pelz, Zach](#)
To: 'GARY'
Sent: Monday, February 27, 2012 10:55 AM
Subject: RE: LOTP Review_WL012012PPQ

Gary,

Thank you for copying me in these correspondences.

Have a great afternoon,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [mailto:hitesman@q.com]
Sent: Saturday, February 25, 2012 10:30 AM
To: Pelz, Zach; Day, Eric
Subject: LOTP Review_WL012012PPQ

25 February 2012

Eric Day,

I have started to collect the data regarding both the pipeline and the proposed oversized water plant in Robinwood, West Linn. One thing that appears to be happening is a systematic revision of definitions and lowering of standards?

Current Events suggest this is occurring in West Linn as West Linn creates new, different sources of revenue to assist with the financial burdens your project will impose upon residents and businesses in West Linn?

What appears to be occurring is that the City of West Linn has replaced principals and proper public stewardship with the **wordsmithing** by the Planning Department. What am I missing in this assumption? For example;

Notes from the Pre-App provide this ruling under "potentially applicable"~

Goal 2: Land Use Planning ○

Residential Development Policies •

8. Protect residentially zoned areas from the negative impacts of commercial, civic, and mixed-use development, and other potentially incompatible land uses.

9. Foster land use planning that emphasizes livability and carrying capacity.

Goal 2 is very clear with its 'intent'. What is not clear is the City of West Linn adding the "potentially applicable" in front of the Goal statements. ***It seems to me that either the goal, or policy statement, is applicable, or not.*** And that is where the changing definitions and slippery slope begins. The wording from the City of West Linn opens a hole into its requirements large enough to drive a 1000 gallon hydrozide chlorine truck through. Ultimately, I think the project will pass muster if all current community codes are addressed equally, WITHOUT MODIFICATION or exemption. But it does not appear that the City of West Linn Planning Department will be entrepreting the work as much as they will change the rules of the game.

Is this observation correct?

Cheers, Gary Hitesman

From: [Heisler, Jane](#)
To: hitesman@g.com
Cc: [Komarek, Joel](#); [Pelz, Zach](#); [Day, Eric](#)
Subject: RE: LOTP Review_WL012012PPQ
Date: Tuesday, February 28, 2012 3:16:17 PM

Hi Gary,

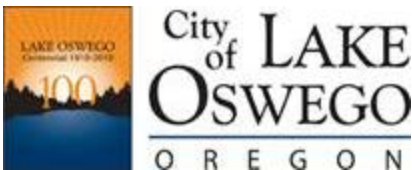
Looks like you have lots of comments and observations about the water treatment plant application and process. I'm not sure I'm picking up on questions that I can specifically address, however, so I'm going to suggest that you give me a call and we talk through your concerns on the phone. My number is 503-697-6573. I'm leaving in about 15 minutes for an appointment, but will be in all day tomorrow. Thanks.

From: Day, Eric
Sent: Monday, February 27, 2012 10:20 AM
To: Heisler, Jane
Cc: Komarek, Joel; Prock, Dave
Subject: FW: LOTP Review_WL012012PPQ

Jane (t),

Here is another email from Gary Hitesman that he sent to me over the weekend. Let me know if you need anything from me on this.

Eric Day
Senior Planner - Lake Oswego-Tigard Water Partnership
City of Lake Oswego
(503) 534.4238 (p)
(503) 534.5231 (f)
eday@ci.oswego.or.us



From: GARY [<mailto:hitesman@g.com>]
Sent: Saturday, February 25, 2012 10:30 AM
To: Pelz, Zach; Day, Eric
Subject: LOTP Review_WL012012PPQ

25 February 2012

Eric Day,

I have started to collect the data regarding both the pipeline and the proposed overscaled water plant in Robinwood, West Linn. One thing that appears to be happening is a systematic revision of definitions

and lowering of standards?

Current Events suggest this is occurring in West Linn as West Linn creates new, different sources of revenue to assist with the financial burdens your project will impose upon residents and businesses in West Linn?

What appears to be occurring is that the City of West Linn has replaced principals and proper public stewardship with the **wordsmithing** by the Planning Department. What am I missing in this assumption? For example;

Notes from the Pre-App provide this ruling under "potentially applicable"~

Goal 2: Land Use Planning ○

Residential Development Policies •

8. Protect residentially zoned areas from the negative impacts of commercial, civic, and mixed-use development, and other potentially incompatible land uses.

9. Foster land use planning that emphasizes livability and carrying capacity.

Goal 2 is very clear with it's 'intent'. What is not clear is the City of West Linn adding the "potentially applicable" in front of the Goal statements. **It seems to me that either the goal, or policy statement, is applicable, or not.** And that is where the changing definitions and slippery slope begins. The wording from the City of West Linn opens a hole into it's requirements large enough to drive a 1000 gallon hydrozide chlorine truck through. Ultimately, I think the project will pass muster if all current community codes are addressed equally, WITHOUT MODIFICATION or exemption. But it does not appear that the City of West Linn Planning Department will be entrepreting the work as much as they will change the rules of the game.

Is this observation correct?

Cheers, Gary Hitesman

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [GARY](#)
To: [President HSNA](#); [Howard, Scott](#)
Cc: [Susan Van de Water](#); [Scott Howard](#); [Pelz, Zach](#)
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 1:56:48 PM

First of all, my fight is not with you or anybody else in the NA. You are doing what you need to do and I am doing what I 'think' needs to be done.

I do not agree with your definition of adult. You appear to have the mixed in with 'Bully'.

Keg parties are alright with me but you would be correct on the taxpayer thing. You do know humor, don't you?

There is no way that the status quo is going to change and that is ok by me. However, the original deed for your plat, the existing City Charter, and City staff actions are incongruous with one another. Eminent Domain issues and property rights are at play in Robinwood and that has direct bearing on our rights within our own homes, dipshit.

Other than that, shove it up your ass Scott.

Gary

----- Original Message -----

From: w.s.howard@comcast.net
To: [Alex Kachirisky](#)
Cc: [Scott Howard](#) ; [Susan Van de Water](#) ; [GARY](#) ; [Zach' 'Pelz](#)
Sent: Wednesday, February 29, 2012 12:59 PM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

Last time you graced us with your "adult" presence you brought up the idea of NA sponsored "Keg Parties" paid for with the NA stipend which happens to be tax payer money. Alex's e-mail with guidelines for the March meeting are simply suggestions which came from HSNA members who were present at the Feb meeting. How can we take you seriously when you talk of an "adult conversation" and then act like such a child in your actions. Gary when you are lucid you add to the conversation and can be a very helpful part of the process. This latest e-mail is a great example of how you are not. Please come and be a part of the process not just another detractor from afar.

We are a membership driven organization and at this point not one member present at a meeting has brought up the possibility of a committee. Why not come and present this idea before the membership and then volunteer to lead it. Now we are talking about being a positive presence instead of a negative non-presence.

What exactly are you saying regarding the Palomino Loop Trail? Why not be an adult and come out and say what you mean? What favoritism has been shown or given and to who? If you think that anyone has acted inappropriately or done something backhanded man up and say what is on your mind anything else is as you say BS!

Scott Howard, Vice President
Hidden Springs Neighborhood Assoc.

From: "Alex Kachirisky" <president@hiddenspringsna.org>
To: "GARY" <hitesman@q.com>, "Zach' 'Pelz" <zpelz@westlinnoregon.gov>
Cc: "Scott Howard" <vicepresident@hiddenspringsna.org>, "Susan Van de Water" <Secretary@hiddenspringsna.org>
Sent: Wednesday, February 29, 2012 11:53:48 AM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the

City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion

Date:Mon, 27 Feb 2012 15:25:57 -0800

From:Alex Kachirisky <president@hiddenspringsna.org>

Organization:Hidden Springs Neighborhood Association

To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>

CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and

inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.

2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,
Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: [Alex Kachirisky](#)
To: ["GARY"](#)
Cc: [Pelz, Zach](#); ["Scott Howard"](#); ["Susan Van de Water"](#)
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 2:58:05 PM

Gary,

I hate to be the one to break it to you Gary but having a beer with me in my back yard 2 years ago doesn't mean you know me.

If you're going to call me out I demand you lay out your complaints. If you feel I'm being dishonest or not forthright then spell it out and present it instead of throwing out these childish snipes and trying to brush it off like I'm your buddy.

If you had attended the last meeting, or had even taken the time to view the video of the meeting, we probably wouldn't be having this discussion. But here we are, again.

A resident from Robinwood emailed me for time to present his position on the LOTWP in January and Kevin asked for time as well. I invited the LOTWP to come back to give balance. That meeting didn't happen because the school district shut us out due to weather.

In early February, Dave asked if he could have 3 minutes to go over some points. The topic came up as new business at the last meeting. Needless to say, all of the "against" speakers took up a lot of time talking and hit certain topics but didn't go into detail. In the end the LOTWP staff took up about 10 minutes of a nearly hour of discussion.

At the meeting a resident of Hidden Springs read a resolution to oppose the LOTWP in West Linn, it was agreed to meet in March and place it as a line item on the agenda.

In the interest of "fairness" since the time was so lob-sided in favor of the against, a list was given to ALL speakers to consolidate their arguments and come back in March to give a presentation. If you read carefully you would notice I wrote a PowerPoint was not necessary but some kind of tool would be ideal to help visualize what we are dealing with. And also, if you had read through to the end of the letter you would have noticed that I wrote that if the time was not enough that I would happily allot more time to both sides.

This is the second time you have called me out on issues that were BROUGHT to HSNA. First, there was the J Parcel that Tracy brought to us and asked for help and all we did was direct him to the City and now this. It's getting old. I wrote you last week that the video of the meeting would be available to view shortly, that was 6 days ago and has 0 views. Wherever it is you get your information leads a lot to be desired in terms of its accuracy.

But what I've taken away from this discourse is that you are no different than our NA Prez. You don't read your emails, you make assumptions on falsehoods and you like tossing your ordinance into filled rooms, shutting the door and stepping into the aftermath with an air of sainthood.

I hope that the speakers on both sides are able comeback and you have not ruined the possibility for the members of HSNA to be better informed due to your shortsightedness, bully tactics and inability to get along.

Regards,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 1:35 PM
To: Alex Kachirisky
Cc: Pelz, Zach
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

Alex,

There is a process for everything and I am taking my part in 'it' as time allows.

I'm not asking for your resignation. You are not a bad guy but neither are you being completely honest or even remotely representative of many residents in HSNA. You would be well to study Thomas Boes and learn a few lessons from his time as President of the RNA. It would be fair to say that I wasted too much time on some previous NA Prez's and I know a "waskily wabbit" when I see one. And it appears you are pulling a NA Prez-like action? I know you are much more sincere and have more integrity than most people I have run into, until your latest email. I'll show up March 20 if I am in town.

Do you realize that the topics you want presented on both sides equals two and a half minutes each? And in Powerpoint? Do you know how asinine that appears? That is truly 'unfortunate'. Perhaps we should seek Dean Suhr's NA as you have in the past? Dean is the kind of resident with a good engineering background and will have your back covered. He and I will not agree, but that man can bring a lot to the table that would help all of us not only learn something but provide a good perspective.

I do not seek a chair position. However, you can join the conversation here;

Please distribute
<http://civictomfoolery.blogspot.com/p/e-mails.html>

After this blows over, if it does, I would like to discuss a new business item regarding ROW Use in the city owned property in my backyard. Or, because it is related, but that too on the March 20 agenda. Thanks.

Cheers, Gary

----- Original Message -----

From: [Alex Kachirisky](#)
To: '[GARY](#)'; '[Pelz, Zach](#)'
Cc: '[Scott Howard](#)'; '[Susan Van de Water](#)'
Sent: Wednesday, February 29, 2012 11:53 AM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [<mailto:hitesman@q.com>]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that

the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion

Date:Mon, 27 Feb 2012 15:25:57 -0800

From:Alex Kachirisky <president@hiddenspringsna.org>

Organization:Hidden Springs Neighborhood Association

To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>

CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water

rights.

4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [GARY](#)
To: [President HSNA](#); [Howard, Scott](#)
Cc: [Pelz, Zach](#); [Susan Van de Water](#); [Scott Howard](#)
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 1:46:36 PM

Please see
<http://civictomfoolery.blogspot.com/p/e-mails.html>

Gary Hitesman

----- Original Message -----

From: w.s.howard@comcast.net
To: [Alex Kachirisky](#)
Cc: [Scott Howard](#); [Susan Van de Water](#); [GARY](#); [Zach' 'Pelz](#)
Sent: Wednesday, February 29, 2012 12:59 PM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

Last time you graced us with your "adult" presence you brought up the idea of NA sponsored "Keg Parties" paid for with the NA stipend which happens to be tax payer money. Alex's e-mail with guidelines for the March meeting are simply suggestions which came from HSNA members who where present at the Feb meeting. How can we take you seriously when you talk of an "adult conversation" and then act like such a child in your actions. Gary when you are lucid you add to the conversation and can be a very helpful part of the process. This latest e-mail is a great example of how you are not. Please come and be a part of the process not just another detractor from afar.

We are a membership driven organization and at this point not one member present at a meeting has brought up the possibility of a committee. Why not come and present this idea before the membership and then volunteer to lead it. Now we are talking about being a positive presence instead of a negative non-presence.

What exactly are you saying regarding the Palomino Loop Trail? Why not be an adult and come out and say what you mean? What favoritism has been shown or given and to who? If you think that anyone has acted inappropriately or done something backhanded man up and say what is on your mind anything else is as you say BS!

Scott Howard, Vice President
Hidden Springs Neighborhood Assoc.

From: "Alex Kachirisky" <president@hiddenspringsna.org>
To: "GARY" <hitesman@q.com>, "Zach' 'Pelz" <zpelz@westlinnoregon.gov>
Cc: "Scott Howard" <vicepresident@hiddenspringsna.org>, "Susan Van de Water" <Secretary@hiddenspringsna.org>
Sent: Wednesday, February 29, 2012 11:53:48 AM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism

exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion

Date:Mon, 27 Feb 2012 15:25:57 -0800

From:Alex Kachirisky <president@hiddenspringsna.org>

Organization:Hidden Springs Neighborhood Association

To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>

CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water

rights.

4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [Alex Kachirisky](#)
To: ["GARY"; Pelz, Zach](#)
Cc: ["Scott Howard"; "Susan Van de Water"](#)
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 11:54:09 AM

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion
Date:Mon, 27 Feb 2012 15:25:57 -0800
From:Alex Kachirisky <president@hiddenspringsna.org>
Organization:Hidden Springs Neighborhood Association
To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act

standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?

3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [GARY](#)
To: [President HSNA](#)
Cc: [Pelz, Zach](#)
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 1:34:37 PM

Alex,

There is a process for everything and I am taking my part in 'it' as time allows.

I'm not asking for your resignation. You are not a bad guy but neither are you being completely honest or even remotely representative of many residents in HSNA. You would be well to study Thomas Boes and learn a few lessons from his time as President of the RNA. It would be fair to say that I wasted too much time on some previous NA Prez's and I know a "waskily wabbit" when I see one. And it appears you are pulling a NA Prez-like action? I know you are much more sincere and have more integrity than most people I have run into, until your latest email. I'll show up March 20 if I am in town.

