



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

CITY COUNCIL AGENDA

Monday, September 13, 2021

5:00 p.m. – Pre-Meeting Work Session – Webex*

6:00 p.m. – Business Meeting – Webex*

1. Call to Order [6:00 pm/5 min]
2. Approval of Agenda [6:05 pm/5 min]
3. Public Comments [6:10 pm/10 min]
4. Announcements, Proclamations, and Recognitions [6:20 pm/5 min]
 - a. Friends of McLean House Proclamation & Recognition
5. Consent Agenda [6:25 min/5 min]
 - a. Agenda Bill 2021-09-13-01: Approval of Meeting Notes for August 2, 2021
 - b. Agenda Bill 2021-09-13-02: Renewal of USGS Joint Funding Agreement
6. Business Meeting [6:30 min/60 min]
 - a. Agenda Bill 2021-09-13-03: ORDINANCE 1728, AMENDING WEST LINN MUNICIPAL CODE CHAPTER 2 TO MODIFY THE LANGUAGE TO BE MORE INCLUSIVE CHANGING CITIZEN ADVISORY GROUPS TO COMMUNITY ADVISORY GROUPS
 - b. Agenda Bill 2021-09-13-04: Bittner Street Sewer Replacement Award
 - c. Agenda Bill 2021-09-13-05: Temporary Easements for Abernethy Bridge Construction
7. Mayor and Council Reports [7:30 pm/15 min]
 - a. Declaration of Emergency for Ice Storm Recovery Efforts
 - b. Citizen Advisory Group Appointments
 - c. Reports from Citizen Advisory Groups
8. City Manager Report [7:45 pm/5 min]
 - a. City of West Linn Response to COVID-19 Public Health Emergency
 - b. Diversity, Equity, and Inclusion Update
 - c. Storm Recovery Update

9. City Attorney Report

[7:50 pm/5 min]

a. Legal Tracking Log

10. Adjourn

[7:55 pm]



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WEST LINN CITY COUNCIL MEETING NOTES September 13, 2021

[Pre-Meeting](#)

[Call to Order \[6:00 pm/5 min\]](#)

Council Present:

Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Council Absent:

Council President Bill Relyea.

Staff Present:

City Manager Jerry Gabrielatos, City Recorder Kathy Mollusky, Assistant City Engineer Erich Lais, and City Attorney Bill Monahan.

[Approval of Agenda \[6:05 pm/5 min\]](#)

Councilor Mary Baumgardner moved to approve the agenda for the September 13, 2021, West Linn City Council Meeting with the following changes: removing agenda items 7b and 9a. Councilor Rory Bialostosky seconded the motion.

Mayor Walters explained that Agenda Item 7b, Citizen Advisory Group Appointments would wait until the entire Council was present at a future meeting, and Agenda Item 9a, Legal Tracking Log would wait until City Attorney Ramis was present at a meeting.

Ayes: Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: None.

The motion carried 4 - 0

Public Comments [6:10 pm/10 min]

City Attorney Monahan cautioned Council to avoid the appearance of giving input on the merits of a pending land use application that would apparently be the subject of some public comment at this meeting. Any comments about the potential alleyway must be confined to the area from 9th St to 10th St, which was not part of the land use application, and no decision would be made by the Council on the extension from 9th St to 10th St at this meeting. He clarified that the land use application was before Planning staff for a decision but, if an appeal took place, Council had to be sure to declare any ex parte contacts and to avoid any comments that might be misconstrued and put Council in an awkward position in its ability to hear the matter later.

Jennifer Aberg, West Linn, stated she lived on 9th St and her driveway was part of the right-of-way (ROW) between 9th and 10th St, where the 20-ft wide alley was proposed. She expressed concerns about the varying narrow widths of the ROW, especially with the City requiring curbing on both sides. She requested a traffic impact analysis (TIA) be done and that pedestrian safety be reviewed, noting her concern about the possible increase in traffic. She did not believe the development of the 4th St alley fit with the Transportation System Plan (TSP) safety goals. Many other roads in the city needed maintenance and deferring that to build this alley that the neighborhood did not want was wrong. Also, the City had not discussed the alley with the homeowners.

Michelle Joslin, West Linn, noted the City's TSP stated that safety was the number one goal. Extending 4th Ave would be very unsafe for pedestrians due to the lack of sidewalks and the narrow streets. A lot of children live in the neighborhood and Willamette Primary is located near the proposed extension. Spending money on this unwanted project was concerning, as was the lack of notification to the neighbors. Lastly, she was concerned about the environmental impacts of the proposed extension.

Samantha Faile, West Linn, stated she was concerned about no requirements being in place to notify the residents about a new road. She had two kids who attended Willamette Primary and loved to be outside, and she was troubled by the existing truck traffic on the steep, narrow streets. She asked Council to consider a TIA because of the safety issues, and that the project be paused for consideration of the human element that would play into it. She suggested that a footpath be built instead to connect 9th St to 10th St.

Riley Cook, West Linn, testified about the connection between 9th and 10th St, also known as 4th Ave. The streets were narrow and more traffic would not be safe to bike riders, kids, and pedestrians. Two cars could barely pass each other there currently. A petition had been started and had already gathered 72 signatures, indicating no one in the neighborhood wanted the extension.

Catherine Johnson, West Linn, stated other improvements, such as sidewalks, would be more important than extending 4th Ave and would provide greater safety. The extension would be a risk to those driving on the narrow and steep 9th St and 10th St. It was already difficult for cars to navigate the narrow streets to avoid pedestrians, and it was particularly difficult to get out of her driveway due to the steepness and other traffic. The younger population loved that their children could safely play and walk in their neighborhood and the extension did not seem to benefit that in any way.

Travis Cook, West Linn, stated he lived on 10th St and had bought his home because of the lovely community and the feeling of safety for his children and their school. The punch through between 9th St and 10th St would be only 35 to 40 ft from a 90-degree blind turn with another turn coming in on a slope, creating a safety issue for pedestrians. It was already necessary for cars to stop and wait for another car to clear 10th St before continuing. The issue was also one of quality of life for those in the community. He asked that the proper studies be done to determine if the road made sense.

Derek Hines, West Linn, stated he lived on 10th St and agreed with the statements made so far. The street was so narrow two cars could not pass in front of his house. Adding more traffic to the road would imperil kids and others. 5th Ave was nearby and was a perfect connector between 9th St and 10th St. Punching through 4th Ave to 10th St might attract traffic from 5th Ave to 4th Ave increasing the traffic problems. Sidewalks and a footpath for connectivity were better ideas. The project was not a good use of tax dollars and was unnecessary.

Martin Heinemann, West Linn, stated he lived on 9th St and the driveway to his home was currently the unimproved 4th Ave ROW. He agreed with the concerns of his neighbors about the construction and was very disturbed that he had not been given notice, especially because access to his home would be limited during construction and his utilities might be interrupted. He was also concerned about drainage issues and the potential loss of trees. The proposed stormwater facility would completely change the look and feel of his home and the access to it.

Phyllis Koessler, West Linn, described the problems with traffic on 10th St and the inconveniences she endured during its construction. She was troubled by the way the City approached street development and was surprised 10th St was 5 ft narrower than allowed by Code. 4th Ave was a blackberry gully and she would benefit significantly from its development, but she was vehemently opposed to it. Development of the street would put residents and drivers at risk due to the steepness and narrowness of the streets. She was appalled that the City provided no notice of the construction and she saw no benefit to anybody from the project.