Do you realize that the topics you want presented on both sides equals two and a half minutes each? And in Powerpoint? Do you know how asinine that appears? That is truly 'unfortunate'. Perhaps we should seek Dean Suhr's NA as you have in the past? Dean is the kind of resident with a good engineering background and will have your back covered. He and I will not agree, but that man can bring a lot to the table that would help all of us not only learn something but provide a good perspective.

I do not seek a chair position. However, you can join the conversation here;

Please distribute

<http://civictomfoolery.blogspot.com/p/e-mails.html>

After this blows over, if it does, I would like to discuss a new business item regarding ROW Use in the city owned property in my backyard. Or, because it is related, but that too on the March 20 agenda. Thanks.

Cheers, Gary

----- Original Message -----

From: [Alex Kachirisky](#)
To: '[GARY](#)'; '[Pelz, Zach](#)'
Cc: '[Scott Howard](#)'; '[Susan Van de Water](#)'
Sent: Wednesday, February 29, 2012 11:53 AM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion
Date:Mon, 27 Feb 2012 15:25:57 -0800

From:Alex Kachirisky <president@hiddenspringsna.org>
Organization:Hidden Springs Neighborhood Association
To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood

streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.

6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,
Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: w.s.howard@comcast.net
To: [President HSNA](#)
Cc: [Scott Howard](#); [Susan Van de Water](#); [GARY](#); [Pelz, Zach](#)
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 12:59:56 PM

Gary,

Last time you graced us with your "adult" presence you brought up the idea of NA sponsored "Keg Parties" paid for with the NA stipend which happens to be tax payer money. Alex's e-mail with guidelines for the March meeting are simply suggestions which came from HSNA members who where present at the Feb meeting. How can we take you seriously when you talk of an "adult conversation" and then act like such a child in your actions. Gary when you are lucid you add to the conversation and can be a very helpful part of the process. This latest e-mail is a great example of how you are not. Please come and be a part of the process not just another detractor from afar.

We are a membership driven organization and at this point not one member present at a meeting has brought up the possibility of a committee. Why not come and present this idea before the membership and then volunteer to lead it. Now we are talking about being a positive presence instead of a negative non-presence. What exactly are you saying regarding the Palomino Loop Trail? Why not be an adult and come out and say what you mean? What favoritism has been shown or given and to who? If you think that anyone has acted inappropriately or done something backhanded man up and say what is on your mind anything else is as you say BS!
Scott Howard, Vice President
Hidden Springs Neighborhood Assoc.

From: "Alex Kachirisky" <president@hiddenspringsna.org>
To: "GARY" <hitesman@q.com>, "Zach 'Pelz'" <zpelz@westlinnoregon.gov>
Cc: "Scott Howard" <vicepresident@hiddenspringsna.org>, "Susan Van de Water" <Secretary@hiddenspringsna.org>
Sent: Wednesday, February 29, 2012 11:53:48 AM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would

like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion
Date:Mon, 27 Feb 2012 15:25:57 -0800

From:Alex Kachirisky <president@hiddenspringsna.org>
Organization:Hidden Springs Neighborhood Association
To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as

the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.

6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [GARY](#)
To: [President HSNA](#); [Pelz, Zach](#)
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 10:50:08 AM

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:37 AM
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Mon, 27 Feb 2012 15:25:57 -0800
From: Alex Kachirisky <president@hiddenspringsna.org>
Organization: Hidden Springs Neighborhood Association
To: 'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC: 'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.

6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: w.s.howard@comcast.net
To: [GARY](#)
Cc: [Susan Van de Water](#); [Scott Howard](#); [Pelz, Zach](#); [President HSNA](#)
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Wednesday, February 29, 2012 2:41:33 PM

Class act my friend, class act.

From: "GARY" <hitesman@q.com>
To: "Alex Kachirisky" <president@hiddenspringsna.org>, "w s howard" <w.s.howard@comcast.net>
Cc: "Susan Van de Water" <Secretary@hiddenspringsna.org>, "Scott Howard" <vicepresident@hiddenspringsna.org>, "Zach Pelz" <zpelz@westlinnoregon.gov>
Sent: Wednesday, February 29, 2012 1:56:44 PM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

First of all, my fight is not with you or anybody else in the NA. You are doing what you need to do and I am doing what I 'think' needs to be done.

I do not agree with your definition of adult. You appear to have the mixed in with 'Bully'.

Keg parties are alright with me but you would be correct on the taxpayer thing. You do know humor, don't you?

There is no way that the status quo is going to change and that is ok by me. However, the original deed for your plat, the existing City Charter, and City staff actions are incongruous with one another. Eminent Domain issues and property rights are at play in Robinwood and that has direct bearing on our rights within our own homes, dipshit.

Other than that, shove it up your ass Scott.

Gary

----- Original Message -----

From: w.s.howard@comcast.net
To: [Alex Kachirisky](#)
Cc: [Scott Howard](#) ; [Susan Van de Water](#) ; [GARY](#) ; [Zach' 'Pelz](#)
Sent: Wednesday, February 29, 2012 12:59 PM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

Last time you graced us with your "adult" presence you brought up the idea of NA sponsored "Keg Parties" paid for with the NA stipend which happens to be tax payer money. Alex's e-mail with guidelines for the March meeting are simply suggestions which came from HSNA members who were present at the Feb meeting. How can we take you seriously when you talk of an "adult conversation" and then act like such a child in your actions. Gary when you are lucid you add to the conversation and can be a very helpful part of the process. This latest e-mail is a great example of how you are not. Please come and be a part of the process not just another detractor from afar.

We are a membership driven organization and at this point not one member present at a meeting has brought up the possibility of a committee. Why not come and present this idea before the membership and then volunteer to lead it. Now we are talking about being a positive presence instead of a negative non-presence. What exactly are you saying regarding the Palomino Loop Trail? Why not be an adult and come out and say what you mean? What favoritism has been shown or given and to who? If you think that anyone has acted inappropriately or done something backhanded man up and say what is on your mind anything else is as you say BS!

Scott Howard, Vice President
Hidden Springs Neighborhood Assoc.

From: "Alex Kachirisky" <president@hiddenspringsna.org>
To: "GARY" <hitesman@q.com>, "Zach' 'Pelz" <zpelz@westlinnoregon.gov>
Cc: "Scott Howard" <vicepresident@hiddenspringsna.org>, "Susan Van de Water" <Secretary@hiddenspringsna.org>
Sent: Wednesday, February 29, 2012 11:53:48 AM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Gary,

It's unfortunate that you were not available to attend the February HSNA meeting, or any meeting for that matter, so that we could have all experienced a more adult conversation.

At the February 2012 meeting a resolution was brought up asking HSNA to oppose the LOTWP. A vote was taken by the members to hold a March meeting and to place the resolution on the agenda for proper notice. I invited ALL the speakers present to return, and since I did not have the email addresses for the LOTWP staff that spoke I emailed Jane. I sent them all a list of points that would be helpful to cover in better detail before a vote is taken.

I also appreciate your candor and eloquent use of choice words. If in March the members would like to establish a Land Use Committee I will be more than happy to appoint you chair of that committee Gary.

If you feel I have stepped over my authority or violated HSNA bylaws in any way in the way, I respectfully request that you outline your complaints to the City and the HSNA membership. If they are deemed valid, I would be more than willing to resign my position as HSNA President and nominate you as President of HSNA in a special election.

Also, if you believe I have been doing such a terrible job or operation under ulterior motives, it's too bad you didn't attend and share your frustration to the members at the February 2012 Board Elections where I was just re-elected president of the neighborhood association.

Cordially,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 10:37 AM
To: Hidden Springs Neighborhood Association; Pelz, Zach
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion
Date:Mon, 27 Feb 2012 15:25:57 -0800
From:Alex Kachirisky <president@hiddenspringsna.org>
Organization:Hidden Springs Neighborhood Association
To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am

aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with

diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

From: [Heisler, Jane](#)
To: [GARY](#); [Pelz, Zach](#); [Day, Eric](#)
Cc: [President HSNA](#); [GARY](#)
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Friday, March 02, 2012 12:47:57 PM
Attachments: [WTP_GNP_12-19-11.pdf](#)

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
- 8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:50 AM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:37 AM
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject: LOWTP - HSNA | March 2012 Meeting Discussion
Date: Mon, 27 Feb 2012 15:25:57 -0800
From: Alex Kachirisky <president@hiddenspringsna.org>
Organization: Hidden Springs Neighborhood Association
To: 'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC: 'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?

7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,
Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Kerr, Chris](#)
To: ["Walters, Rebecca"; Pelz, Zach](#)
Subject: RE: meetings
Date: Thursday, February 16, 2012 2:49:46 PM

Thanks - The City isn't planning any meetings with them; but Lake Oswego and the Partnership may have meetings planned (or regular meetings) when they discuss the project.

The water treatment plant application will require planning commission meeting(s), but they would not be for several months.

If you want to provide input or comments, just email them to either Zach or I and they will be put into the record and given to the Commission for them to consider.

Thanks
CK

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Walters, Rebecca [mailto:Rebecca.Walters@adp.com]
Sent: Thursday, February 16, 2012 2:12 PM
To: Kerr, Chris; Pelz, Zach
Subject: meetings

Hi Mr. Kerr and Mr. Pelz:

I am interested in attending the planning meetings related to Lake Oswego's water treatment plant expansion and pipeline. Where on our city's website is there information about meetings that citizens can attend and have input on?

Thanks,
Rebecca Walters

I've learned that it is better to be kind than right.
503-402-3308

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

From: [Walters, Rebecca](#)
To: [Kerr, Chris](#); [Pelz, Zach](#)
Subject: RE: meetings
Date: Thursday, February 16, 2012 2:52:27 PM

Thanks Chris.
Rebecca

From: Kerr, Chris [mailto:ckerr@westlinnoregon.gov]
Sent: Thursday, February 16, 2012 2:50 PM
To: Walters, Rebecca (DS); Pelz, Zach
Subject: RE: meetings

Thanks - The City isn't planning any meetings with them; but Lake Oswego and the Partnership may have meetings planned (or regular meetings) when they discuss the project.

The water treatment plant application will require planning commission meeting(s), but they would not be for several months.

If you want to provide input or comments, just email them to either Zach or I and they will be put into the record and given to the Commission for them to consider.

Thanks
CK

 Chris Kerr
ckerr@westlinnoregon.gov
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Walters, Rebecca [mailto:Rebecca.Walters@adp.com]
Sent: Thursday, February 16, 2012 2:12 PM
To: Kerr, Chris; Pelz, Zach
Subject: meetings

Hi Mr. Kerr and Mr. Pelz:

I am interested in attending the planning meetings related to Lake Oswego's water treatment plant expansion and pipeline. Where on our city's website is there information about meetings that citizens can attend and have input on?

Thanks,
Rebecca Walters

I've learned that it is better to be kind than right.
503-402-3308

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

From: lamontking@comcast.net
To: [Pelz, Zach](#)
Cc: [Kevin Bryck](#)
Subject: Re: Notice of Land Use Hearing
Date: Monday, April 02, 2012 4:56:14 PM
Attachments: [image8581dc.gif@a627f314.6ceb4c17](#)

Hi Zach,

So you are saying that the Planning Commission members are not able to add any conditions on their own that are not clearly defined in the criteria for CDC Chapter 11? I am just seeking some clarification....

Thanks,

Lamont

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: lamontking@comcast.net
Cc: "Kevin Bryck" <kevinbryck@comcast.net>
Sent: Monday, April 2, 2012 3:25:23 PM
Subject: RE: Notice of Land Use Hearing

Mr. King,

The notice states that the decision will be made based upon the criteria in CDC Chapter 11; which references applicable standards in CDC Chapters 60, 55 and others.

Thanks,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net [mailto:lamontking@comcast.net]
Sent: Monday, April 02, 2012 1:50 PM
To: Pelz, Zach
Cc: Bryck, Kevin
Subject: Re: Notice of Land Use Hearing

Thanks for the notice! I have been told by past members of our Planning Dept that your instructions may be incorrect. You state the only criteria that may be used is that contained in CDC Chapter 11 and in fact, the Planning Commission has the discretion to add their own conditions that they may deem appropriate. Please respond to me so that I can resolve this issue.

Have a good day!

Lamont

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>
Sent: Monday, April 2, 2012 1:35:56 PM
Subject: Notice of Land Use Hearing

Good afternoon,

The notice below has been/is being delivered to all property owners within 500-feet of the Lake Oswego Water Treatment Plant, per West Linn Community Development Code Chapter 99.080. I wanted to make sure that each of you also received notice as you've indicated a desire to be kept informed of the proceedings regarding this proposal.

Zach

**CITY OF WEST LINN
PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. CUP-12-02/DR-12-04**


The West Linn Planning Commission is scheduled to hold a public hearing on Wednesday, April 18, 2012, **starting at 7:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for approval of a Conditional Use and Class II Design Review for an expanded City of Lake Oswego water treatment plant at 4260 Kenthorpe Way (Clackamas County Assessor's Map 2 1E 24BD tax lots 300, 401, 1200, 1300, 1400 and 1500).

Conditional Use criteria are found in Chapter 60 of the West Linn Community Development

Code (CDC). Criteria for Design Review are found in Chapter 55. The applicable standards for conditional uses in the R-10 zoning district are found in CDC Chapter 11. Approval or denial of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the City of West Linn's website at <http://westlinnoregon.gov/planning/4260-kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm>; printed copies may be obtained at City Hall for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Zach Pelz, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, zpelz@westlinnoregon.gov, or 503-723-2542.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.



From: shanonmv@comcast.net
To: [Pelz, Zach](#)
Subject: Re: Notice of Land Use Hearing
Date: Monday, April 02, 2012 3:45:32 PM
Attachments: [imageac3bc8.gif@5aaae69d.663c42d1](#)

Thank you Zach... we did receive notice in the mail too!! Appreciate you covering all bases :)

Shanon Vroman

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>
Sent: Monday, April 2, 2012 1:35:56 PM
Subject: Notice of Land Use Hearing

Good afternoon,

The notice below has been/is being delivered to all property owners within 500-feet of the Lake Oswego Water Treatment Plant, per West Linn Community Development Code Chapter 99.080. I wanted to make sure that each of you also received notice as you've indicated a desire to be kept informed of the proceedings regarding this proposal.

Zach

**CITY OF WEST LINN
PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. CUP-12-02/DR-12-04**

The West Linn Planning Commission is scheduled to hold a public hearing on Wednesday, April 18, 2012, **starting at 7:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for approval of a Conditional Use and Class II Design Review for an expanded City of Lake Oswego water treatment plant at 4260 Kenthorpe Way (Clackamas County Assessor's Map 2 1E 24BD tax lots 300, 401, 1200, 1300, 1400 and 1500).

Conditional Use criteria are found in Chapter 60 of the West Linn Community Development Code (CDC). Criteria for Design Review are found in Chapter 55. The applicable standards for conditional uses in the R-10 zoning district are found in CDC Chapter 11. Approval or denial of the request by the Planning Commission will be based upon these criteria and these criteria

only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the City of West Linn's website at <http://westlinnoregon.gov/planning/4260-kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm>; printed copies may be obtained at City Hall for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Zach Pelz, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, zpelz@westlinnoregon.gov, or 503-723-2542.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [chuck.landskroner@crmc](#)
To: [Pelz, Zach](#)
Subject: Re: Notice of Land Use Hearing
Date: Monday, April 02, 2012 1:54:11 PM
Attachments: [imageac3bc8.gif@5aaae69d.663c42d1](#)

Thank you

From: [Pelz, Zach](#)
Sent: Monday, April 02, 2012 1:35 PM
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#)
Subject: Notice of Land Use Hearing

Good afternoon,

The notice below has been/is being delivered to all property owners within 500-feet of the Lake Oswego Water Treatment Plant, per West Linn Community Development Code Chapter 99.080. I wanted to make sure that each of you also received notice as you've indicated a desire to be kept informed of the proceedings regarding this proposal.

Zach

**CITY OF WEST LINN
PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. CUP-12-02/DR-12-04**

The West Linn Planning Commission is scheduled to hold a public hearing on Wednesday, April 18, 2012, **starting at 7:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for approval of a Conditional Use and Class II Design Review for an expanded City of Lake Oswego water treatment plant at 4260 Kenthorpe Way (Clackamas County Assessor's Map 2 1E 24BD tax lots 300, 401, 1200, 1300, 1400 and 1500).

Conditional Use criteria are found in Chapter 60 of the West Linn Community Development Code (CDC). Criteria for Design Review are found in Chapter 55. The applicable standards for conditional uses in the R-10 zoning district are found in CDC Chapter 11. Approval or denial of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the City of West Linn's website at <http://westlinnoregon.gov/planning/4260-kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm>; printed copies may be obtained at City Hall for a minimal charge per page. At least ten

days prior to the hearing, a copy of the staff report will be available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Zach Pelz, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, zpelz@westlinnoregon.gov, or 503-723-2542.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net
To: [Pelz, Zach](#)
Cc: [Bryck, Kevin](#)
Subject: Re: Notice of Land Use Hearing
Date: Monday, April 02, 2012 1:50:20 PM
Attachments: [imageac3bc8.gif@5aaae69d.663c42d1](#)

Thanks for the notice! I have been told by past members of our Planning Dept that your instructions may be incorrect. You state the only criteria that may be used is that contained in CDC Chapter 11 and in fact, the Planning Commission has the discretion to add their own conditions that they may deem appropriate. Please respond to me so that I can resolve this issue.

Have a good day!

Lamont

From: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
To: "Zach Pelz" <ZPELZ@westlinnoregon.gov>
Cc: "Chris Kerr" <ckerr@westlinnoregon.gov>
Sent: Monday, April 2, 2012 1:35:56 PM
Subject: Notice of Land Use Hearing

Good afternoon,

The notice below has been/is being delivered to all property owners within 500-feet of the Lake Oswego Water Treatment Plant, per West Linn Community Development Code Chapter 99.080. I wanted to make sure that each of you also received notice as you've indicated a desire to be kept informed of the proceedings regarding this proposal.

Zach

**CITY OF WEST LINN
PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. CUP-12-02/DR-12-04**

The West Linn Planning Commission is scheduled to hold a public hearing on Wednesday, April 18, 2012, **starting at 7:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for approval of a Conditional Use and Class II Design Review for an expanded City of Lake Oswego water treatment plant at 4260 Kenthorpe Way (Clackamas County Assessor's Map 2 1E 24BD tax lots 300, 401, 1200, 1300, 1400 and 1500).

Conditional Use criteria are found in Chapter 60 of the West Linn Community Development

Code (CDC). Criteria for Design Review are found in Chapter 55. The applicable standards for conditional uses in the R-10 zoning district are found in CDC Chapter 11. Approval or denial of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the City of West Linn's website at <http://westlinnoregon.gov/planning/4260-kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm>; printed copies may be obtained at City Hall for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Zach Pelz, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, zpelz@westlinnoregon.gov, or 503-723-2542.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: Re: Notice of Land Use Hearing
Date: Monday, April 02, 2012 5:16:12 PM
Attachments: [imageac3bc8.gif@5aaae69d.663c42d1](#)

Thanks! I got it.

----- Original Message -----

From: [Pelz, Zach](#)
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#)
Sent: Monday, April 02, 2012 1:35 PM
Subject: Notice of Land Use Hearing

Good afternoon,

The notice below has been/is being delivered to all property owners within 500-feet of the Lake Oswego Water Treatment Plant, per West Linn Community Development Code Chapter 99.080. I wanted to make sure that each of you also received notice as you've indicated a desire to be kept informed of the proceedings regarding this proposal.

Zach

**CITY OF WEST LINN
PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. CUP-12-02/DR-12-04**

The West Linn Planning Commission is scheduled to hold a public hearing on Wednesday, April 18, 2012, **starting at 7:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for approval of a Conditional Use and Class II Design Review for an expanded City of Lake Oswego water treatment plant at 4260 Kenthorpe Way (Clackamas County Assessor's Map 2 1E 24BD tax lots 300, 401, 1200, 1300, 1400 and 1500).

Conditional Use criteria are found in Chapter 60 of the West Linn Community Development Code (CDC). Criteria for Design Review are found in Chapter 55. The applicable standards for conditional uses in the R-10 zoning district are found in CDC Chapter 11. Approval or denial of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the City of West Linn's website at <http://westlinnoregon.gov/planning/4260->

kenthorpe-way-conditional-use-permit-and-design-review-proposed-expansion-water-treatm; printed copies may be obtained at City Hall for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost or copies can be obtained for a minimal charge per page. For further information, please contact Zach Pelz, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, zpelz@westlinnoregon.gov, or 503-723-2542.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Kerr, Chris](#)
To: [Dave Froode](#)
Cc: [Pelz, Zach](#)
Subject: Re: Questions
Date: Thursday, February 23, 2012 7:57:50 PM

The vote requirement only applies to land designated as "park and open space" , this parcel is not- it is for utility purposes, it has pump station on it and it simply "city- owned property.

CK

Sent from my iPhone

On Feb 23, 2012, at 6:12 PM, "Dave Froode" <dfroode@comcast.net> wrote:

6. Will citizens vote on the city property being used?

No. Why not? Thought the city charter called for a vote if the property were changed.

I can't speak to their litigation, we are not involved - but, the City has not signed any release or waiver. Do you know why the city was not included in the lawsuit if the city of WL has covenant restrictions and did not sign a release? Why was the city excluded and every one else was sued by LO?

Thanks, Dave

On 2/23/2012 2:12 PM, Kerr, Chris wrote:

Sure - see below. Thanks

CK

Chris Kerr
<mailto:ckerr@westlinnoregon.gov>
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: <http://westlinnoregon.gov>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.
Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

Chris Kerr, Interim Assistant City Manager

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Dave Froode [<mailto:dfroode@comcast.net>]
Sent: Thursday, February 23, 2012 12:20 PM
To: Kerr, Chris
Subject: Questions

Chris:

I have been forwarded a few messages regarding the city's lot at the end of Mapleton. There seems to be some confusion. Thought I would just ask you myself. Thanks for your help.

1. The lot at the end of Mapleton is city owned and part of the Maple Grove plat. It reaches from Mapleton to the meandering line on the river. Does it have the same covenant conditions and restrictions as the others properties in MG?

Yes it does. The city received a waiver from the SF home restriction many years ago in order to build the pump station.

2. As you are aware of L0 litigated against 85 owners on Mapleton that did not sign the release of the CCRs. The city of West Linn is not included on the list of owners sued by L0. Why is that?

I can't speak to their litigation, we are not involved - but, the City has not signed any release or waiver.

3. Given the route of the L0 pipeline has changed, the last route I am aware of it is leaving MSY park on the north end, transgressing a creek, north through the city lot and then west on up to Mapleton via the state's lot north of the city's sewage treatment facility. Is that your understanding?

I believe that's correct. The last route information I received from them came with their pre-application (can be found on the web <http://westlinnoregon.gov/planning/2012-01-05>

4. How will the city's code deal with the set backs for the creek?

The code addresses setback requirements for creeks in Chapter 32. They are somewhat complicated, but the details can be found in the pre-app. notes.

5. Is there any other city property the pipe will be on?

Not that I am aware of - but it will be located in City ROW.

6. Will citizens vote on the city property being used?

No.

7. Will the proposed change to the City Charter re designating city land affect this use of city land?

No.

8. Is there any thing else I should know about LO pipe route impacting city property?

They will need the City's authorization to work on our property (just like any other property owner). Other than that, take a look at the pre-app notes - feel free to ask any other questions.

Thanks again for your assistance and patience.

Regards, Dave

From: [Pam Beery](#)
To: [Kerr, Chris](#)
Cc: [Jordan, Chris](#); [Pelz, Zach](#); [Kristen Ketchel - Bain](#); [Chris Crean](#); [Kristen Ketchel - Bain](#)
Subject: RE: Response to Community Comments from January 9, 2012 City Council meeting
Date: Thursday, January 19, 2012 11:13:10 AM

Chris:

You and Chris Jordan requested that I review the three presentations made to Council on January 9 during the community comments portion of the agenda, and provide advice and any recommendations concerning how staff and Council should proceed.

Summary of comments

Three citizens appeared to express concerns and present requests with respect to the anticipated land use applications for the Lake Oswego-Tigard water project's proposed pipe line and water treatment plant expansion, as follows:

1. All three requested that Council **meet with the Good Neighbor Committee**, an ad hoc committee of concerned residents in the Robinwood Neighborhood formed to respond to the planned water project. They expressed concern that Council had met on December 19 in work session with staff and elected officials representing the proposed project but that Council had not met with them.
2. One resident asserted that the December 19 **work session was an inappropriate ex parte contact**. Another suggested Council might be **biased** in its consideration of the land use decision based on information presented at the work session concerning potential benefits to the West Linn water supply if the project goes forward.
3. Two residents suggested one purpose of meeting with the neighbors would be to hear their ideas for conditions that could be placed on any land use approval for the project. In addition, it appeared they wished to be sure that Council understood and considered their "**Great Neighbor Plan**" developed in response to the proposed project. The Plan presumably contains requested conditions for the project should it be approved in order to address the perceived impacts of construction and siting of the plant and water line.
4. One resident expressed concern that the **application for the treatment plant expansion was being separated from that for the pipeline**, and wanted Council to consider linking them such that any approval for one would be invalid without approval for the other.
5. Finally, all three expressed general concerns that the proposed project will have disproportionate impacts on the Robinwood neighborhood especially given that the project would not serve the neighborhood.

Advice and response

1. Requested work session. Council should not conduct a work session or otherwise meet with citizens or any other party about the potential land use applications, for the reasons outlined below. As discussed in detail in the memorandum our office provided for the December 19 work session, Council was exercising its policy function with respect to its responsibility for the City water system in holding the work session in December. It was open to the public to assure transparency. I understand how concerned citizens can confuse the Council's functions but believe taking the requested step would create too much risk for the appropriate handling of the land use applications.
2. Ex parte and bias concerns. The work session was not an ex parte contact. It did not address the land use aspects of the proposed project nor any element of the West Linn Community Development Code. In an abundance of caution, our plan is to include minutes from the work session in the record of the final land use decision(s) for the project, so that we are fully addressing procedural requirements for ex parte contacts in any case. This does not make the work session an ex parte contact. One of the two land use applications was filed, we understand, this week; this is the demarcation point, as we previously advised, for the commencement of the ex parte contact rule and is an additional reason that

Council should not consider meeting with the residents. Now that there is a pending application, such contacts are in fact ex parte communications. As we have advised, Council could disclose any ex parte contacts at the time of any hearing; but the risk of engaging in a meeting with concerned citizens is too high to be justifiable.

The bias question was also discussed in our December 19 memorandum. Even if the project has some potential benefit to the West Linn water system, this does not create a bias concern for Council under applicable law. Again, we will want to respond to any such assertions as part of the processing of the land use applications and we will be advising you and Council in that regard; we want to address even the appearance to residents that bias might be present.

3. Great Neighbor Plan. As you know, Council has facilitated the neighborhood's preparedness to respond to the proposed project by hiring a planning consultant to assist them. This has apparently generated a Plan with potential conditions to presumably ameliorate concerns with project impacts. The neighborhood will have a full and fair opportunity before the Planning Commission to present the Plan and the Planning Commission (and Council on appeal) will have ample time to consider it. We will be advising you and both hearing bodies on the appropriate conditions of approval that can be tied to the project based on the criteria in the CDC throughout those proceedings.

4. Separate land use applications. There is nothing in the West Linn CDC that would allow us to require the project to file for one land use application as opposed to two; it is the applicant's right to determine how to seek approval under our code. We can evaluate the two applications during our review in terms of any benefit/ability to link them in some way as part of our decisions.

I hope this response addresses the identified concerns. Please let me know if you have questions.

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: Re: Sansome Maps
Date: Tuesday, March 06, 2012 12:07:55 PM
Attachments: [imageb760a7.gif@716d1f37.8e234596](#)

My brain is quite rusty. IT is what I was referring to. Thank you for the link.

----- Original Message -----

From: [Pelz, Zach](#)
To: 'GARY'
Sent: Tuesday, March 06, 2012 8:31 AM
Subject: RE: Sansome Maps

Gary,

If you're referring to Sanborn maps, we have a set of historic Sanborn maps on our website [here](#). All other map products can be found at our website [here](#).

Thanks,

Zach

 Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [mailto:hitesman@q.com]
Sent: Monday, March 05, 2012 3:58 PM
To: Pelz, Zach
Subject: Sansome Maps

Zach,

Are there Sansome Maps of my neighborhood on record down at City hall somewhere?

Gary

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: Re: Sansome Maps
Date: Tuesday, March 06, 2012 12:59:39 PM
Attachments: [imageb760a7.gif@716d1f37.8e234596](#)

Zach,

Is the planning commission having a working session tomorrow eve on the proposed Water Plant?

Gary

----- Original Message -----

From: [Pelz, Zach](#)
To: 'GARY'
Sent: Tuesday, March 06, 2012 8:31 AM
Subject: RE: Sansome Maps

Gary,

If you're referring to Sanborn maps, we have a set of historic Sanborn maps on our website [here](#). All other map products can be found at our website [here](#).

Thanks,

Zach



Zach Pelz, AICP
ZPELZ@westlinnoregon.gov
Associate Planner
22500 Salamo Rd.
West Linn, OR 97068
P: (503) 723-2542
F: (503) 656-4106
Web: westlinnoregon.gov

[West Linn Sustainability](#) Please consider the impact on the environment before printing a paper copy of this email.

[Public Records Law Disclosure](#) This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: GARY [mailto:hitesman@q.com]
Sent: Monday, March 05, 2012 3:58 PM
To: Pelz, Zach
Subject: Sansome Maps

Zach,

Are there Sansome Maps of my neighborhood on rexord down at City hall somewhere?

Gary

From: [Kerr, Chris](#)
To: "[Carrie Richter](#)"
Cc: [Day, Eric](#); [Eric Eisemann](#); [Komarek, Joel](#); [Ed Sullivan](#); [William Kabeiseman](#); [Pelz, Zach](#)
Subject: RE: Water Resource Area Limitations on State-Owned Parcels
Date: Tuesday, March 13, 2012 4:49:12 PM

Carrie: I appreciate the summary. Staff is taking extra time to review these code provisions so closely for the purpose of getting it right.

I believe that your summary is correct except that you would be still be subject to the utility corridor restrictions of Chapter 28 since you will be have construction equip and will be completing trenching within the HCA.