[Announcements, Proclamations, and Recognitions \[6:20 pm/5 min\]](#)

[Friends of McLean House Proclamation & Recognition](#)

[Proclamation](#)

Councilor Jones read the Proclamation, declaring September 18, 2021 as the 40th Anniversary of the Friends of McLean House and Park in the City of West Linn. A plaque would be presented in person to Mike Watters, representing the Friends of McLean House, when possible.

[Consent Agenda \[6:25 min/5 min\]](#)

[Agenda Bill 2021-09-13-01: Approval of Meeting Notes for August 2, 2021](#)

[Draft Notes Information](#)

[Agenda Bill 2021-09-13-02: Renewal of USGS Joint Funding Agreement](#)

[USGS Joint Funding Agreement](#)

Councilor Rory Bialostosky moved to approve the Consent Agenda as posted. Councilor Mary Baumgardner seconded the motion.

Ayes: Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: None.

The motion carried 4 - 0

[Business Meeting \[6:30 min/60 min\]](#)

[Agenda Bill 2021-09-13-03: ORDINANCE 1728, AMENDING WEST LINN MUNICIPAL CODE CHAPTER 2 TO MODIFY THE LANGUAGE TO BE MORE INCLUSIVE CHANGING CITIZEN ADVISORY GROUPS TO COMMUNITY ADVISORY GROUPS](#)

[ORD 1728 Information](#)

Councilor Mary Baumgardner moved to approve First Reading for Ordinance 1728, amending West Linn Municipal Code Chapter 2 to modify the language to be more inclusive changing Citizen Advisory Groups to Community Advisory Groups, and set the matter for Second Reading. Councilor Rory Bialostosky seconded the motion.

Councilor Bialostosky clarified that the change was in name only for inclusivity and would not affect the function of the community advisory groups.

Councilor Baumgardner noted that although many were comfortable with the use of the word "citizen," she was aware that some people found it to be a potential barrier.

Ayes: Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: None.

The motion carried 4 - 0

Councilor Mary Baumgardner moved to approve Second Reading for Ordinance 1728, amending West Linn Municipal Code Chapter 2 to modify the language to be more inclusive changing Citizen Advisory Groups to Community Advisory Groups and adopt the ordinance. Councilor Todd Jones seconded the motion.

Ayes: Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: None.

The motion carried 4 - 0

[Agenda Bill 2021-09-13-04: Bittner Street Sewer Replacement Award](#)

[Bittner Street Information](#)

Assistant City Engineer Lais presented the Agenda Bill for the Bittner St sewer replacement project. The existing sewer line was substandard and structurally damaged. Bids were sought virtually on August 25th and the lowest responsive and responsible bidder was Icon Construction at \$194,224. He answered clarifying questions from Council as follows:

- Extensive outreach was done with neighbors to the project and right-of-entry had been acquired from each resident for work on their property.
- The City would typically repair or replace sewer lines, but new construction was the developer's responsibility. The Code stated that the homeowners were responsible for their sewer laterals to the main line.
- Room would be available at the site for one-way traffic. The City had been in contact with First Student regarding busing and had confirmed full pickup and drop-off would be available. They are also in contact with the school district.
- The extension of the sidewalk at the site had been evaluated and fell to number 18 on the list of priorities for the Safe Routes to School project, so it would not be done as part of the sewer upgrade.

Councilor Rory Bialostosky moved to Authorize the City Manager to sign a contract with Icon Construction and Development in the amount of \$194,224.00 for the Bittner Street Sanitary Sewer Replacement project. Councilor Mary Baumgardner seconded the motion.

Ayes: Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: None.

The motion carried 4 - 0

[Agenda Bill 2021-09-13-05: Temporary Easements for Abernethy Bridge Construction](#)

[Temporary Easements Information](#)

City Manager Gabrielatos presented the agenda bill, noting ODOT was requesting approval of a temporary easement for three City-owned properties adjacent to I-205 and the Abernethy Bridge to allow construction related to the I-205 widening and bridge seismic improvements. Most of the work that significantly impacted traffic would be done during the evening hours.

Allen Hendy, ODOT, referred to a slide displaying the Abernethy Bridge construction area, and indicated the locations of the three parcels and requested easements. Construction would start next spring or summer and part of the project required a lot of deep foundation work which necessitated the easements for access. ODOT was scheduling work to minimize impacts to the public and to work within environmental regulations. Traffic control, detour plans, etc. have been reviewed regularly by the City of West Linn and the City of Oregon City. He answered clarifying questions from Council as follows:

- Residents south of the Abernethy Bridge, specifically on Territorial Dr, would not see any traffic related to the construction. However, impacts to residents coming in and out of the area were likely due to the construction of a roundabout and its effect on Hwy 43 during the construction.
- Time limits on the easements depended upon the individual properties' environmental compliance categories and could range from 180 days to the life of the project. ODOT would be very specific in the contract regarding the time frame that the contractor could occupy the 180-day area.
- \$5,000 would be paid to the City by ODOT for allowing the easements. The amount was based upon the value of three parcels provided by the appraiser hired by ODOT and seemed low.
- The issue of people possibly camping under the bridge would receive follow-up, and ODOT would work with the City and Clackamas County to address the problem.

Mr. Hendy stated some trees would be removed in the next month or two on both sides of the river near the bridge. The timing of their removal was necessary due to the water work period and migratory birds.

City Manager Gabrielatos confirmed he would follow-up on who would take responsibility for providing assistance to any individuals camping under the bridge and report back to Council.

Mayor Walters stated the City would partner with the County to assist any people camping under the bridge in finding support. She noted that the camping issue was new, but not brand

new. The City was limited by certain laws from removing people.

City Attorney Monahan confirmed he had reviewed the easement documents and found them approvable as to form. Any discussion about preserving the trees and other environmental activities were all negotiated and not part of the easement.

Mr. Hendy verified the trees to be removed would be replanted. He described the efforts that would be made to keep the public informed on the construction project. The goal was to have a plan in place by the end of the year and to review the details with both West Linn and Oregon City in time for full construction next spring.

Councilor Mary Baumgardner moved to Authorize the City Manager to approve temporary easement documents to allow ODOT to perform construction work on City-owned property for the I-205 Widening and Seismic Improvements Project. Councilor Rory Bialostosky seconded the motion.

Ayes: Mayor Jules Walters, Councilor Mary Baumgardner, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: None.

The motion carried 4 - 0

[Mayor and Council Reports \[7:30 pm/15 min\]](#)

[Declaration of Emergency for Ice Storm Recovery Efforts](#)

[Declaration of Emergency Information](#)

City Manager Gabrielatos reported he had heard from Public Works Director Calvert that the tree trimming work could be done for presumably less than \$100,000. Staff could come back to Council with a menu of big ticket items they would like to take to the residents in the fall and spring for their evaluation, including Oppenlander Field, the Operations Building, a recreation center, water infrastructure, Abernethy Bridge, and the potential for replanting some of the trees.

City Attorney Monahan concurred that tree trimming could proceed as a City project using funds in the City's budget without an emergency declaration.

[b. Citizen Advisory Group Appointments](#)

This item was moved during tonight's pre-meeting to next week's Council meeting.