I think a phone conversation to clarify this and a few other Ch. 28 and 32 vagaries would be very helpful. Zach and I are available tomorrow between 1- 3 (my office line); let me know if that time works. (let's each have the code in front of us for the call)

Thanks

CK

Chris Kerr, Interim Assistant City Manager

Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Carrie Richter [mailto:crichter@gsblaw.com]
Sent: Tuesday, March 13, 2012 4:09 PM
To: Kerr, Chris
Cc: Day, Eric; Eric Eisemann; Komarek, Joel; Ed Sullivan; William Kabeiseman
Subject: Water Resource Area Limitations on State-Owned Parcels

Chris:

I'm hoping that you can confirm my understanding of our discussion today regarding the regulatory limits of the Water Resource Area limitations. As I understand it, the protected water resource area includes the wetlands, as identified on the City's Wetland Inventory, and riparian corridors, as mapped in the City's Riparian Corridor Inventory, plus any setback and transition area determined in Table 32-1. It is anticipated that the exact location of the Water Resource Area will

be determined as part of the application review and may deviate from that identified in the map. Areas located outside the Water Resource Area based on the inventory + transition area calculation are not subject to the 20' x' 200' disturbance area applicable to utilities in either CDC 28 or 32 or the overall 5,000 sq. ft. disturbance area applicable under the hardship provisions. We believe that much of the area occupied by the state-owned parcels are outside any inventoried riparian or wetland area when considered with the applicable setback and transition area and if that is correct, the water resource area disturbance limitations would not apply. We are working on putting together a map that would illustrate this for your review but I just wanted to make sure I have a handle on this. Please call me if I am missing something and you feel it would be easier to discuss over the phone.

Thanks much,

Carrie

Unless expressly stated otherwise, any federal tax advice contained in this communication (including attachments) is not intended to be used, and cannot be used, for the purpose of avoiding federal tax penalties. This e-mail is for the sole use of the intended recipient(s). It contains information that is confidential and/or legally privileged. If you believe that it has been sent to you in error, please notify the sender by reply e-mail and delete the message. Any disclosure, copying, distribution or use of this information by someone other than the intended recipient is prohibited.

CARRIE A. RICHTER

Attorney | 503.228.3939 x 3118 Tel | 503.226.0259 Fax | crichter@gsblaw.com

GARVEY SCHUBERT BARER | 11th Floor | 121 SW Morrison Street | Portland, OR 97204 |

▶ GSBLaw.com

▶ land use | condemnation | real estate e-forum: www.northwestlandlawforum.com

From: [Jordan, Chris](#)
To: "Komarek, Joel"
Cc: [McIntyre, Alex](#); [Heisler, Jane](#); [Donaldson, David](#); [Sonnen, John](#); [Spir, Peter](#); [Zak, Teresa](#); [Mollusky, Kathy](#); [Kerr, Chris](#); [Pelz, Zach](#)
Subject: RE: Water resource area regulation review
Date: Wednesday, February 22, 2012 8:07:35 AM

Joel –

We've looked into this request and it will literally be thousands of pages that would need to be reproduced. I've asked Peter Spir, who is the planner who has been working on these regulations, to contact you in an effort to refine your request so that we don't need to reproduce all of these documents. Peter will be in touch with you shortly.

Chris Jordan

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Komarek, Joel [mailto:jkomarek@ci.oswego.or.us]
Sent: Wednesday, February 15, 2012 3:27 PM
To: Jordan, Chris
Cc: McIntyre, Alex; Heisler, Jane; Donaldson, David
Subject: Water resource area regulation review

Hi Chris:

At this last Monday's Council work session we learned that your Planning Department is undertaking an evaluation and refinement of regulations relating to water quality resource areas. Clearly any potential refinement of the current regulations as they may relate to Mary S. Young Park are of significant importance to us considering our proposed new raw water pipeline alignment would pass through the park. Please consider this email our formal request for any and all public records that have been developed to date by the City of West

Linn that are related to an evaluation and refinement of water resource area regulations.

Thank you,

Joel Komarek, P.E.

Director, Lake Oswego-Tigard Water Supply Partnership

PO Box 369

Lake Oswego, Oregon 97034

503.697.6588 (O)

503.312.5515 (M)

503.534.5225 (F)

email: jkomarek@ci.oswego.or.us



PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [GARY](#)
To: [Heisler, Jane](#); [Pelz, Zach](#)
Subject: Re: WL PD_ CUP 12-02
Date: Friday, March 02, 2012 4:26:11 PM

Dear Jane,
Observations, not assertions.
Cheers, Gary

The public disclosure statement is missing?

----- Original Message -----

From: [Heisler, Jane](#)
To: [GARY](#)
Sent: Friday, March 02, 2012 4:08 PM
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Gary,

That's odd that my signature is not showing up. My account indicates that I have one and it looks like it shows up on everyone's mail that I send. Here is what it looks like if you're curious:

Jane Heisler | Communications Director | Lake Oswego-Tigard Water Partnership | Voice - 503-697-6573 | Mail - P. O. Box 369, Lake Oswego, OR 97034 | lotigardwater.org



I made one comment below about one of your assertions. Again, if you want to call, we may be able to have a better conversation.

From: [Kerr, Chris](#)
To: [President HSNA](#)
Cc: ["Scott Howard"](#); ["Susan Van de Water"](#); [Pelz, Zach](#)
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested
Date: Thursday, March 08, 2012 9:05:54 AM

Alex - definitely, if the NA can express specific concerns or considerations that would be helpful to both staff and the PC. They can be as general or specific as you like. Keep in mind that only treatment plant application is currently under review and we don't have a pipeline application yet. It's the pipeline that will impact MSY park and OR 43.

These are staff's primary concerns as well. our approach will be to require the applicant to provide a construction management plan that addresses how traffic will be accommodated during construction. For MSY park, staff will require an analysis that indicates that the proposed pipeline route is the least impactful alternative available and of course full mitigation will be required.

CK

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Alex Kachirisky [<mailto:president@hiddenspringsna.org>]
Sent: Wednesday, March 07, 2012 11:26 AM
To: Kerr, Chris
Cc: 'Scott Howard'; 'Susan Van de Water'; Pelz, Zach
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Good morning Chris,

A couple of the major issues people had at the last HSNA meeting regarding the expansion of the water plant were related to impacts on Mary S. Young Park as well as the congestion residents of West Linn are likely to face on Highway 43 during the period of construction.

While some individuals and organizations may oppose the LOTWP based on land use rights, does the option exist to the NA, if that is the route the majority of members chose, to state its concerns with the LOTWP based on the issues stated above?

I appreciate your help.

Kind regards,

Alex Kachirisky, President
Hidden Springs Neighborhood Association

-----Original Message-----

From: Kerr, Chris [<mailto:ckerr@westlinnoregon.gov>]
Sent: Monday, March 05, 2012 9:46 AM
To: President HSNA
Cc: 'Scott Howard'; 'Susan Van de Water'; Pelz, Zach
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Alex - I truly have no idea what Gary is referring to - neither one of his comments makes any sense to me.

If your NA wants to forward recommendations (for, against, etc.) on this - or any land use application - they can do so and it will be provided to the decision making body (planning commission) as part of the record just like all other testimony.

The Code issues to keep in mind relate to establishing 'standing' on an application; only people, or an NA, that have 'standing' can appeal a decision.

99.140 ESTABLISHING STANDING TO APPEAL OR REVIEW

A. Any person or recognized neighborhood association with standing may pursue an appeal or seek review of any land development decision. Standing is established in the following way:

B. The person or recognized neighborhood association appeared before an approval authority other than the Director, either orally or in writing, and provided their name and address; signed the sign-in sheet or testimony form provided at the hearing; or submitted comments to the Director, in writing, and provided their name and address to the Director regarding a decision. Neighborhood association standing can only be established by a person identifying, either in testimony or in writing, that they represent a specific neighborhood association. (Ord. 1474, 2001; Ord. 1568, 2008)

Also, if your NA decides to appeal - see Ch. 99.240 for the details.

C. Formally recognized neighborhood associations may appeal land use decisions to the appropriate bodies without cost if the Planning Director finds:

1. The Community Development Code appeal procedures are followed.
 2. A member of the association must have established standing on behalf of the association. The member must have explicitly identified themselves, in writing or in testimony, as representing the association.
 3. The association submits a copy of the meeting minutes and vote taken supporting the appeal.
 4. The neighborhood association appeal is related to the property within the association's recognized boundaries, or an application outside the association's boundaries that shall have significant impacts upon the association's neighborhood.
 5. The neighborhood association may appeal without cost on behalf of an individual or group with standing who is not represented by a recognized association if subsections A, B and C of this section are met and the neighborhood association finds the issue(s) are of City-wide concern related to the West Linn Comprehensive Plan or the West Linn CDC.
- Good luck! I appreciate your effort to have a balanced review of the application.

CK

[cid:imagea22a1b.gif@f0bdd055.7b384f94]

Chris Kerr
ckerr@westlinnoregon.gov <<mailto:ckerr@westlinnoregon.gov>>
Interim Assistant City Manager
22500 Salamo Rd

West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov <<http://westlinnoregon.gov>>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Alex Kachirisky [<mailto:president@hiddenspringsna.org>]
Sent: Friday, March 02, 2012 6:14 PM
To: Kerr, Chris
Cc: 'Scott Howard'; 'Susan Van de Water'
Subject: FW: WL PD_ CUP 12-02 -Further assistance requested

Hi Chris,

I'm hoping you can help with deciphering what Gary is saying in the below email, specifically with regard to the following quotes:

"...two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions."

"Since the partnership submitted the Water Plant application, any City NA participation at this point is moot."

At our next meeting we are supposed to be voting on a resolution asking HSNA "...to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn."

Is Gary correct by stating that because the Partnership has submitted their application to the City of West Linn any vote on the above resolution either for or against is meaningless? I'm hoping you can give me some guidance as to our position assuming that a vote is not reasonable. What guidance can HSNA give to residents who would still like to oppose the expansion of the water treatment plant in West Linn and who does HSNA fit in, if at all?

Any and all help would be greatly appreciated.

Kindest regards,

Alex Kachirisky, President
Hidden Springs Neighborhood Association

From: GARY [<mailto:hitesman@q.com>]
Sent: Friday, March 02, 2012 3:11 PM
To: Day, Eric; Heisler, Jane; Pelz, Zach
Cc: Hidden Springs Neighborhood Association
Subject: WL PD_ CUP 12-02 -Further assistance requested

Jane,

Thank you for your kind reply. At the time of the emails and blog writing, I was not suggesting that the City Council show up, but maybe the partnership and some WL City Staff. What I am contemplating was taking our concerns directly to the LO City Council where they do not have a Beery memo?

Regarding the other questions, two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions.

Both of the actions above undermine the intent and faith created by the Good Neighbor Plan. I am saluting my own neighbors when I praise the Good Neighbor Plan.

Since the partnership submitted the Water Plant application, any City NA participation at this point is moot. The filing of the eminent domain in Clackamas County renders the blog and any further public discussion irrelevant. And the application package submitted is unfortunate. What was the level of participation with the MWA? I mean, I know MWH lobbied Jeff McGraw heavily last year and it appears that MWH severely restricted the architects in their response. I don't mind telling you now that the submission is unconfirming and below acceptable conditional use norms. I have West Linn City precedents lined up and your application appears to fall outside what has typically been approved.

In my opinion, your application is ten times worse than the Holiday Inn application and I am concerned that the same malfeasance behind the Holiday Inn application was not fixed in time to provide you with the level of service that you should have gotten from my municipality? Right now, that is just my opinion and I have to hunker down at this moment and perform on the due diligence. (My claims appear outrageous without linking them to the CDC, ORS, and other documentation.) Another reason to go slow on the blog now.

With a potential Mid April commission meeting, there is not enough time to work through the process because the process is broken.

My advice to anyone who might want to listen is to go back to the NA and the Good Neighbor Plan and compare it to the LOTT project you have used as a reference and the MWH proposal. Tie up the loose ends and honestly deliver a product that adheres to the Good Neighbor Plan. My own HSNA might be able to move forward on the pipeline, but that was a separate issue than what was discussed last time.

Kudos on the site plan. I observed some improvements. Traffic, increased chemical deliveries, our own CDC, and noise levels still make the conditional use request wanting. Water Plants suffer from the same sort of complaints as wind farms in our state. What is the contingency plan? I sure hope for the sake of LO and Tigard that a contingency response at Marylhurst is in place because that is where my interpretation of conditional use requirements puts your proposal at.

And this is before I start asking about program management costs and the purported timeline. Your Partnership has already costed West Linn more than it can afford. I certainly hope you have a contingency plan.

Also, I noticed the public records law disclosure on this email. It is about time you got smart, but how come you still don't provide a signature? I wonder what Oregon Public Records Law says about that? Once again, who are you?

Cheers, Gary Hitesman

----- Original Message -----

From: Heisler, Jane <<mailto:jheisler@ci.oswego.or.us>>

To: GARY <<mailto:hitesman@q.com>> ; Pelz,

Zach <<mailto:zpelz@westlinnoregon.gov>> ; Day, Eric <<mailto:eday@ci.oswego.or.us>>

Cc: Hidden Springs Neighborhood

Association<<mailto:president@hiddenspringsna.org>> ; GARY<<mailto:ghitesman@gmail.com>>
Sent: Friday, March 02, 2012 12:47 PM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work."

I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [<mailto:hitesman@q.com>] <[mailto:\[mailto:hitesman@q.com\]](mailto:[mailto:hitesman@q.com])>
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
 - 2.) Mr. Pelz, What is the process we are abiding?
 - 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
 - 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
 - 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
 - 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
 - 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
 - 8.) The WL City Council will not take community comments on this issue. Why?
- If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: GARY<<mailto:hitesman@q.com>>
To: Hidden Springs Neighborhood Association<<mailto:president@hiddenspringsna.org>> ; Pelz, Zach<<mailto:zpelz@westlinnoregon.gov>>
Sent: Wednesday, February 29, 2012 10:50 AM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: GARY <<mailto:hitesman@q.com>>

To: Hidden Springs Neighborhood

Association <<mailto:president@hiddenspringsna.org>> ; Pelz, Zach <<mailto:zpelz@westlinnoregon.gov>>

Sent: Wednesday, February 29, 2012 10:37 AM

Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws?

Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:

LOWTP - HSNA | March 2012 Meeting Discussion

Date:

Mon, 27 Feb 2012 15:25:57 -0800

From:

Alex Kachirisky

<president@hiddenspringsna.org> <<mailto:president@hiddenspringsna.org%3e>>

Organization:

Hidden Springs Neighborhood Association

To:

'chuck landskronercrm'

<chucklandskronercrm@hotmail.com> <<mailto:chucklandskronercrm@hotmail.com>> ,

<RNAGNC@gmail.com> <<mailto:RNAGNC@gmail.com>> , 'Dave Froode'

<dfroode@comcast.net> <<mailto:dfroode@comcast.net>> ,

<kingnm@easystreet.net> <<mailto:kingnm@easystreet.net>> , Heisler, Jane

<jheisler@ci.oswego.or.us> <<mailto:jheisler@ci.oswego.or.us>>

CC:

'Scott Howard'

<vicepresident@hiddenspringsna.org><mailto:vicepresident@hiddenspringsna.org

>, 'Susan Van de Water'

<Secretary@hiddenspringsna.org><<mailto:Secretary@hiddenspringsna.org>>, Tom Miller

<tomjmill@aol.com><<mailto:tomjmill@aol.com>>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA.

This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc.

Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S.

Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.

5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.

6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?

7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.

8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,
Alex Kachirisky, President
Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Alex Kachirisky](#)
To: [Kerr, Chris](#)
Cc: ["Scott Howard"](#); ["Susan Van de Water"](#); [Pelz, Zach](#)
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested
Date: Wednesday, March 07, 2012 11:26:10 AM

Good morning Chris,

A couple of the major issues people had at the last HSNA meeting regarding the expansion of the water plant were related to impacts on Mary S. Young Park as well as the congestion residents of West Linn are likely to face on Highway 43 during the period of construction.

While some individuals and organizations may oppose the LOTWP based on land use rights, does the option exist to the NA, if that is the route the majority of members chose, to state its concerns with the LOTWP based on the issues stated above?

I appreciate your help.

Kind regards,

Alex Kachirisky, President
Hidden Springs Neighborhood Association

-----Original Message-----

From: Kerr, Chris [<mailto:ckerr@westlinnoregon.gov>]
Sent: Monday, March 05, 2012 9:46 AM
To: President HSNA
Cc: 'Scott Howard'; 'Susan Van de Water'; Pelz, Zach
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Alex - I truly have no idea what Gary is referring to - neither one of his comments makes any sense to me.

If your NA wants to forward recommendations (for, against, etc.) on this - or any land use application- they can do so and it will be provided to the decision making body (planning commission) as part of the record just like all other testimony.

The Code issues to keep in mind relate to establishing 'standing' on an application; only people, or an NA, that have 'standing' can appeal a decision.

99.140 ESTABLISHING STANDING TO APPEAL OR REVIEW

A. Any person or recognized neighborhood association with standing may pursue an appeal or seek review of any land development decision. Standing is established in the following way:

B. The person or recognized neighborhood association appeared before an approval authority other than the Director, either orally or in writing, and provided their name and address; signed the sign-in sheet or testimony form provided at the hearing; or submitted comments to the Director, in writing, and provided their name and address to the Director regarding a decision. Neighborhood association standing can only be established by a person identifying, either in testimony or in writing, that they represent a specific neighborhood association. (Ord. 1474, 2001; Ord. 1568, 2008)

Also, if your NA decides to appeal - see Ch. 99.240 for the details.

C. Formally recognized neighborhood associations may appeal land use decisions to the appropriate bodies without cost if the Planning Director finds:

1. The Community Development Code appeal procedures are followed.
 2. A member of the association must have established standing on behalf of the association. The member must have explicitly identified themselves, in writing or in testimony, as representing the association.
 3. The association submits a copy of the meeting minutes and vote taken supporting the appeal.
 4. The neighborhood association appeal is related to the property within the association's recognized boundaries, or an application outside the association's boundaries that shall have significant impacts upon the association's neighborhood.
 5. The neighborhood association may appeal without cost on behalf of an individual or group with standing who is not represented by a recognized association if subsections A, B and C of this section are met and the neighborhood association finds the issue(s) are of City-wide concern related to the West Linn Comprehensive Plan or the West Linn CDC.
- Good luck! I appreciate your effort to have a balanced review of the application.
CK

[cid:imagea22a1b.gif@f0bdd055.7b384f94]

Chris Kerr
ckerr@westlinnoregon.gov <<mailto:ckerr@westlinnoregon.gov>>
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov <<http://westlinnoregon.gov>>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Alex Kachirisky [<mailto:president@hiddenspringsna.org>]
Sent: Friday, March 02, 2012 6:14 PM

To: Kerr, Chris
Cc: 'Scott Howard'; 'Susan Van de Water'
Subject: FW: WL PD_ CUP 12-02 -Further assistance requested

Hi Chris,

I'm hoping you can help with deciphering what Gary is saying in the below email, specifically with regard to the following quotes:

"...two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions."

"Since the partnership submitted the Water Plant application, any City NA participation at this point is moot."

At our next meeting we are supposed to be voting on a resolution asking HSNA "...to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn."

Is Gary correct by stating that because the Partnership has submitted their application to the City of West Linn any vote on the above resolution either for or against is meaningless? I'm hoping you can give me some guidance as to our position assuming that a vote is not reasonable. What guidance can HSNA give to residents who would still like to oppose the expansion of the water treatment plant in West Linn and who does HSNA fit in, if at all?

Any and all help would be greatly appreciated.

Kindest regards,

Alex Kachirisky, President
Hidden Springs Neighborhood Association

From: GARY [<mailto:hitesman@q.com>]
Sent: Friday, March 02, 2012 3:11 PM
To: Day, Eric; Heisler, Jane; Pelz, Zach
Cc: Hidden Springs Neighborhood Association
Subject: WL PD_ CUP 12-02 -Further assistance requested

Jane,

Thank you for your kind reply. At the time of the emails and blog writing, I was not suggesting that the City Council show up, but maybe the partnership and some WL City Staff. What I am contemplating was taking our concerns directly to the LO City Council where they do not have a Beery memo?

Regarding the other questions, two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions.

Both of the actions above undermine the intent and faith created by the Good Neighbor Plan. I am saluting my own neighbors when I praise the Good Neighbor Plan.

Since the partnership submitted the Water Plant application, any City NA

participation at this point is moot. The filing of the eminent domain in Clackamas County renders the blog and any further public discussion irrelevant. And the application package submitted is unfortunate. What was the level of participation with the MWA? I mean, I know MWH lobbied Jeff McGraw heavily last year and it appears that MWH severely restricted the architects in their response. I don't mind telling you now that the submission is unconfirming and below acceptable conditional use norms. I have West Linn City precedents lined up and your application appears to fall outside what has typically been approved.

In my opinion, your application is ten times worse than the Holiday Inn application and I am concerned that the same malfeasance behind the Holiday Inn application was not fixed in time to provide you with the level of service that you should have gotten from my municipality? Right now, that is just my opinion and I have to hunker down at this moment and perform on the due diligence. (My claims appear outrageous without linking them to the CDC, ORS, and other documentation.) Another reason to go slow on the blog now. With a potential Mid April commission meeting, there is not enough time to work through the process because the process is broken.

My advice to anyone who might want to listen is to go back to the NA and the Good Neighbor Plan and compare it to the LOTT project you have used as a reference and the MWH proposal. Tie up the loose ends and honestly deliver a product that adheres to the Good Neighbor Plan. My own HSNA might be able to move forward on the pipeline, but that was a separate issue than what was discussed last time.

Kudos on the site plan. I observed some improvements. Traffic, increased chemical deliveries, our own CDC, and noise levels still make the conditional use request wanting. Water Plants suffer from the same sort of complaints as wind farms in our state. What is the contingency plan? I sure hope for the sake of LO and Tigard that a contingency response at Marylhurst is in place because that is where my interpretation of conditional use requirements puts your proposal at.

And this is before I start asking about program management costs and the purported timeline. Your Partnership has already costed West Linn more than it can afford. I certainly hope you have a contingency plan.

Also, I noticed the public records law disclosure on this email. It is about time you got smart, but how come you still don't provide a signature? I wonder what Oregon Public Records Law says about that? Once again, who are you?

Cheers, Gary Hitesman

----- Original Message -----

From: Heisler, Jane <<mailto:jheisler@ci.oswego.or.us>>

To: GARY <<mailto:hitesman@q.com>> ; Pelz, Zach <<mailto:zpelz@westlinnoregon.gov>> ; Day, Eric <<mailto:eday@ci.oswego.or.us>>

Cc: Hidden Springs Neighborhood Association <<mailto:president@hiddenspringsna.org>> ; GARY <<mailto:ghitesman@gmail.com>>

Sent: Friday, March 02, 2012 12:47 PM

Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [<mailto:hitesman@q.com>] <[mailto:\[mailto:hitesman@q.com\]](mailto:[mailto:hitesman@q.com])>
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNB | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
- 8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: GARY <<mailto:hitesman@q.com>>
To: Hidden Springs Neighborhood Association <<mailto:president@hiddenspringsna.org>> ; Pelz, Zach <<mailto:zpelz@westlinnoregon.gov>>

Sent: Wednesday, February 29, 2012 10:50 AM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: GARY<<mailto:hitesman@g.com>>
To: Hidden Springs Neighborhood Association<<mailto:president@hiddenspringsna.org>> ; Pelz, Zach<<mailto:zpelz@westlinnoregon.gov>>
Sent: Wednesday, February 29, 2012 10:37 AM
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:

LOWTP - HSNA | March 2012 Meeting Discussion

Date:

Mon, 27 Feb 2012 15:25:57 -0800

From:

Alex Kachirisky
<president@hiddenspringsna.org><<mailto:president@hiddenspringsna.org%3e>>

Organization:

Hidden Springs Neighborhood Association

To:

'chuck landskronercrm'
<chucklandskronercrm@hotmail.com><<mailto:chucklandskronercrm@hotmail.com>>,
<RNAGNC@gmail.com><<mailto:RNAGNC@gmail.com>>, 'Dave Froode'
<dfroode@comcast.net><<mailto:dfroode@comcast.net>>,
<kingnm@easystreet.net><<mailto:kingnm@easystreet.net>>, Heisler, Jane
<jheisler@ci.oswego.or.us><<mailto:jheisler@ci.oswego.or.us>>

CC:

'Scott Howard'
<vicepresident@hiddenspringsna.org><<mailto:vicepresident@hiddenspringsna.org>>
>, 'Susan Van de Water'
<Secretary@hiddenspringsna.org><<mailto:Secretary@hiddenspringsna.org>>, Tom
Miller <tomjmill@aol.com><<mailto:tomjmill@aol.com>>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to

unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.

5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.

6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?

7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.

8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, President

Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Kerr, Chris](#)
To: [President HSNA](#)
Cc: ["Scott Howard"](#); ["Susan Van de Water"](#); [Pelz, Zach](#)
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested
Date: Monday, March 05, 2012 9:45:33 AM

Alex – I truly have no idea what Gary is referring to – neither one of his comments makes any sense to me.

If your NA wants to forward recommendations (for, against, etc.) on this – or any land use application- they can do so and it will be provided to the decision making body (planning commission) as part of the record just like all other testimony.

The Code issues to keep in mind relate to establishing ‘standing’ on an application; only people, or an NA, that have ‘standing’ can appeal a decision.

99.140 ESTABLISHING STANDING TO APPEAL OR REVIEW

- A. Any person or recognized neighborhood **association** with standing may pursue an appeal or seek review of any land development decision. Standing is established in the following way:
- B. The person or recognized neighborhood **association** appeared before an approval authority other than the Director, either orally or in writing, and provided their name and address; signed the sign-in sheet or testimony form provided at the hearing; or submitted comments to the Director, in writing, and provided their name and address to the Director regarding a decision. Neighborhood **association** standing can only be established by a person identifying, either in testimony or in writing, that they represent a specific neighborhood **association**. (Ord. 1474, 2001; Ord. 1568, 2008)

Also, if your NA decides to appeal – see Ch. 99.240 for the details.

- C. Formally recognized neighborhood **associations** may appeal land use decisions to the appropriate bodies without cost if the Planning Director finds:
 - 1. The Community Development Code appeal procedures are followed.
 - 2. A member of the **association** must have established standing on behalf of the **association**. The member must have explicitly identified themselves, in writing or in testimony, as representing the **association**.
 - 3. The **association** submits a copy of the meeting minutes and vote taken supporting the appeal.
 - 4. The neighborhood **association** appeal is related to the property within the **association**'s recognized boundaries, or an application outside the **association**'s boundaries that shall have significant impacts upon the **association**'s neighborhood.
 - 5. The neighborhood **association** may appeal without cost on behalf of an individual or group with standing who is not represented by a recognized **association** if subsections A, B and C of this section are met and the neighborhood **association** finds the issue(s) are of

City-wide concern related to the West Linn Comprehensive Plan or the West Linn CDC.

Good luck! I appreciate your effort to have a balanced review of the application.
CK

Chris Kerr, Interim Assistant City Manager

Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Alex Kachirisky [mailto:president@hiddenspringsna.org]
Sent: Friday, March 02, 2012 6:14 PM
To: Kerr, Chris
Cc: 'Scott Howard'; 'Susan Van de Water'
Subject: FW: WL PD_ CUP 12-02 -Further assistance requested

Hi Chris,

I'm hoping you can help with deciphering what Gary is saying in the below email, specifically with regard to the following quotes:

*"...two observations surfaced since then that make the NA meetings **a meaningless exercise**. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions."*

*"Since the partnership submitted the Water Plant application, any City NA **participation** at this point is moot."*

At our next meeting we are supposed to be voting on a resolution asking HSNA "...to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn."

Is Gary correct by stating that because the Partnership has submitted their application to the City of West Linn any vote on the above resolution either for or against is meaningless? I'm hoping you can give me some guidance as to our position assuming that a vote is not reasonable. What guidance can HSNA give to residents who would still like to oppose the expansion of the water treatment plant in West Linn and who does HSNA fit in, if at all?

Any and all help would be greatly appreciated.

Kindest regards,

Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

From: GARY [<mailto:hitesman@q.com>]
Sent: Friday, March 02, 2012 3:11 PM
To: Day, Eric; Heisler, Jane; Pelz, Zach
Cc: Hidden Springs Neighborhood Association
Subject: WL PD_ CUP 12-02 -Further assistance requested

Jane,

Thank you for your kind reply. At the time of the emails and blog writing, I was not suggesting that the City Council show up, but maybe the partnership and some WL City Staff. What I am contemplating was taking our concerns directly to the LO City Council where they do not have a Beery memo?

Regarding the other questions, two observations surfaced since then that make the NA meetings a *meaningless exercise*. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions.

Both of the actions above undermine the intent and faith created by the Good Neighbor Plan. I am saluting my own neighbors when I praise the Good Neighbor Plan.

Since the partnership submitted the Water Plant application, any City NA participation at this point is moot. The filing of the eminent domain in Clackamas County renders the blog and any further public discussion irrelevant. And the application package submitted is unfortunate. What was the level of participation with the MWA? I mean, I know MWH lobbied Jeff McGraw heavily last year and it appears that MWH severely restricted the architects in their response. I don't mind telling you now that the submission is unconfirming and below acceptable conditional use norms. I have West Linn City precedents lined up and your application appears to fall outside what has typically been approved.

In my opinion, your application is ten times worse than the Holiday Inn application and I am concerned that the same malfeasance behind the Holiday Inn application was not fixed in time to provide you with the level of service that you should have gotten from my municipality? Right now, that is just my opinion and I have to hunker down at this moment and perform on the due diligence. (My claims appear outrageous without linking them to the CDC, ORS, and other documentation.) Another reason to go slow on the blog now. With a potential Mid April commission meeting, there is not enough time to work through the process because the process is broken.

My advice to anyone who might want to listen is to go back to the NA and the Good Neighbor Plan and compare it to the LOTT project you have used as a reference and the MWH proposal. Tie up the loose ends and honestly deliver a product that adheres to the Good Neighbor Plan. My own HSNA might be able to move forward on the pipeline, but that was a separate issue than what was discussed last time.

Kudos on the site plan. I observed some improvements. Traffic, increased chemical deliveries, our own CDC, and noise levels still make the conditional use request wanting. Water Plants suffer from the same sort of complaints as wind farms in our state. What is the contingency plan? I sure hope for the sake of LO and Tigard that a contingency response at Marylhurst is in place because that is where my

interpretation of conditional use requirements puts your proposal at.

And this is before I start asking about program management costs and the purported timeline. Your Partnership has already costed West Linn more than it can afford. I certainly hope you have a contingency plan.