[Reports from Citizen Advisory Groups](#)

Councilor Jones reported on the Economic Development Committee (EDC) meeting last Thursday. The EDC discussed the golf tournament to be held this weekend at Oregon Golf Club

and recognized that a number of residents were concerned about the potential traffic challenges, but also acknowledged that it would be an economic opportunity for the small businesses in the area. Some disappointment was expressed by members of the EDC that the City had not taken advantage of having such an event, though the decision to move the tournament to West Linn was made very late. The EDC also acknowledged the City was in the process of hiring a business support specialist and that the tournament was an example of how that individual could be of assistance to the City, its residents, and its small businesses by foreseeing such opportunities. He would like staff to confirm if the Ladies Professional Golf Association (LPGA) had signed a three-year contract to hold the event at Oregon Golf Club.

Councilor Baumgardner reminded that the first seminar of the Sustainability Advisory Board's Education Series would be held virtually Tuesday night beginning at 7 pm and would be on water usage. Registration could be done through the City's website under Library Events by anyone interested in attending.

Councilor Bialostosky said that he had learned from the Public Safety Advisory Board Chair that a presentation would be held on September 22nd on human trafficking and prevention. Interested community members were welcome to attend.

Mayor Walters reported on the Parks and Recreation Advisory Board (PRAB) meeting last Thursday. Some discussion focused on the continuing storm cleanup in Mary S. Young Park, and Parks Director Warner updated on various bond projects. She had inquired on her own behalf and not as a representative from Council about the possibility of holding an event for Pride Month next June. The PRAB seemed to welcome that idea and would look into it. She had attended a 9/11 event with Councilor Baumgardner and Councilor Jones to honor first responders and essential workers. One of Senator Wyden's staff members had presented to West Linn a flag that had flown over the U.S. Capitol in recognition of the city's exemplary service and dedication, and in commemoration of the 20th anniversary of 9/11. She expressed gratitude to Senator Wyden for the flag, and to Dean Suhr for organizing the city's 9/11 event. She had met with the Locks Commission which would be nominating people to serve on the Locks Authority, the body that would guide locks repair, restoration, and reopening. In response to an inquiry from Councilor Baumgardner, she said she would connect with Mayor Beaty in Beaverton to see if assistance could be provided to Afghani refugees.

[City Manager Report \[7:45 pm/5 min\]](#)

[City of West Linn Response to COVID-19 Public Health Emergency](#)

City Manager Gabrielatos reported President Biden mandated employers of over a hundred people have employees vaccinated or do weekly COVID-19 testing of those who were not vaccinated. Staff would monitor the evolving situation and prepare as best as possible.

[Diversity, Equity, and Inclusion Update](#)

City Manager Gabrielatos reported that he had met last week with Doug Erickson and some members of the Portland State University staff. A great deal of internship opportunities were offered through the university, many focused on city management, and provided room for partnership.

[Storm Recovery Update](#)

City Manager Gabrielatos updated that the funding sought for the city's trees would go out to the public via a survey or other means, along with all of the other needs due to the storm. Council briefly discussed the curb separating the sidewalk from the bike path on Willamette Falls Drive which had generated a bit of public discussion due to trips and falls. The issue would be rectified at a cost of \$35,000 to be paid from the General Obligation (GO) Bond or from the Street Fund. Staff would also seek an estimate on the cost of painting the curb for visibility.

Council discussed the format of future Council meetings and decided the September 20th meeting would be virtual via Webex and the October 4th meeting would be a hybrid of virtual and in-person. State mandates regarding masking would be followed and all attendees, including Councilors, had the option to choose to attend virtually or in-person.

City Manager Gabrielatos stated he would reach out to other cities for input on how they have handled the logistics of in-person meetings, mask-wearing, and security at meetings.

[City Attorney Report \[7:50 pm/5 min\]](#)

[a. Legal Tracking Log](#)

[Tracking Log Information](#)

This item was removed from the agenda during the pre-meeting and would be addressed at a future Council meeting when City Attorney Ramis was present.

[Adjourn \[7:55 pm\]](#)

Notes approved 10-11-21.

PROCLAMATION

West Linn, Oregon

WHEREAS, The Friends of McLean Park and House (“The Friends”) have been continuously operating and caring for the McLean House since 1981; and

WHEREAS, The Friends are celebrating 40 years as a non-profit organization; and

WHEREAS, The Friends’ purpose is to aid and assist the City of West Linn in the historic preservation of the house and grounds for the benefit of the community; and

WHEREAS, The Friends raise funds for the house and grounds through private events, grants, a themed public event, donations, and membership dues; and

WHEREAS, The Friends care for the house and grounds, share the history of the home and the memory of Doctor McLean’s significant contributions to the community, and facilitate use of the property for a variety of events, public and private, so the community can enjoy this amazing place.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN that September 18, 2021, is the 40th Anniversary of the Friends of McLean Park and House and we invite the community to join us in congratulating and thanking the Friends of McLean Park and House.

DATED THIS 13TH DAY OF SEPTEMBER, 2021

MAYOR JULES WALTERS

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

Agenda Bill 2021-09-13-01

Date: September 2, 2021

To: Jules Walters, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: Jerry Gabrielatos, City Manager *JG*

Subject: Draft Meeting Notes

Purpose: Approval of City Council Meeting Notes.

Question(s) for Council:

Does Council wish to approve the attached City Council Meeting Notes?

Public Hearing Required:

None required.

Background & Discussion:

The attached City Council Meeting Notes are ready for Council approval.

Budget Impact:

N/A

Sustainability Impact:

Council continues to present its meeting notes online, reducing paper waste.

Council Goal/Priority:

Guiding Principle #0: Core Services of West Linn City Government. Continue to record and document the proceedings of the West Linn City Council. Guiding Principle #3: Sustainability. Incorporate environmentally sustainable practices in City activities and decision making, including reducing waste generation and energy consumption.

Council Options:

1. Approve the Council Meeting Notes.
2. Revise and approve the Council Meeting Notes.

Staff Recommendation:

Approve Council Meeting Notes.

Potential Motions:

Approving the Consent Agenda will approve these notes.

Attachments:

1. August 2, 2021 Council Meeting Notes



22500 Salamo Road
West Linn, Oregon 97068
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WEST LINN CITY COUNCIL MEETING NOTES August 2, 2021

[Call to Order \[6:00 pm/5 min\]](#)

Council Present:

Mayor Jules Walters, Council President Bill Relyea, Councilor Rory Bialostosky, Councilor Mary Baumgardner, and Councilor Todd Jones.

Staff Present:

City Manager Jerry Gabrielatos, Parks & Recreation Director Ken Warner, Public Works Director Lance Calvert, City Attorney Tim Ramis, Planning Manager Darren Wyss, and Assistant to the City Manager Dylan Digby.

[Approval of Agenda \[6:05 pm/5 min\]](#)

Council President Bill Relyea moved to approve the August 2, 2021, West Linn City Council Meeting Agenda. Councilor Rory Bialostosky seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Rory Bialostosky, Councilor Mary Baumgardner, and Councilor Todd Jones.

Nays: None.

The motion carried 5 - 0

[Public Comments \[6:10 pm/10 min\]](#)

[Public Comment - Teri Cummings](#)

[Public Comment - WNA](#)

Kevin Bryck, Robinwood Neighborhood Association (RNA) Secretary, invited all to attend the annual outdoor RNA picnic on Saturday, August 28th from noon to 4 pm at Robinwood Station. Refreshments and entertainment would be offered.