*Also, I noticed the public records law disclosure on **this** email. It is about time you got smart, but how come you still don't provide a signature? I wonder what Oregon Public Records Law says about that? Once again, who are you?*

Cheers, Gary Hitesman

----- Original Message -----

From: [Heisler, Jane](#)
To: [GARY](#) ; [Pelz, Zach](#) ; [Day, Eric](#)
Cc: [Hidden Springs Neighborhood Association](#) ; [GARY](#)
Sent: Friday, March 02, 2012 12:47 PM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [<mailto:hitesman@q.com>]
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?

- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
- 8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: [GARY](#)

To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)

Sent: Wednesday, February 29, 2012 10:50 AM

Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: [GARY](#)

To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)

Sent: Wednesday, February 29, 2012 10:37 AM

Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion
Date:Mon, 27 Feb 2012 15:25:57 -0800
From:Alex Kachirisky <president@hiddenspringsna.org>
Organization:Hidden Springs Neighborhood Association
To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.

4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, *President*

Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Alex Kachirisky](#)
To: [Kerr, Chris](#)
Cc: "[Scott Howard](#)"; "[Susan Van de Water](#)"; [Pelz, Zach](#)
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested
Date: Thursday, March 08, 2012 10:22:36 AM

Thank you Chris! I will make sure everyone is aware of their options.

I sincerely appreciate your help with the matter.

Alex Kachirisky, President
Hidden Springs Neighborhood Association

-----Original Message-----

From: Kerr, Chris [<mailto:ckerr@westlinnoregon.gov>]
Sent: Thursday, March 08, 2012 9:06 AM
To: President HSNA
Cc: 'Scott Howard'; 'Susan Van de Water'; Pelz, Zach
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Alex - definitely, if the NA can express specific concerns or considerations that would be helpful to both staff and the PC. They can be as general or specific as you like. Keep in mind that only treatment plant application is currently under review and we don't have a pipeline application yet. It's the pipeline that will impact MSY park and OR 43.

These are staff's primary concerns as well. our approach will be to require the applicant to provide a construction management plan that addresses how traffic will be accommodated during construction. For MSY park, staff will require an analysis that indicates that the proposed pipeline route is the least impactful alternative available and of course full mitigation will be required.

CK

Chris Kerr
<mailto:ckerr@westlinnoregon.gov>
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: <http://westlinnoregon.gov>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.
Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Alex Kachirisky [<mailto:president@hiddenspringsna.org>]
Sent: Wednesday, March 07, 2012 11:26 AM
To: Kerr, Chris

Cc: 'Scott Howard'; 'Susan Van de Water'; Pelz, Zach
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Good morning Chris,

A couple of the major issues people had at the last HSNA meeting regarding the expansion of the water plant were related to impacts on Mary S. Young Park as well as the congestion residents of West Linn are likely to face on Highway 43 during the period of construction.

While some individuals and organizations may oppose the LOTWP based on land use rights, does the option exist to the NA, if that is the route the majority of members chose, to state its concerns with the LOTWP based on the issues stated above?

I appreciate your help.

Kind regards,

Alex Kachirisky, President
Hidden Springs Neighborhood Association

-----Original Message-----

From: Kerr, Chris [<mailto:ckerr@westlinnoregon.gov>]

Sent: Monday, March 05, 2012 9:46 AM

To: President HSNA

Cc: 'Scott Howard'; 'Susan Van de Water'; Pelz, Zach

Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Alex - I truly have no idea what Gary is referring to - neither one of his comments makes any sense to me.

If your NA wants to forward recommendations (for, against, etc.) on this - or any land use application- they can do so and it will be provided to the decision making body (planning commission) as part of the record just like all other testimony.

The Code issues to keep in mind relate to establishing 'standing' on an application; only people, or an NA, that have 'standing' can appeal a decision.

99.140 ESTABLISHING STANDING TO APPEAL OR REVIEW

A. Any person or recognized neighborhood association with standing may pursue an appeal or seek review of any land development decision. Standing is established in the following way:

B. The person or recognized neighborhood association appeared before an approval authority other than the Director, either orally or in writing, and provided their name and address; signed the sign-in sheet or testimony form provided at the hearing; or submitted comments to the Director, in writing, and provided their name and address to the Director regarding a decision. Neighborhood association standing can only be established by a person identifying, either in testimony or in writing, that they represent a specific neighborhood association. (Ord. 1474, 2001; Ord. 1568, 2008)

Also, if your NA decides to appeal - see Ch. 99.240 for the details.

C. Formally recognized neighborhood associations may appeal land use decisions to the appropriate bodies without cost if the Planning Director finds:

1. The Community Development Code appeal procedures are followed.
 2. A member of the association must have established standing on behalf of the association. The member must have explicitly identified themselves, in writing or in testimony, as representing the association.
 3. The association submits a copy of the meeting minutes and vote taken supporting the appeal.
 4. The neighborhood association appeal is related to the property within the association's recognized boundaries, or an application outside the association's boundaries that shall have significant impacts upon the association's neighborhood.
 5. The neighborhood association may appeal without cost on behalf of an individual or group with standing who is not represented by a recognized association if subsections A, B and C of this section are met and the neighborhood association finds the issue(s) are of City-wide concern related to the West Linn Comprehensive Plan or the West Linn CDC.
- Good luck! I appreciate your effort to have a balanced review of the application.
CK

[cid:imagea22a1b.gif@f0bdd055.7b384f94]

Chris Kerr
ckerr@westlinnoregon.gov <<mailto:ckerr@westlinnoregon.gov>>
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov <<http://westlinnoregon.gov>>

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Alex Kachirisky [<mailto:president@hiddenspringsna.org>]
Sent: Friday, March 02, 2012 6:14 PM
To: Kerr, Chris
Cc: 'Scott Howard'; 'Susan Van de Water'
Subject: FW: WL PD_ CUP 12-02 -Further assistance requested

Hi Chris,

I'm hoping you can help with deciphering what Gary is saying in the below email, specifically with regard to the following quotes:

"...two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions."

"Since the partnership submitted the Water Plant application, any City NA participation at this point is moot."

At our next meeting we are supposed to be voting on a resolution asking HSNA "...to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn."

Is Gary correct by stating that because the Partnership has submitted their application to the City of West Linn any vote on the above resolution either for or against is meaningless? I'm hoping you can give me some guidance as to our position assuming that a vote is not reasonable. What guidance can HSNA give to residents who would still like to oppose the expansion of the water treatment plant in West Linn and who does HSNA fit in, if at all?

Any and all help would be greatly appreciated.

Kindest regards,

Alex Kachirisky, President
Hidden Springs Neighborhood Association

From: GARY [<mailto:hitesman@q.com>]
Sent: Friday, March 02, 2012 3:11 PM
To: Day, Eric; Heisler, Jane; Pelz, Zach
Cc: Hidden Springs Neighborhood Association
Subject: WL PD_ CUP 12-02 -Further assistance requested

Jane,

Thank you for your kind reply. At the time of the emails and blog writing, I was not suggesting that the City Council show up, but maybe the partnership and some WL City Staff. What I am contemplating was taking our concerns directly to the LO City Council where they do not have a Beery memo?

Regarding the other questions, two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions.

Both of the actions above undermine the intent and faith created by the Good Neighbor Plan. I am saluting my own neighbors when I praise the Good Neighbor Plan.

Since the partnership submitted the Water Plant application, any City NA participation at this point is moot. The filing of the eminent domain in Clackamas County renders the blog and any further public discussion irrelevant. And the application package submitted is unfortunate. What was the level of participation with the MWA? I mean, I know MWH lobbied Jeff McGraw heavily last year and it appears that MWH severely restricted the

architects in their response. I don't mind telling you now that the submission is unconfirming and below acceptable conditional use norms. I have West Linn City precedents lined up and your application appears to fall outside what has typically been approved.

In my opinion, your application is ten times worse than the Holiday Inn application and I am concerned that the same malfeasance behind the Holiday Inn application was not fixed in time to provide you with the level of service that you should have gotten from my municipality? Right now, that is just my opinion and I have to hunker down at this moment and perform on the due diligence. (My claims appear outrageous without linking them to the CDC, ORS, and other documentation.) Another reason to go slow on the blog now. With a potential Mid April commission meeting, there is not enough time to work through the process because the process is broken.

My advice to anyone who might want to listen is to go back to the NA and the Good Neighbor Plan and compare it to the LOTT project you have used as a reference and the MWH proposal. Tie up the loose ends and honestly deliver a product that adheres to the Good Neighbor Plan. My own HSNA might be able to move forward on the pipeline, but that was a separate issue than what was discussed last time.

Kudos on the site plan. I observed some improvements. Traffic, increased chemical deliveries, our own CDC, and noise levels still make the conditional use request wanting. Water Plants suffer from the same sort of complaints as wind farms in our state. What is the contingency plan? I sure hope for the sake of LO and Tigard that a contingency response at Marylhurst is in place because that is where my interpretation of conditional use requirements puts your proposal at.

And this is before I start asking about program management costs and the purported timeline. Your Partnership has already costed West Linn more than it can afford. I certainly hope you have a contingency plan.

Also, I noticed the public records law disclosure on this email. It is about time you got smart, but how come you still don't provide a signature? I wonder what Oregon Public Records Law says about that? Once again, who are you?

Cheers, Gary Hitesman

----- Original Message -----

From: Heisler, Jane <<mailto:jheisler@ci.oswego.or.us>>

To: GARY <<mailto:hitesman@q.com>> ; Pelz, Zach <<mailto:zpelz@westlinnoregon.gov>> ; Day, Eric <<mailto:eday@ci.oswego.or.us>>

Cc: Hidden Springs Neighborhood Association <<mailto:president@hiddenspringsna.org>> ; GARY <<mailto:ghitesman@gmail.com>>

Sent: Friday, March 02, 2012 12:47 PM

Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water

Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [<mailto:hitesman@q.com>] <<mailto:hitesman@q.com>>
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
- 8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: GARY <<mailto:hitesman@q.com>>
To: Hidden Springs Neighborhood Association <<mailto:president@hiddenspringsna.org>> ; Pelz, Zach <<mailto:zpelz@westlinnoregon.gov>>
Sent: Wednesday, February 29, 2012 10:50 AM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: GARY <<mailto:hitesman@q.com>>

To: Hidden Springs Neighborhood

Association <<mailto:president@hiddenspringsna.org>> ; Pelz,

Zach <<mailto:zpelz@westlinnoregon.gov>>

Sent: Wednesday, February 29, 2012 10:37 AM

Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:

LOWTP - HSNA | March 2012 Meeting Discussion

Date:

Mon, 27 Feb 2012 15:25:57 -0800

From:

Alex Kachirisky

<president@hiddenspringsna.org> <<mailto:president@hiddenspringsna.org%3e>>

Organization:

Hidden Springs Neighborhood Association

To:

'chuck landskronercrm'

<chucklandskronercrm@hotmail.com> <<mailto:chucklandskronercrm@hotmail.com>> ,

<RNAGNC@gmail.com> <<mailto:RNAGNC@gmail.com>> , 'Dave Froode'

<dfroode@comcast.net><<mailto:dfroode@comcast.net>>,
<kingnm@easystreet.net><<mailto:kingnm@easystreet.net>>, Heisler, Jane
<jheisler@ci.oswego.or.us><<mailto:jheisler@ci.oswego.or.us>>

CC:

'Scott Howard'

<vicepresident@hiddenspringsna.org><<mailto:vicepresident@hiddenspringsna.org>
>, 'Susan Van de Water'
<Secretary@hiddenspringsna.org><<mailto:Secretary@hiddenspringsna.org>>, Tom
Miller <tomjmill@aol.com><<mailto:tomjmill@aol.com>>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of

equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.

6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?

7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.

8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,

Alex Kachirisky, President

Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Dave Froode](#)
To: [Kerr, Chris](#)
Cc: [Jordan, Chris](#); [Kovash, John](#); [Pelz, Zach](#)
Subject: Re: WLRA Statement
Date: Tuesday, February 21, 2012 11:18:46 AM

These old school tactics being employed by Oswego are entirely unnecessary. We would much rather devote our energy to a positive conclusion all can be proud of then to deal with the inequities being demonstrated by Oswego. There is a better way. Some call it the Golden Rule.

On 2/21/2012 11:06 AM, Kerr, Chris wrote:

Thanks Dave – Chris Jordan forwarded this to me.

I'll include your email into the record for the land use application. As the City planner on the application, I want to point out that the City cannot legally hold up their application and require them to get approval from all property owners impacted by the project.

Also, you may want to supplement this with some details about the WL Riverfront Association (number of members, boundaries, etc.).

Thanks
CK

From: Dave Froode [<mailto:dfroode@comcast.net>]
Sent: Monday, February 20, 2012 1:57 PM
To: Jordan, Chris; Kovash, John
Subject: Fwd: Fwd: Fwd: Re: WLRA Statement

Dear Mayor Kovash and West Linn City Council:

On behalf of the West Linn Riverfront Association, the Board of Directors is opposed to the methods employed by Lake Oswego to expand their water treatment facility in a West Linn residential area. The WLRA requests Lake Oswego not be allowed to proceed until they have gained the approval of property owners impacted by this project.

The WLRA also asks the City of West Linn require Lake Oswego to honor all city codes affording protection to our natural resources and environment.

Finally, the WLRA strongly opposes Lake Oswego litigating against private property owners. Good faith negotiations to arrive at amicable agreements is always preferred.

Respectively submitted,

West Linn Riverfront Association Board of Directors
David J. Froode, Chairperson
Feb. 20, 2012

CC Mr Chris Jordan,
City of West Linn

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.



Chris Kerr
ckerr@westlinnoregon.gov
Interim Assistant City Manager
22500 Salamo Rd
West Linn, OR 97068
P: (503) 723-2538
F: (503) 656-4106
Web: westlinnoregon.gov

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Kerr, Chris](#)
To: ["Dave Froode"](#)
Cc: [Jordan, Chris](#); [Kovash, John](#); [Pelz, Zach](#)
Subject: RE: WLRA Statement
Date: Tuesday, February 21, 2012 11:06:46 AM

Thanks Dave – Chris Jordan forwarded this to me.

I'll include your email into the record for the land use application. As the City planner on the application, I want to point out that the City cannot legally hold up their application and require them to get approval from all property owners impacted by the project.

Also, you may want to supplement this with some details about the WL Riverfront Association (number of members, boundaries, etc.).

Thanks
CK

From: Dave Froode [<mailto:dfroode@comcast.net>]
Sent: Monday, February 20, 2012 1:57 PM
To: Jordan, Chris; Kovash, John
Subject: Fwd: Fwd: Fwd: Re: WLRA Statement

Dear Mayor Kovash and West Linn City Council:

On behalf of the West Linn Riverfront Association, the Board of Directors is opposed to the methods employed by Lake Oswego to expand their water treatment facility in a West Linn residential area. The WLRA requests Lake Oswego not be allowed to proceed until they have gained the approval of property owners impacted by this project.

The WLRA also asks the City of West Linn require Lake Oswego to honor all city codes affording protection to our natural resources and environment.

Finally, the WLRA strongly opposes Lake Oswego litigating against private property owners. Good faith negotiations to arrive at amicable agreements is always preferred.