Karie Oakes, West Linn resident, expressed concerns about the accuracy of Council's meeting notes, in particular, the pickleball discussion in the draft notes of the June 7th meeting.

Teri Cummings, West Linn resident, expressed her concerns about the public and the Arts and Culture Commission (ACC) not being involved in the choice to purchase and install a statue of Rebecca by the Well at the corner of 13th and Willamette Falls Drive, and about compliance with Chapter 2 of the Municipal Code related to the ACC and the Percent for the Arts Program. She was also concerned about the pedestrian/bicyclist safety issues on Main St.

[Announcements, Proclamations, and Recognitions \[6:20 pm/5 min\]](#)

[Farmer's Market Proclamation](#)

[Proclamation](#)

Councilor Baumgardner read the Proclamation, declaring August 1-7, 2021, National Farmer's Market Week in the City of West Linn.

Mayor Walters acknowledged Rebecca Hollenbeck, Executive Director of Historic Willamette Main St, for her tenacity and good work with the Wednesday Farmer's Market.

[Consent Agenda \[6:25 min/5 min\]](#)

[Agenda Bill 2021-08-02-01: Approval of Meeting Notes for June 7, 14 and July 1, 2021](#)

[Draft Notes Information](#)

Council President Bill Relyea moved to approve the Consent Agenda for the August 2, 2021, West Linn Special Council meeting. Councilor Mary Baumgardner seconded the motion.

Councilor Baumgardner stated her concern about the process used to change the draft minutes for June 7, 2021.

Councilor Mary Baumgardner moved to amend the previous motion to remove the June 7, 2021, City Council Meeting minutes from the Consent Agenda to be considered at a future date. Councilor Rory Bialostosky seconded the motion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Rory Bialostosky, Councilor Mary Baumgardner, and Councilor Todd Jones.

Nays: None.

The motion carried 5 - 0

[Business Meeting \[6:30 min/60 min\]](#)

[Public Comment - Elizabeth Smolens](#)

[Agenda Bill 2021-08-02-02: Second Reading: ORDINANCE 1726, ADOPTING THE WEST LINN WILLAMETTE FALLS DRIVE 2021 CONCEPTUAL DESIGN PLAN AS ATTACHMENT B TO THE 2016 WEST LINN TRANSPORTATION SYSTEM PLAN \(TSP\) AND AMENDING THE ASSOCIATED TSP PROJECT TABLES](#)

[ORD 1726 Willamette Falls Concept Plan](#)

Beth Smolens, West Linn, stated she had sent written testimony to Council. She questioned the changes to the Sunset/Willamette Falls Drive Transportation Plan, particularly for the traffic circle in front of City Hall. She wanted to know why the proposal for a t-intersection and traffic light in front of City Hall was abandoned. She asked if the two other traffic circles on the new plan belonged to ODOT or to West Linn and who would be paying for them.

Public Works Director Calvert responded to Ms. Smolens and to questions from Council as follows:

- A roundabout was the best fit for the area in front of City Hall and was preferred for safety and traffic handling aspects.
- ODOT would fund the I-205 Bridge including the roundabout at the on- and off-ramp for northbound I-205.
- The additional lane planned for I-205 would help traffic flow in the short term and would provide a very safe and resilient regional route locally and state to state.
- The estimated \$30 million cost for the work was due to the expense of road construction, and events like COVID and labor shortages added to the cost.
- The statement in the concept plan on the acceptable operation of the intersections during AM and PM peak hours in 2040 was based on technical work, traffic analysis, and modeling that was part of the planning process. The models used had limitations, and situations like a local arterial functioning as a diversionary route for a freeway were atypical.
- The Public Works Standards already included language stating state and federal guidance was followed for roundabout design and construction. Exceptions to that guidance would be included in the Public Works Standards or the City Code, such as specifics about roundabout construction in West Linn.

Danny Schreiber, Historic Review Board Chairperson and West Linn Historical Society Vice President, expressed concern that the Historic Review Board had heard of the proposed

realignment for the first time at its June meeting. He was concerned also about the impacts of the proposed realignment of Willamette Falls Drive on the city's historical district and structures, and that the finding of historical artifacts during construction would be discouraged to avoid costs and delays.

Council President Bill Relyea moved to approve second reading for Ordinance 1726, Adopting the West Linn Willamette Falls Drive 2021 Conceptual Design Plan as Attachment B to the 2016 West Linn Transportation System Plan (TSP) and Amending the Associated TSP Project Tables. Councilor Todd Jones seconded the motion.

Public Works Director Calvert clarified that multiple iterations were considered for the realignment. ODOT was mandating the roundabout at Willamette Falls Drive, and maintaining the existing alignment would impact several of the historic areas and private properties. Staff was very conscientious of the historic homes and history surrounding the location and tried to minimize excavation. He reminded that the plan under consideration was conceptual and historic review was typically done during the construction phase.

Councilor Jones stated he was Council Liaison to the Historic Review Board, but he did not see any of Mr. Schreiber's concerns in his notes from the Board's June 15th meeting. If concerns had been raised, he would have brought them to Council earlier. Additionally, a plan needed to be in place for the City to receive any infrastructure funds if Congress passed the infrastructure bill.

Councilor Bialostosky stated he saw the value in the plan, but would vote against it mainly because he was concerned about the impact of tolling diversion, which the plan did not mention. He also did not want to rely on the State or ODOT to address the issue.

Council President Relyea said he did not agree with the City attempting to solve the problem without the funding and support of federal and state partners. The conceptual plan established the framework to move ahead and he would vote in favor.

Councilor Bialostosky clarified he was suggesting only a month or so of delay to add some language to the plan about tolling and diversion.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Mary Baumgardner, and Councilor Todd Jones.

Nays: Councilor Rory Bialostosky.

The motion carried 4 - 1

[Agenda Bill 2021-08-02-03: Reconsider: RESOLUTION 2021-11 DECLARING CITY-OWNED PROPERTY AT 3955 CEDAROAK DRIVE SURPLUS REAL PROPERTY AND INITIATING A SALES PROCESS FOR THE PROPERTY](#)

[Cedaroak Drive Information](#)

[Public Comment - Lisa Clifton](#)

Councilor Baumgardner read into the record written testimony from Lisa Clifton who was opposed to the sale of the property.

Council discussed this agenda item at length. Key points raised and answers to Councilor questions by staff were as follows:

- The Planning Commission should consider the property and provide an opinion on its disposition.
- The City's land use process, though flawed, should be followed.
- The City's purchasing and owning pieces of property to prevent them from being developed would set a concerning precedent.
- The creek on the property was re-directed by a former owner without a permit, and Council had made its original decision without knowing more of the property's legal history.
- The costs of maintaining, restoring, or providing mitigation on any part of the property that might come back to the City were unknown.

Council President Bill Relyea moved to re-establish sales proceedings for 3955 Cedaroak Drive or to declare an alternative use for the property and to determine payment for the property from the General Fund to the Utility Fund. The motion did not receive a second and was lost.

Further discussion clarified that the motion should state only one option.

Council President Bill Relyea moved to rescinded the previous motion and moved to re-establish sales proceedings for 3955 Cedaroak Drive. Councilor Rory Bialostosky seconded the motion.

Council President Bill Relyea moved to amend the motion to declare an alternative use for the property and determine payment for the property from the General Fund to the Utility Fund. Councilor Mary Baumgardner seconded the motion.

After further discussion, Council President Relyea clarified the motion.

Council President Bill Relyea moved to that the City seek to maintain possession of the property. Councilor Mary Baumgardner seconded the motion.

Ayes: Council President Bill Relyea and Councilor Mary Baumgardner.

Nays: Mayor Jules Walters, Councilor Rory Bialostosky, and Councilor Todd Jones.

The motion failed 2 - 3

Mayor Walters clarified for the purpose of Council's vote that the motion on the table was to re-establish sales proceedings for 3955 Cedaroak Drive.

Ayes: Mayor Jules Walters, Councilor Rory Bialostosky, and Councilor Todd Jones.

Nays: Council President Bill Relyea and Councilor Mary Baumgardner.

The motion carried 3 - 2

[Agenda Bill 2021-08-02-04: Robinwood/Historic City Hall Costs](#)

[City Facilities Information](#)

[Public Comment - Dennis Pollman](#)

[Public Comment - Russ Axelrod](#)

[Public Comment - FORS](#)

Beth Smolens, West Linn Historical Society Co-President, believed that the City should prioritize the City Hall restoration. Robinwood Station has received a great deal of maintenance and attention. City Hall would eventually be a gateway building for the city. Council had voted in favor of a plan to manage the restoration of City Hall with the Willamette Falls Landings and Heritage Coalition.

Russ Axelrod, West Linn's former Mayor, expressed frustration and disappointment at the mishandling of the Robinwood Station and the Historic City Hall General Obligation (GO) Bond Fund restoration projects. He believed staff had misled Council at the July 19th work session regarding construction costs associated with the COVID pandemic, and had pressured it to prioritize one project over the other. Funding was available in the total reserves contingency budget for both projects to move forward now. Historic City Hall had significant implications for tourism and the future business vision for the Waterfront project. He was very concerned that further unnecessary delays on the two important projects could undermine their future.

Britta Stewart, Willamette Falls and Landings Heritage Area Coalition (WFLHAC) Executive Director, shared her background related to historic properties, noting they needed constant maintenance and proper upgrades to increase their longevity. The Coalition was now well equipped with an experienced team that could move forward with the Historic City Hall project.

Jon Gustafson, WFLHAC President, spoke to how Council could leverage the GO Bond funds for the long-term operation and maintenance of the Historic City Hall. Grants totaling around \$170,000 have been received for the project so far, and the Coalition was optimistic about receiving more. The outside money that would be brought in from the operation of the building would return millions of dollars of value to the taxpayers. He was concerned if something concrete was not done now, the project would not be completed.

Andrew Cotugno, WFLHAC Vice President, confirmed that Council's decision regarding the Historic City Hall project would impact the prospects of obtaining a National Heritage Area designation. An act of Congress was necessary for such a designation; National Park Service staff could determine its qualifications against their adopted criteria, but could not make the designation. The more importance the project was given, the more likely it would receive the National Heritage Area designation.

Jody Carson, WFLHAC Treasurer, noted that any grant funding received to date for the Historic City Hall project was contingent on having a signed agreement with the City and a commitment to fund the redevelopment and restoration of the building. Current grant funding totaled \$112,775. Grantors who had been approached but did not provide funding were very clear that they were willing and eager to hear from WFLHAC after the City demonstrated its commitment.

Jim O'Toole, West Linn resident, spoke to the difficulties encountered interacting with the City which had caused delays with the Robinwood Station project. The Friends of Robinwood Station (FORS) had taken several steps to get the project to its current state and it was ready to go out for bid. The claim that if a bid was not awarded the bidders would not bid again was not accurate. He was willing to volunteer to help WFLHAC receive the National Heritage Area designation. He would also like Council's help in moving forward the Robinwood Station project. He offered some suggestions on how money could be saved on the project.

Jessica Glenn, FORS Treasurer, described the uses made of Robinwood Station by her Girl Scout troop and how its facilities were used frequently by various other groups. However, the roof leaked which was potentially dangerous and the old restroom was too small and needed upgrades. She asked for the renovation of Robinwood Station to help showcase the value of West Linn and to provide a gathering place and resource for the community.

Mr. Bryck reminded that virtually every surface in Robinwood Station was the work of FORS volunteers, as was the garden, the greenhouse, and the landscaping. When the supervision of a licensed contractor was required, FORS arranged and paid for it. FORS has been operating the station and hosting a broad array of users for over 10 years. Major savings in the renovation were possible by following FORS' original plan to have a contractor do preliminary work and FORS doing the finishing work and site preparation. The project was ready to go to bid and would be the only public facility in the north half of the City available for emergency preparedness and response.

Todd Iselin, Architect, believed the prioritization of the two projects was valid, but both could move forward with the City's commitment. City Hall was one of the city's most important buildings and needed to be preserved, but a lot of hurdles had to be overcome. Robinwood Station had reached the point where it could be out for bid in 30 days, then begin construction.

City Attorney Ramis confirmed that Mayor Walters could vote on this item without a conflict of interest even though she had a seat on WFLHAC due to its 503c non-profit designation.

Council received answers to clarifying questions from City Staff and Mr. Iselin as follows:

- The cost estimates for the water utility building were about \$121,680, and FORS had proposed putting that work into Phase 3. They had offered to save another \$3,000 or so by doing some selective demolition and removal of items they had previously installed in the building.
- Taking both projects out to bid would hold back Robinwood Station while the Historic City Hall project was further prepared. Also, staff resources at Parks and Recreation were not sufficient to prepare both projects to go out to bid. Robinwood Station could move forward now with the possibility that the necessary resources would be available for Historic City Hall later.
- A definite time for when the Historic City Hall would be ready to go out to bid was difficult to determine due to many tasks needing resolution such as the parking agreement and the National Heritage Area designation, among others. It might be ready to go out to bid in spring of next year.
- Staff would keep Council, the public, and the non-profit organizations apprised as the bid process moved forward. The scale of the contracts would require Council approval as the projects moved ahead.

Councilor Todd Jones moved to that both projects be sent to bid with an option to not award if costs were higher than anticipated. Councilor Mary Baumgardner seconded the motion.

Councilor Todd Jones moved to rescinded the motion and moved that both the Robinwood Station and the Historic City Hall renovations move forward in their respective processes with an intent to take both projects to bid and with an option for a Council to not award if costs were higher than anticipated. The motion did not receive a second and was lost.

Council continued to discuss the matter, and the motion was further clarified.

Councilor Todd Jones moved to direct staff to take the Robinwood Station and the Historic City Hall renovation projects forward in their respective processes with the intent for both to go to bid, and to leave Council the option to not award funding or to adjust project scopes depending on the bids. Councilor Rory Bialostosky seconded the motion.

Parks & Recreation Director Warner stated that the water utility building and restroom portions could be alternative options in the proposal and could be added back to the project if the bid was lower than expected.

Council agreed to take FORS' offer to call the water utility building Phase 3 until Council knew the Historic City Hall renovation was completed to the hoped-for degree.

Ayes: Mayor Jules Walters, Council President Bill Relyea, Councilor Rory Bialostosky, Councilor Mary Baumgardner, and Councilor Todd Jones.

Nays: None.

The motion carried 5 - 0

[Mayor and Council Reports \[7:30 pm/30 min\]](#)

Council Liaison Reports

Councilor Bialostosky reported he attended the first Public Safety Advisory Board (PSAB) meeting where the board's role was discussed. PSAB was seeking Council direction on what it should be pursuing.