Respectively submitted,
West Linn Riverfront Association Board of Directors
David J. Froode, Chairperson
Feb. 20, 2012

CC Mr Chris Jordan,
City of West Linn

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

Chris Kerr, Interim Assistant City Manager
Administration, #1538

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: [Eric Eisemann](#)
To: [Pelz, Zach](#)
Subject: Read: CUP-12-02 30-day completeness determination
Date: Thursday, February 16, 2012 3:02:10 PM

Your message was read on Thursday, February 16, 2012 2:48:38 PM (GMT-08:00) Pacific Time (US & Canada).

From: [GARY](#)
To: [Day, Eric](#); [Heisler, Jane](#); [Pelz, Zach](#)
Cc: [President HSNA](#)
Subject: WL PD_ CUP 12-02 -Further assistance requested
Date: Friday, March 02, 2012 3:10:46 PM

Jane,

Thank you for your kind reply. At the time of the emails and blog writing, I was not suggesting that the City Council show up, but maybe the partnership and some WL City Staff. What I am contemplating was taking our concerns directly to the LO City Council where they do not have a Beery memo?

Regarding the other questions, two observations surfaced since then that make the NA meetings ***a meaningless exercise***. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions.

Both of the actions above undermine the intent and faith created by the Good Neighbor Plan. I am saluting my own neighbors when I praise the Good Neighbor Plan.

Since the partnership submitted the Water Plant application, any City NA ***participation*** at this point is moot. The filing of the eminent domain in Clackamas County renders the blog and any further public discussion irrelevant. And the application package submitted is unfortunate. What was the level of participation with the MWA? I mean, I know MWH lobbied Jeff McGraw heavily last year and it appears that MWH severely restricted the architects in their response. I don't mind telling you now that the submission is unconfirming and below acceptable conditional use norms. I have West Linn City precedents lined up and your application appears to fall outside what has typically been approved.

In my opinion, your application is ten times worse than the Holiday Inn application and I am concerned that the same malfeasance behind the Holiday Inn application was not fixed in time to provide you with the level of service that you should have gotten from my municipality? Right now, that is just my opinion and I have to hunker down at this moment and perform on the due diligence. (My claims appear outrageous without linking them to the CDC, ORS, and other documentation.) Another reason to go slow on the blog now. With a potential Mid April commission meeting, there is not enough time to work through the process because the process is broken.

My advice to anyone who might want to listen is to go back to the NA and the Good Neighbor Plan and compare it to the LOTT project you have used as a reference and the MWH proposal. Tie up the loose ends and honestly deliver a product that adheres to the Good Neighbor Plan. My own HSNA might be able to move forward on the pipeline, but that was a separate issue than what was discussed last time.

*Kudos on the site plan. I observed some improvements. Traffic, increased chemical deliveries, our own CDC, and noise levels still make the conditional use request wanting. Water Plants suffer from the same sort of complaints as wind farms in our state. ***What is the contingency plan?*** I sure hope for the sake of LO and Tigard that a contingency response at Marylhurst is in place because that is where my interpretation of conditional use requirements puts your proposal at.*

And this is before I start asking about program management costs and the purported timeline. Your Partnership has already costed West Linn more than it can afford. I certainly hope you have a contingency plan.

*Also, I noticed the public records law disclosure on ***this*** email. It is about time you got*

smart, but how come you still don't provide a signature? I wonder what Oregon Public Records Law says about that? Once again, who are you?

Cheers, Gary Hitesman

----- Original Message -----

From: [Heisler, Jane](#)
To: [GARY](#) ; [Pelz, Zach](#) ; [Day, Eric](#)
Cc: [Hidden Springs Neighborhood Association](#) ; [GARY](#)
Sent: Friday, March 02, 2012 12:47 PM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [mailto:hitesman@q.com]
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been

thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:50 AM
Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: [GARY](#)
To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)
Sent: Wednesday, February 29, 2012 10:37 AM
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject:LOWTP - HSNA | March 2012 Meeting Discussion
Date:Mon, 27 Feb 2012 15:25:57 -0800
From:Alex Kachirisky <president@hiddenspringsna.org>
Organization:Hidden Springs Neighborhood Association
To:'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>
CC:'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking *the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.*

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it

impact the terms of the gifting of the Park to the State of Oregon.

5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?
7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,
Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [GARY](#)
To: [Heisler, Jane](#); [Day, Eric](#); [Pelz, Zach](#)
Subject: WL PD_ CUP 12-02 -Further assistance requested
Date: Friday, March 02, 2012 4:21:41 PM

Thank you. It now shows up. Third time was the charm!

I prefer conversations in public. The "he said - she said" rhetoric is overplayed in today's culture? Emails are blunt and lack the needed facial expressions and tone that you get in person, don't you think? Still, email is a good communication tool as well as serving documentation purposes.

You know, I started this 'whole thing' because of the sign down on Hwy 43 with a phone number for Eric Day. How come Eric does not reply? What does that say about public outreach?

Cheers, Gary Hitesman

----- Original Message -----

From: [Heisler, Jane](#)
To: [GARY](#)
Sent: Friday, March 02, 2012 4:08 PM
Subject: RE: WL PD_ CUP 12-02 -Further assistance requested

Gary,

That's odd that my signature is not showing up. My account indicates that I have one and it looks like it shows up on everyone's mail that I send. Here is what it looks like if you're curious:

Jane Heisler | Communications Director | Lake Oswego-Tigard Water Partnership | Voice - 503-697-6573 | Mail - P. O. Box 369, Lake Oswego, OR 97034 | lotigardwater.org



I made one comment below about one of your assertions. Again, if you want to call, we may be able to have a better conversation.

From: GARY [mailto:hitesman@q.com]
Sent: Friday, March 02, 2012 3:11 PM
To: Day, Eric; Heisler, Jane; Pelz, Zach
Cc: Hidden Springs Neighborhood Association
Subject: WL PD_ CUP 12-02 -Further assistance requested

Jane,

Thank you for your kind reply. At the time of the emails and blog writing, I was not suggesting that the City Council show up, but maybe the partnership and some WL City Staff. What I am contemplating was taking our concerns directly to the LO City Council where they do not have a Beery memo?

Regarding the other questions, two observations surfaced since then that make the NA meetings a meaningless exercise. One is the Beery Memo issued to John Sonnen on December 19, 2011 regarding exparte [\[JH\]](#) Not sure why this would be. Ex parte applies to decision making

bodies, rather than neighborhoods. The other is our own West Linn City Charter and some apparent conflicts between partnership actions and city discussions.

Both of the actions above undermine the intent and faith created by the Good Neighbor Plan. I am saluting my own neighbors when I praise the Good Neighbor Plan.

Since the partnership submitted the Water Plant application, any City NA **participation** at this point is moot. The filing of the eminent domain in Clackamas County renders the blog and any further public discussion irrelevant. And the application package submitted is unfortunate. What was the level of participation with the MWA? I mean, I know MWH lobbied Jeff McGraw heavily last year and it appears that MWH severely restricted the architects in their response. I don't mind telling you now that the submission is unconfirming and below acceptable conditional use norms. I have West Linn City precedents lined up and your application appears to fall outside what has typically been approved.

In my opinion, your application is ten times worse than the Holiday Inn application and I am concerned that the same malfeasance behind the Holiday Inn application was not fixed in time to provide you with the level of service that you should have gotten from my municipality? Right now, that is just my opinion and I have to hunker down at this moment and perform on the due diligence. (My claims appear outrageous without linking them to the CDC, ORS, and other documentation.) Another reason to go slow on the blog now. With a potential Mid April commission meeting, there is not enough time to work through the process because the process is broken.

My advice to anyone who might want to listen is to go back to the NA and the Good Neighbor Plan and compare it to the LOTT project you have used as a reference and the MWH proposal. Tie up the loose ends and honestly deliver a product that adheres to the Good Neighbor Plan. My own HSNA might be able to move forward on the pipeline, but that was a separate issue than what was discussed last time.

*Kudos on the site plan. I observed some improvements. Traffic, increased chemical deliveries, our own CDC, and noise levels still make the conditional use request wanting. Water Plants suffer from the same sort of complaints as wind farms in our state. **What is the contingency plan?** I sure hope for the sake of LO and Tigard that a contingency response at Marylhurst is in place because that is where my interpretation of conditional use requirements puts your proposal at.*

And this is before I start asking about program management costs and the purported timeline. Your Partnership has already costed West Linn more than it can afford. I certainly hope you have a contingency plan.

*Also, I noticed the public records law disclosure on **this** email. It is about time you got smart, but how come you still don't provide a signature? I wonder what Oregon Public Records Law says about that? Once again, who are you?*

Cheers, Gary Hitesman

----- Original Message -----

From: [Heisler, Jane](#)

To: [GARY](#) ; [Pelz, Zach](#) ; [Day, Eric](#)
Cc: [Hidden Springs Neighborhood Association](#) ; [GARY](#)
Sent: Friday, March 02, 2012 12:47 PM
Subject: RE: LOWTP - HSNA | March 2012 Meeting Discussion

Hi Gary,

I took a look at your blog. It appears that you have ready the Good Neighbor Plan from March 2011 and thought it was "a good piece of work." I'm sending you the updated version that was submitted with the Water Treatment Plant land use application. It incorporates many more of the neighborhood's requests that followed the earlier version.

I believe from your email that you would like me to answer Q. 7 below. If you are asking whether the Lake Oswego City Council will be at the meeting, no, they will not .

Let us know if we can be of further assistance. Thanks.

From: GARY [<mailto:hitesman@q.com>]
Sent: Wednesday, February 29, 2012 12:04 PM
To: Pelz, Zach; Day, Eric; Heisler, Jane
Cc: Hidden Springs Neighborhood Association; GARY
Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

Dear Mr. Eric Day, Janet Heisler, and Zach Pelz,

Mr. Pelz, I left you a phone message which I hope you will respond to.

I am confused by my NA President's email regarding the LOTWP and "fairness".

- 1.) Can there actually be a 20 minute presentation that accomplishes what the NA has laid out?
- 2.) Mr. Pelz, What is the process we are abiding?
- 3.) Has the city of West Linn just crossed the threshold of responsibilities and sequencing under CDC Chapter 99?
- 4.) In all fairness, we should have some state agency representation as well? There is precedent for having state representation give presentations at the NA before.
- 5.) The NA president appears to have copied down, almost verbatim, this nonsense that was originally proposed by a practicing attorney that lives in our neighborhood and had some angst towards Mr. Byrck. How can the NA president defend his request and again, under what authority is he acting?
- 6.) Mr. Pelz, What would the role of the WLPC CIC be in this?
- 7.) Janet, What would the role of the LO City Council have with this? Seeing how this has been thrown at my doorstep, I want to know what the City of Lake Oswego is doing here?
- 8.) The WL City Council will not take community comments on this issue. Why? If the NA has opened up this discussion and the NA's are to act as a communication channel to our representatives, how are these two conflicting actions to be resolved?

In the least, when the issue of the pipeline and water plant come before the Planning Commission, I don't see how anything will move forward without some clarification now. Things are now as clear as mud, don't you think?

<http://civictomfoolery.blogspot.com/>

Gary Hitesman

----- Original Message -----

From: GARY

To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)

Sent: Wednesday, February 29, 2012 10:50 AM

Subject: Re: LOWTP - HSNA | March 2012 Meeting Discussion

I forgot to attach my blog. Sorry.

<http://civictomfoolery.blogspot.com/>

----- Original Message -----

From: GARY

To: [Hidden Springs Neighborhood Association](#) ; [Pelz, Zach](#)

Sent: Wednesday, February 29, 2012 10:37 AM

Subject: Fw: LOWTP - HSNA | March 2012 Meeting Discussion

I think our NA President is way over his head. I know because it takes one in the same position to see it in others.

I request some sort of adult conversation in the room. It appears Alex has stepped over his authority and is acting in violation of his own bylaws? Also, due to his status as President and employee of the City, I am concerned that the City is now on the hook for certain provisions related in the City Charter and possibly the CDC.

What authority is Alex operating within to include the LO Communication Director in Neighborhood business that may or may not have issues? Maybe, to be fair, the LO Director can come and explain the eminent domain filing in Clackamas County?

Also, I recommend Alex establish a committee as is his only obligation under the bylaws. The rest of his direction is bullshit!

I also think, based on the misconceptions that my NA president appears to be operating under, that the issue of the Palomino Loop Trail be resurrected and finally put to bed. This type of favoritism exhibited through the City of West Linn Communications Director and Planning Department has gone far enough.

Gary Hitesman

----- Original Message -----

Subject: LOWTP - HSNA | March 2012 Meeting Discussion

Date: Mon, 27 Feb 2012 15:25:57 -0800

From: Alex Kachirisky <president@hiddenspringsna.org>

Organization: Hidden Springs Neighborhood Association

To: 'chuck landskronercrm' <chucklandskronercrm@hotmail.com>, <RNAGNC@gmail.com>, 'Dave Froode' <dfroode@comcast.net>, <kingnm@easystreet.net>, Heisler, Jane <jheisler@ci.oswego.or.us>

CC: 'Scott Howard' <vicepresident@hiddenspringsna.org>, 'Susan Van de Water' <Secretary@hiddenspringsna.org>, Tom Miller <tomjmill@aol.com>

Good Afternoon All,

First, I would like to thank you all for taking the time to come to the Hidden Springs Neighborhood Association to offer your expertise in the discussion related to the LOTWP in West Linn.

In the interest of fairness, I am asking all parties to return to our March 20th HSNA meeting. I am aware that there was a disproportionate amount of time given to the parties opposing the expansion project and therefore I would like to offer the following solution: Before any motion is offered, I would like to offer the FOR and AGAINST sides 20 minutes each (40 minutes total), followed by Q&A, to make their case to the members of the HSNA. This would require that opposing speakers consolidate their efforts into a concise argument either for or against the resolution that was offered at the last meeting and will be presented at the March meeting asking the HSNA to oppose the expansion of the Lake Oswego water treatment plant in the City of West Linn.

This is an important issue and it is in the best interest of all involved and present at the next meeting that absolute facts be given to the matter and hyperbole be left out of the discussion. I would ask that the following issues be addressed:

1. Categorizing the water treatment plant as an "industrial plant" is misleading and inappropriate. It has existed for decades in the neighborhood and serves a public good. To maintain credibility, please avoid negative spin and unnecessary rhetoric; and refer to the site as a municipal treatment plant.
2. It would be helpful that part of the time be dedicated to the City of Tigard, its alternative sources of water and why the Lake Oswego partnership is more preferable to other available connections. Since less pretreatment is required to meet federal Safe Drinking Water Act standards from the Clackamas River water, how much money does the City of Tigard save in construction costs by having their treatment plant on the Clackamas rather than the Willamette or Tualatin Rivers?
3. As part of the presentation, a better explanation of the impact of the proposed treatment plant on the respective water rights for the municipalities involved as well as private water rights.
4. More information regarding the construction through Mary S. Young Park as well as its long term impacts, trees lost, streams impacted, etc. Information on mitigating solutions the LOTWP is offering to offset the impact that will be placed on Mary S. Young Park as well as the impact on the residents of West Linn through the loss of use of portions of Mary S. Young Park. How will the State Parks Department react to the City of West Linn's stewardship of Mary S. Young Park by allowing the LOTWP to unintentionally negatively impact portions of the Park for purposes of the pipeline construction? Does it impact the terms of the gifting of the Park to the State of Oregon.
5. More information regarding the type of construction work expected on the neighborhood streets surrounding the treatment plant, the type of equipment that will be used as well as the length and duration of project in whole and sections. What types of burdens will the residents of West Linn be asked to endure for the duration of the project surrounding the treatment plant, side streets and directly on Highway 43.
6. What are the actual benefits to the City of West Linn? What further benefits are the City of Lake Oswego and the City of Tigard willing to provide the citizens of West Linn for the inconveniences, i.e. pay a portion of construction costs of new Police Station or other municipal project?