Mayor Walters noted the PSAB's request would be added to a future Council meeting agenda where other Citizen Advisory Group matters would be discussed.

The rest of Agenda Item 7a and Agenda Items 7b, 8a, 8b, and 9a were deferred to a future Council meeting to be determined.

b. Automatic Response to Emails

[Council Automatic Response](#)

Pickleball Discussion

[Public Comment - Jane Forbes](#)

Lydia Renner, Skyline Ridge Neighborhood Association Co-President, stated she would like to know when the City Council would move forward with its decision to convert the Skyline pickleball courts back to tennis and when the conversion would be completed. She described some of the negative behavior seen in the community and believed it would end if a decision was reached.

Jane Forbes, West Linn resident, referred to the slide she had emailed to Council showing decibel levels. The readings taken by Parks Director Warner and a West Linn police officer at Tanner Creek Park showed the decibel level generated by pickleball was unacceptably high for the Skyline Ridge Park courts, especially with the proximity of the homes and other features that increased the pickleball noise.

Jeff Bernasconi, West Linn resident, spoke to the unsuitability of pickleball at Skyline Ridge Park. He asked for the courts to be returned to tennis and for follow-through on the pickleball ban Council had put in place last year.

Giulio Ferruzzi, West Linn resident, asked Council to abide by its October 12, 2020 decision to permanently close the Skyline Ridge Park tennis courts to pickleball. The divisive issue was

hurting many members of the community around the park. Removing pickleball and retaining the signage prohibiting it would go a long way in helping the neighborhood heal.

John Busch, West Linn resident, believed neighborhood-friendly pickleball courts could be located in West Linn if a proper and affordable method of sound remediation was used. It would cost too much to do so at the Skyline Ridge Park courts. The issue had brought deep discord to what had been a true community of neighbors. Typical park sounds to be expected by neighbors were not in any way similar to the high-frequency, oppressive impact sounds of pickleball.

Council President Bill Relyea moved to uphold the previous Council's decision to ban pickleball at Skyline Ridge Park and direct staff to re-stripe for tennis courts. Councilor Mary Baumgardner seconded the motion.

Councilor Jones stated he was neither for nor against having pickleball at Skyline Ridge Park. He had asked Council to take up the issue again based on emails from people who believed they had not been heard during the process last fall, and in hope of having those for and against pickleball at Skyline Ridge Park to work with staff toward a solution. That did not happen and it seemed the issue was too far down the road to pursue. He would vote in favor but not because he believed it was right. Council should never have gotten involved in the matter nor should it have risen to the level of a City Council decision.

Councilor Bialostosky noted he had asked for more information on this issue to better familiarize himself and would vote in favor. He had read an article about homeowners associations' legal liability regarding pickleball and, if the courts were placed too close to houses, it probably was a liability for the City as well. He supported creating a proper pickleball court siting procedure to avoid issues in the future.

Mayor Walters stated she would be voting against the motion mostly because she did not have enough data and further sound mitigation efforts had not been tried.

Ayes: Council President Bill Relyea, Councilor Rory Bialostosky, Councilor Mary Baumgardner, and Councilor Todd Jones.

Nays: Mayor Jules Walters.

The motion carried 4 - 1

City Manager Report [8:00 pm/5 min]

a. Diversity, Equity, and Inclusion Update

b. Storm Recovery Update

City Manager Gabrielatos confirmed that the work to convert the Skyline Ridge Park courts back to tennis could be completed within the next two to three weeks.

Agenda Items 8a, and 8b were deferred to a future Council meeting to be determined.

City Attorney Report [8:05 pm/60 min]

a. Council Training Refresh

Agenda Item 9a was deferred to a future Council meeting to be determined.

Adjourn [9:05 pm]

Draft Notes.

DRAFT



Agenda Bill 2021-09-13-02

Date Prepared: August 30, 2021

For Meeting Date: September 13, 2021

To: Jules Walters, Mayor
West Linn City Council

From: Morgan Coffie, PW Management Analyst

Through: Erich Lais, P.E., Assistant City Engineer *EL*
Jerry Gabrielatos, City Manager *JG*

Subject: Renewal of Joint Funding Agreement with the US Geological Survey for Tualatin River Streamflow Data

Purpose

Renewal of a five year Joint Funding Agreement (JFA) between the City of West Linn and the US Geological Survey Oregon Water Science Center for continued operation and maintenance of a hydrologic streamflow data collection gauge on the Tualatin River in West Linn.

Question(s) for Council:

Should the City of West Linn extend the JFA with the US Department of the Interior, US Geological Survey Division?

Public Hearing Required:

None required.

Background & Discussion:

West Linn has participated in funding of this hydrologic data collection station on the Tualatin River in West Linn since the 1990s in response to requirements of the Department of Environmental Quality and the Federal Clean Water Act. The station is jointly funded by Lake Oswego, West Linn, Washington County Clean Water Services, and Clackamas County Water Environmental services in addition to Federal matching funds.

They hydrologic data is used as part of our National Pollutant Discharge Elimination System (NPDES) Program and is also used in evaluating river flow, temperature, and revising floodplain maps.

Budget Impact:

\$ 10,805 to the Environmental Services Fund over five years (2021-2026)

Sustainability Impact:

Data collection includes evaluation of river flow and temperature and supports the City's NPDES Program efforts.

Council Goal/Priority:

This action relates to Goal #3 “Support a sustainable and healthy environment for all”.

Council Options:

1. Approve the JFA to allow continued hydrologic flow data collection.
2. Decline to approve the JFA and possibly lose access to important streamflow data.

Staff Recommendation:

Staff recommend approval of the JFA in order to allow continued hydrologic flow data collection.

Potential Motion:

Approval of the consent agenda includes this item.

Attachments:

1. US Geological Survey Joint Funding Agreement



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Oregon Water Science Center
2130 SW 5th Avenue
Portland, OR 97201

August 3, 2021

Lance Calvert
Public Works Director, P.E.
City of West Linn
22500 Salamo Road #800
West Linn, Oregon 97068

Dear Lance Calvert:

Enclosed is a standard joint-funding agreement for the operation and maintenance of the Tualatin River at West Linn Streamgag, during the period October 1, 2021 through October 1, 2026 in the amount of \$10,805 from your agency. U.S. Geological Survey contributions for this agreement are \$6,600 for a combined total of \$17,405. Please sign and return one fully-executed original to Peter Koestner at the address above.

City of West Linn, Oregon 2022-2026 WY Collaborative Program Station Name and Number	Agency Contributions			
	Fiscal Year	City Share	USGS Share	Program Total
Tualatin River at West Linn, 14207500	2022	\$2,010	\$1,200	\$3,210
Tualatin River at West Linn, 14207500	2023	\$2,100	\$1,290	\$3,390
Tualatin River at West Linn, 14207500	2024	\$2,165	\$1,330	\$3,495
Tualatin River at West Linn, 14207500	2025	\$2,230	\$1,370	\$3,600
Tualatin River at West Linn, 14207500	2026	\$2,300	\$1,410	\$3,710

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **October 1, 2021**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact Keith Overton by phone number (503) 251-3246 or email koverton@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed annually via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Peter Koestner at phone number (503) 251-3261 or email at pkoestner@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

James D. Crammond
Center Director

Enclosure
22YFJFA064

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000001715
Agreement #: 22YFJFA064
Project #: YF00TJE
TIN #: 93-6002277

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of October 1, 2021, by the U.S. GEOLOGICAL SURVEY, Oregon Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of West Linn party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$6,600 by the party of the first part during the period October 1, 2021 to October 1, 2026
- (b) \$10,805 by the party of the second part during the period October 1, 2021 to October 1, 2026
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR

Customer #: 6000001715
Agreement #: 22YFJFA064
Project #: YF00TJE
TIN #: 93-6002277

Water Resource Investigations

9. Billing for this agreement will be rendered annually. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Keith Overton
Supv. Hydrologist Data Chief
Address: 2130 SW 5th Avenue
Portland, OR 97201
Telephone: (503) 251-3246
Fax: (503) 251-3470
Email: koverton@usgs.gov

Customer Technical Point of Contact

Name: Lance Calvert
Public Works Director, P.E.
Address: 22500 Salamo Road #800
West Linn, Oregon 97068
Telephone: (503) 722-3424
Fax:
Email: lcalvert@westlinnoregon.gov

USGS Billing Point of Contact

Name: Peter Koestner
Hydrologic Technician
Address: 2130 SW 5th Avenue
Portland, OR 97201
Telephone: (503) 251-3261
Fax: (503) 251-3470
Email: pkoestner@usgs.gov

Customer Billing Point of Contact

Name: Lance Calvert
Public Works Director, P.E.
Address: 22500 Salamo Road #800
West Linn, Oregon 97068
Telephone: (503) 722-3424
Fax:
Email: lcalvert@westlinnoregon.gov

U.S. Geological Survey
United States
Department of Interior

City of West Linn

Signature

Signatures

By _____ Date: _____
Name: James D. Crammond
Title: Center Director

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:



Agenda Bill 2021-09-13-03

Date: September 2, 2021

To: Jules Walters, Mayor
Members, West Linn City Council

From: Kathy Mollusky, City Recorder *KM*

Through: Jerry Gabrielatos, City Manager *JG*

Subject: Ordinance 1728, Amending West Linn Municipal Code (WLMC) Chapter 2 Language

Purpose: Amending WLMC Chapter 2 language to be more inclusive.

Question(s) for Council:

Does Council wish to amend WLMC Chapter 2?

Public Hearing Required:

None required.

Background & Discussion:

Mayor Walters asked staff to amend WLMC Chapter 2 changing the word "citizen" to "community" to be more inclusive.

Budget Impact:

N/A

Sustainability Impact:

N/A

Council Goal/Priority:

Guiding Principle #0: Core Services of West Linn City Government.

Council Options:

1. Approve ORD 1728, amending WLMC Chapter 2.
2. Revise and approve ORD 1728, amending WLMC Chapter 2.
3. Do not approve ORD 1728 and leave WLMC Chapter 2 as it is.

Staff Recommendation:

Approve Ordinance 1728.

Potential Motions:

Move to approve Ordinance 1728.

Attachments:

1. Ordinance 1728.

ORDINANCE NO. 1728

AN ORDINANCE AMENDING WEST LINN MUNICIPAL CODE CHAPTER 2 TO MODIFY THE LANGUAGE TO BE MORE INCLUSIVE CHANGING CITIZEN ADVISORY GROUPS TO COMMUNITY ADVISORY GROUPS

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~bold lined through~~ and additions are bold underlined.

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides:

Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

WHEREAS, the City of West Linn does not discriminate participation on advisory groups on the basis of citizenship; and

WHEREAS, the West Linn Municipal Code (“Municipal Code”) currently contains non-inclusive language; and

WHEREAS, non-inclusive language such as citizen does not acknowledge or validate the existence of those who may not be citizens; and

WHEREAS, amending the Municipal Code to replace non-inclusive language with inclusive language will demonstrate respect and courtesy to all members of the West Linn community.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Amendments. West Linn Municipal Code Chapter 2 ~~CITIZEN~~ ADVISORY GROUPS is amended to read COMMUNITY ADVISORY GROUPS.

West Linn Municipal Code Section 2.005 General Authority through 2.085 Citizens’ Budget Committee are amended to read as follows:

2.005 General Authority.

The City Council may create ~~citizen~~ community advisory groups to aid the Council in the conduct of public affairs. The City Council may also create ad hoc ~~citizen~~ committees to accomplish a specific task or project. All ~~citizen~~ community advisory groups shall be governed by this chapter, except that if application of a provision conflicts with an applicable State statute, the State statute shall prevail. The specific enabling provisions for each ~~citizen~~ community advisory group are contained in Section 2.075.

2.010 Types of ~~Citizen~~ Community Advisory Groups.

“**Citizen Community** advisory groups” include ad hoc committees, advisory boards, commissions, and other committees.

2.015 Compliance with State Law Required.

All **citizen community** advisory groups, and any subcommittees, shall comply with the State of Oregon Public Records Law, Public Meetings Law, Code of Ethics, laws regarding conflicts of interest, and any other applicable State laws. Each **citizen community** advisory group shall be responsible for ensuring that its subcommittee complies with these laws.

2.020 Relationship to City Council.

(1) Council Authority. The City Council is the elected legislative and policy-making body of the City. Unless governed by a specific State mandate, **citizen community** advisory groups are appointed pursuant to the Council’s authority and shall have only those powers and functions expressly delegated by the Council. With the exception of certain delegated quasi-judicial actions, most advisory commissions and boards do not make final decisions but instead make recommendations, act in an advisory capacity to the Council, and help the Council implement the Council goals. The City Council is the final decision maker on all city policies and the use of City resources.

(2) Council as Final Decision Maker. No **citizen community** advisory group shall have the authority to expend City funds, or to obligate the City for payment of any sum of money, except as expressly delegated or authorized by prior approval of the City Council. Proposals by boards and commissions for endorsement or sponsorship of events, activities or programs must receive approval by City Council as provided by resolution.

(3) Council members may attend meetings of any **citizen community** advisory group. Council members may not chair a **citizen community** advisory group. A councilor may not speak on behalf of the City Council at a **citizen community** advisory group meeting unless authorized to do so by the Council. Council members may not vote at any meeting of any **citizen community** advisory group.

(4) Council Liaison. Each year the Mayor may appoint a liaison from the Council to each **citizen community** advisory group. The purpose of the Council liaison is to provide a direct line of communication between the **citizen community** advisory group and the City Council. The Council liaison and the chair of the affected **citizen community** advisory group shall have joint obligation to keep the Council and the **citizen community** advisory group informed of relevant City or **citizen community** advisory group information. The Council liaison to each **citizen community** advisory group may change annually.

(5) Additional Duties and Projects. In addition to the duties and responsibilities established for **citizen community** advisory groups in Section 2.025, the City Council may from time to time assign other duties or projects as the Council deems appropriate.

(6) A member of any **citizen community** advisory group may testify before the Council only as an individual citizen, not on behalf of the **citizen community** advisory group, unless the member has been designated as a spokesman for the **citizen community** advisory group on the applicable issue or topic.

2.025 **Citizen Community** Advisory Group Duties and Responsibilities.

(1) Powers and Duties. **Citizen Community** advisory groups shall have the powers and duties assigned to them by the City Charter, ordinances or resolutions of this City, and general laws of this State.

(2) Responsibilities. **Citizen Community** advisory groups shall have special projects in the subject matter area of the **citizen community** advisory group to which they were appointed. The City Council shall provide direction, and when possible, a work plan for the **citizen community** advisory group to work on during the year.