7. A handout should be prepared by either or both sides with the benefits the treatment plant provides in one column and what is required by current code on the other.
8. Ideally the presentation will be in PowerPoint. I will arrange for there to be a microphone and screen for both parties to use. You would have to supply your own projector and laptop. If you cannot provide a PowerPoint, a board presentation would be welcome with diagrams and pictures of the sites in question. An electronic file that can be posted on the <http://www.HiddenSpringsNA.org> before the presentation would also be beneficial.

If either party feels they will require more time to make this presentation please let me know what you feel is appropriate and I will be happy to offer both parties extended and equal time.

The next HSNA meeting will be held March 20, 2012 at 7:00PM at Rosemont Ridge Middle School. Ideally, we would have any supplemental information that we can share on our website and mailing list at least one week in advance. I hope this solution is satisfactory to all parties involved and that you will be able to participate in the discussion in March.

Kindest regards,
Alex Kachirisky, *President*
Hidden Springs Neighborhood Association

PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [GARY](#)
To: [Pelz, Zach](#)
Cc: [Day, Eric](#); [Heisler, Jane](#)
Subject: WL_PD CUP 12-02-Beery Memo-Ex Parte Contact & Language Analyzer
Date: Monday, March 05, 2012 10:41:14 AM

5 March 2012

City of West Linn Planning Commission

Dear Mr. Zach Pelz,

I am astonished over the potential unintended consequences of the Beery memo dated December 19, 2011 to the Director of Planning Mr. John Sonnen. I am not in the least bit extreme when I say that the Beery memo is, in effect, **a declaration of war against the planning process in this town**, in this county, and in this state. Another resident had this to say;

A guess would be that if the planning process operates opposite to the contrite sensibilities of Robinwood and other citizens, then a LUBA appeal, or lawsuit, might:

1. **Reverse any decision** related to The Project.
2. Demand withdrawal of PC and council in any appeal, even with Ms. Beery's seven pages of stuff at \$booko-bucks an hour.
3. Seek full payment of any attorney fees.
4. [And my favorite] - Hand out reparations to ALL aggrieved parties in the neighborhood for the pain, suffering, lost energy and absurdity of having to fight their own government to do the right thing.

Also, I have recently learned that the City Manager has ordered, installed and uses a "language analyzer"? What is the justification for such a device and how much of our collective tax dollars are being spent wasting limited resources on such an effort? I have to edit anything I receive from other people who are fearful of participating or wishing to contribute to the discussion. Given the beery memo, I think residents have a justifiable rationale to fear the City Administration, the City Council, and by extension, the Planning Commission?

The water plant, as it has been proposed and submitted, is an abomination to our community and I am salivating at the opportunity to set the record straight on fit, scale, code compliance, and public welfare and safety. As it has been submitted, the Water Plant misses on every single item.

What are the viable contingency plans from LOTWP? If I was managing this process, I know I would have at least one! It will be perhaps irresponsible, if not criminal, to NOT have reasonable contingency plans when suggesting an inappropriate public infrastructure project without citizen participation.

Thank you, Planning Commissioners, for your time and consideration.

Gary Hitesman

From: [Heisler, Jane](#)
To: [Pelz, Zach](#)
Cc: [Kerr, Chris](#)
Subject: WTP Fencing
Date: Wednesday, March 07, 2012 9:04:24 PM

Zach

What are your regulations about fence height? Lorie Griffith to the west of the WTP site would like us to install a sight obscuring fence on our property line abutting her lot. Many of the diseased trees that we removed were along her frontage and she's feeling a little 'exposed'. She is asking for a taller-than-code fence so it really blocks the view. (I'm not sure what she is thinking, maybe 8 feet tall?) I want to make sure that whatever we install meets your requirements. Is there a difference in height allowed for a 'construction fence' as opposed to a typical fence?

Jane Heisler | Communications Director | Lake Oswego-Tigard Water Partnership | Voice - 503-697-6573 | Mail - P. O. Box 369, Lake Oswego, OR 97034 | lotigardwater.org



PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Lake Oswego and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: [Jordan, Chris](#)
To: [Jones, Michael; lamontking@comcast.net;](#)
cc: [City Council; Kerr, Chris; pam@gov-law.com;](#)
Subject: RE: The role of the community in WL GOVT.
Date: Thursday, February 09, 2012 3:59:14 PM

Lamont –

Below is the e-mail that I sent to the Robinwood Neighborhood Association earlier this week. I hope this helps answer your questions.

Chris Jordan

Tony –

On January 9, 2012 members of the Robinwood Neighborhood Association appeared before the Council and requested to meet with the Council in a work session to discuss the Lake Oswego-Tigard water project and the conditions that they were proposing to mitigate the impacts of that project on the neighborhood. On January 17 the City received an application from Lake Oswego-Tigard for the water treatment plant expansion. At that time, City staff requested advice from the City's attorney, Pam Beery, regarding the request for the work session.

Below is the contents of the e-mail from Pam Beery that was shared with the Council regarding the neighbors request for a work session. The Council decided last night to heed Ms. Beery's advice and not meet with the neighbors in a work session.

Please feel free to share this information with members of the Robinwood Neighborhood Association.

Chris Jordan

From Pam Beery, January 19, 2012:

Summary of comments

Three citizens appeared to express concerns and present requests with respect to the anticipated land use applications for the Lake Oswego-Tigard water project's proposed pipe line and water treatment plant expansion, as follows:

1. All three requested that Council meet with the Good Neighbor Committee, an ad hoc committee of concerned residents in the Robinwood Neighborhood formed to respond to the planned water project. They expressed concern that Council had met on December 19 in work session with staff and elected officials representing the proposed project but that Council had not met with them.
2. One resident asserted that the December 19 work session was an inappropriate ex parte contact. Another suggested Council might be biased in its consideration of the land use decision based on information presented at the work session concerning potential benefits to the West Linn water supply if the project goes forward.
3. Two residents suggested one purpose of meeting with the neighbors would be to hear their ideas for conditions that could be placed on any land use approval for the project. In addition, it appeared they wished to be sure that Council understood and considered their "Great Neighbor Plan" developed in response to the proposed project. The Plan presumably contains requested conditions for the project should it be approved in order to address the perceived impacts of construction and siting of the plant and water line.
4. One resident expressed concern that the application for the treatment plant expansion was being separated from that for the pipeline, and wanted Council to consider linking them such that any approval for one would be invalid without approval for the other.
5. Finally, all three expressed general concerns that the proposed project will have disproportionate impacts on the Robinwood neighborhood especially given that the project would not serve the neighborhood.

Advice and response

1. Requested work session. Council should not conduct a work session or otherwise meet with citizens or any other party about the potential land use applications, for the reasons outlined below. As discussed in detail in the memorandum our office provided for the December 19 work session, Council was exercising its policy function with respect to its responsibility for the City water system in holding the work session in December. It was open to the public to assure transparency. I understand how concerned citizens can confuse the Council's functions but believe taking the requested step would create too much risk for the appropriate handling of the land use applications.
2. Ex parte and bias concerns. The work session was not an ex parte contact. It

did not address the land use aspects of the proposed project nor any element of the West Linn Community Development Code. In an abundance of caution, our plan is to include minutes from the work session in the record of the final land use decision (s) for the project, so that we are fully addressing procedural requirements for ex parte contacts in any case. This does not make the work session an ex parte contact. One of the two land use applications was filed, we understand, this week; this is the demarcation point, as we previously advised, for the commencement of the ex parte contact rule and is an additional reason that Council should not consider meeting with the residents. Now that there is a pending application, such contacts are in fact ex parte communications. As we have advised, Council could disclose any ex parte contacts at the time of any hearing; but the risk of engaging in a meeting with concerned citizens is too high to be justifiable.

The bias question was also discussed in our December 19 memorandum. Even if the project has some potential benefit to the West Linn water system, this does not create a bias concern for Council under applicable law. Again, we will want to respond to any such assertions as part of the processing of the land use applications and we will be advising you and Council in that regard; we want to address even the appearance to residents that bias might be present.

3. Great Neighbor Plan. As you know, Council has facilitated the neighborhood's preparedness to respond to the proposed project by hiring a planning consultant to assist them. This has apparently generated a Plan with potential conditions to presumably ameliorate concerns with project impacts. The neighborhood will have a full and fair opportunity before the Planning Commission to present the Plan and the Planning Commission (and Council on appeal) will have ample time to consider it. We will be advising you and both hearing bodies on the appropriate conditions of approval that can be tied to the project based on the criteria in the CDC throughout those proceedings.

4. Separate land use applications. There is nothing in the West Linn CDC that would allow us to require the project to file for one land use application as opposed to two; it is the applicant's right to determine how to seek approval under our code. We can evaluate the two applications during our review in terms of any benefit/ability to link them in some way as part of our decisions.

Chris Jordan, City Manager
Administration, #1422

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made

available to the public.

From: Jones, Michael
Sent: Thursday, February 09, 2012 3:35 PM
To: lamontking@comcast.net
Cc: City Council; Kerr, Chris; pam@gov-law.com
Subject: RE: The role of the community in WL GOVT.

Lamont-

I apologize for taking a day or so to get back to you but I really wanted to give your email some thought. I would agree with you that you raise issues that are relevant to a land use hearing on the LOT Water Treatment Plant and that you present them when the hearing is held. That being said, given that an application has been filed with the City, I must maintain my neutrality. It is important that as a Council member I am able to hear and decide any land use appeal related to this application in a completely fair and impartial manner. I can assure you that this is as much in your best interest as it is in mine or Lake Oswego's.

I don't know if you have seen the recent email Chris Jordan sent to the RNA President. It is a letter from our attorney that explains in some detail why we are responding the way we are. It was originally for the Council's use and therefore confidential but the Council decided that the information needed to be shared. Chris is copied on this email and will forward that communication to you. To summarize at least one part, our attorney has said I need to maintain neutrality and not discuss your specific concerns and I think you would agree that following your attorney's advice is generally a pretty good course of action.

I know this issue is critically important to the City, your neighborhood, and my neighbors. I want to make sure we are all prepared to respond in the best manner possible.

Sincerely-Mike Jones
mjones@westlinnoregon.gov
503.344.4683

><(((*)>...><(((*)>...><(((*)>...><(((*)>...><(((*)>...><(((*)>...><(((*)>...
Save the Salmon

Before you print, think about the ENVIRONMENT **P**



Councilor Michael Jones
mjones@westlinnoregon.gov
West Linn City Councilor
22500 Salamo Rd
West Linn, Oregon 97068
P: (503) 657-0331
F:
Web:

West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.
Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: lamontking@comcast.net [lamontking@comcast.net]
Sent: Wednesday, February 08, 2012 12:28 PM
To: Jones, Michael
Subject: The role of the community in WL GOVT.

Hi Mike,

We spoke briefly about the water treatment plant expansion early in the process. You appear to be someone I could talk to and someone trying to make West Linn a better place. Could you please explain to me why our city government refuses to sit down and speak to the citizens in the Robinwood Neighborhood Association about their concerns with the Lake Oswego expansion. Lake Oswego has bullied the people in our neighborhood and acted like their plans were a done deal from the beginning. I have personally met with Chris Jordan and tried to work within the city on this issue. I like Chris but feel he has misled me and not allowed appropriate discussion to occur with our neighborhood and the council. For over one year he has claimed they couldn't meet with us and then last month a outside attorney, hired by the city said it was okay as long as it was disclosed.

The committee I am on represents and enjoys the full support of a recognized group of citizens in this community. Yet our own council chooses to meet with Lake Oswego and refuses to sit down with us. Lake Oswego has begun condemnation proceedings in our city and our own city leaders refuse to meet with us and hear our veiws. How do you suppose West Linn would fare if we decided to expand an industrial site in a Lake Oswego neighborhood with the goal of making a profit at their neighborhoods expense?

I would appreciate a response.

Best Regards,

Lamont King

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 Schedule
Date: Saturday, March 17, 2012 5:14:56 PM

Zach, what is the date you will post the City response to the application? I believe 20 days is specified before the hearing date? I know April 4 is the next Planning Commission meeting and that leaves just 14 days.

Does that mean the Conditions of Approval and City response will be posted on the 28th of March, 2012?

Thank you for the clarification.

Gary Hitesman

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-02 Denial based on failure to meet ORS 541
Date: Sunday, March 18, 2012 3:23:49 PM

541.705 Project applications; contents.

(e) Show that the applicant holds or can acquire all lands, other than public lands, and interests therein and water rights necessary for the construction, operation and maintenance of the proposed water development project.

Without the CC&R's condemnation filing being adjudicated, how is 541.705 met? What else is undetermined that invalidates the partnership's right to submit an application?

From: [GARY](#)
To: [Pelz, Zach](#); [GARY](#)
Subject: Re: CUP 12-02 Incomplete - Denial based of failure to meet ORS 541
Date: Tuesday, March 20, 2012 2:00:44 PM

Zach, please allow me to rephrase an earlier question regarding ORS 541.705.

Actually, I believe 541.705 works the other way. Showing ability to acquire property is a prerequisite for the CUP.

How is the applicant acquiring all the property it needs per ORS 541.705? What is the piece of property the City of West Linn owns? Please have the applicant explain why 87 out of 88 letters condemning the CC&R's were sent to affected parties with exception to the City of West Linn. Please verify.

Please have the planning department explain to me and the planning commission how West Linn Charter sections 23 (1) & 6(c) and Section 35 requirements were not responsibly enacted or considered? How have they been met?

Where does the Plan of Operations for MSY per the OPRD lease demonstrate the pipeline to the plant can be altered? Where is the State Parks Department approval, or is that a fait au complet?

I wanted to ask these questions of the City Council but the beery memo issued to John Sonnen prevents me from talking to my city councilors, and by deferment, to my NA. Are not my questions time sensitive?

Since the ability to acquire property has not been met, I request CUP 12-02 be reviewed as 'incomplete'. Also, due to the inability to provide sufficient notice to affected neighborhoods, the application should be deemed 'incomplete'.

If I find answers, I will share them with you.

----- Original Message -----

From: [GARY](#)
To: [Pelz, Zach](#)
Sent: Sunday, March 18, 2012 3:23 PM
Subject: CUP 12-02 Denial based ob failure to meet ORS 541

541.705 Project applications; contents.

(e) Show that the applicant holds or can acquire all lands, other than public lands, and interests therein and water rights necessary for the construction, operation and maintenance of the proposed water development project.

Without the CC&R's condemnation filing being adjudicated, how is 541.705 met? What else is undetermined that invalidates the partnerships right to submit an application?

From: [GARY](#)
To: [Pelz, Zach](#)
Subject: CUP 12-01
Date: Tuesday, March 27, 2012 10:10:08 AM

Zach,

Please forward to Tom Soppe and forward his email address to me, if possible. Thank you.

Tom,

Just a small technical question. In the staff report, you write;

criteria set forth in Section 60.070(1) and (2).

Do I assume correctly that you are referring to Section 60.070(A) (1.) and (2.)?

Thank you.