(3) Council Goals. **Citizen Community** advisory groups are encouraged to establish annual goals and action items that reflect any specific duties, projects, or goals the Council has assigned or established. **Citizen community** advisory groups are expected to suggest, support and advance Council goals and are encouraged to look for ways within the scope of the group's responsibilities to do so.

(4) Annual Report. The City Council shall receive an annual report from each **citizen community** advisory group. The purpose of such reports will be to:

- (a) Note accomplishments;
- (b) Address concerns;
- (c) Discuss issues related to the duties and activities of the **citizen community** advisory group; and
- (d) Evaluate progress made on any associated Council goals.

(5) Subcommittees. A **citizen community** advisory group may request that the City Council establish a subcommittee. Prior to voting to request the Council to approve creation of a subcommittee, the **citizen community** advisory group shall first request and consider a report from staff regarding the costs and time involved in staffing the subcommittee. Any request to form subcommittees shall be submitted to the City Council in writing and shall contain:

- (a) An explanation of the function of and need for the subcommittee;
- (b) The number and any qualifications of its members;
- (c) The staff analysis of the cost and time involved in staffing the subcommittee; and
- (d) If the subcommittee is an ad hoc subcommittee, a deadline for completion of the ad hoc subcommittee's responsibilities.

2.030 Appointment.

(1) Appointments. The Mayor, with consent of the City Council, shall appoint persons to positions for full and partial terms on **citizen community** advisory groups by motion. Appointees shall meet the qualifications for the **citizen community** advisory group, if any. The Council may interview or screen applicants for positions, as it deems appropriate.

(2) Appointment for Partial Term. If a position becomes vacant before the expiration of the term, the appointee shall fill the vacancy for the remainder of the term.

(3) When making or approving appointments, the Mayor and Council may consider special expertise of applicants and the geographic diversity of the membership of **citizen community** advisory groups. To ensure opportunities for **citizen equal** participation, an **citizen individual** shall not be appointed to more than two **citizen community** advisory groups.

2.035 Membership.

All **citizen community** advisory groups shall consist of seven members each, except for the ~~Citizens'~~ Budget Committee, which shall consist of five members. All members shall be residents of the City and shall be selected based on their qualifications, unless otherwise provided in Sections 2.080 to 2.096.

2.040 Terms of Office; Vacancies.

(1) Terms. All **citizen community** advisory group members shall serve a four-year term. All regular terms shall commence with appointment and shall expire on December 31st of the fourth year.

(2) Staggering of Terms. Initial terms for a newly created **citizen community** advisory group shall be staggered in the resolution of appointment so that a majority of the positions do not become vacant in the same year and so that an equal or approximately equal number of positions become vacant each year.

(3) Vacancies. Appointments to fill vacancies shall be for the remainder of the unexpired term pursuant to Section 2.030(2).

2.045 Meetings; Rules of Procedure; Attendance.

(1) Meetings. **Citizen Community** advisory groups shall meet as needed to accomplish the duties assigned to the group, the Council goals and other business needs of the City.

(2) Rules of Procedure. A **citizen community** advisory group shall conduct its meetings in accordance with the Council Rules, West Linn Municipal Code, City Charter, and State law.

(3) Recommendations. All recommendations to the Council shall be in writing. The staff liaison shall prepare a memorandum to the Council, signed by the **citizen community** advisory group chair, stating the **citizen community** advisory group's recommendation.

(4) Final Decisions. All final decisions by the Historic Review Board and Planning Commission shall be in writing, signed by the chair.

(5) Attendance. A member should provide at least 48 hours' notice to both the chair of the **citizen community** advisory group and the staff liaison regarding any planned absence from a scheduled meeting of the **citizen community** advisory board. In the event an unexpected emergency will cause a member to be absent from the meeting, the member must, if possible, notify the chair or the staff liaison within a reasonable time in advance of the meeting to prevent an unexcused absence. Unexcused absences are grounds for removal pursuant to Section 2.070.

2.050 Public Meeting Law.

(1) All meetings of **citizen community** advisory groups are subject to strict compliance with the public meeting laws of the State of Oregon.

(2) Meetings shall be open to the public. If business from a meeting is being continued to a meeting date that is not at a regularly scheduled time, the **citizen community** advisory group can notice the meeting by announcing the date and time for the continuation of the meeting. The chairperson upon a motion may, or at the request of a quorum shall, by giving notice to members, call a previously unannounced special meeting for a time not earlier than 24 hours after the notice is given.

2.055 Quorum; Vote; Lack of Quorum.

(1) Quorum. A meeting quorum shall exist when four or more members of the body are present, except for the **Citizens'** Budget Committee. Members do not have to be physically present at the meeting if another means of attendance (e.g., telephone, Internet) has been established by the membership and public meetings law requirements are met.

(2) Vote. Except as otherwise expressly provided by the City Code or other applicable law or regulation, the concurrence of a majority of members present and eligible to vote shall be necessary to pass any motion or decide any question. A member is not eligible to vote if the member has recused themselves, or if the member has declared a conflict of interest or bias.

(3) Lack of Quorum. If the members in attendance do not constitute a quorum, all topics advertised are automatically added to the agenda for the next regularly scheduled meeting. If a quorum is not possible due to conflicts of interest, bias, or recusal, the matter shall be forwarded to the Council without any further action by the **citizen community** advisory group.

2.060 Officers.

(1) Each **citizen community** advisory group shall elect a chair and a vice chair from its membership as soon as practicable each calendar year. Council members may not chair a **citizen community** advisory group. Nothing in this subsection shall prevent appointment of co-chairs that share responsibilities of the chair, as the **citizen community** advisory group deems appropriate. No member shall serve more than two consecutive terms as either chair or co-chair.

(2) The chair shall:

- (a) Preside at all meetings.
 - (b) Be responsible for maintaining communication with the Council liaison and City staff assigned to the committee.
 - (c) Ensure that minutes are produced for each meeting if staff is not in attendance.
- (3) The vice chair shall exercise the duties of the chair in the chair's absence.

2.065 Staff Liaison.

The City Manager shall provide staff assistance to **citizen community** advisory groups when appropriate, feasible, and within budgetary limitations. The City Manager shall determine which department or staff person shall serve as liaison to each **citizen community** advisory group. The staff liaison provides professional guidance, continuity, insight into City policy, and coordinates with the chair to set the agenda, which is approved by the chair prior to the posting of the agenda, and adopted by the **citizen community** advisory group at the meeting. Staff shall sit with the **citizen community** advisory group and participate in all **citizen community** advisory group discussion, but staff shall not vote on matters. Staff will ensure that minutes are produced for each meeting that staff attends. The staff liaison supports the group as a whole and shall not do work at the request of individual members.

2.070 Removal.

(1) Removal by Council. Members of all **citizen community** advisory groups shall serve at the pleasure of the Council. The City Council, with or without cause, may by majority vote of the City Council at a regular meeting, remove any **citizen community** advisory group member prior to the expiration of the member's term. Written notice of removal to the affected member shall be provided. Removal shall be handled with respect and courtesy. If a member resigns or is removed, the Mayor shall appoint a replacement for the remainder of the term in accordance with Section 2.030(2).

Notwithstanding the above procedure, removal of a Planning Commissioner for misconduct or nonperformance of duty shall be governed by the procedures in ORS 227.030.

(a) "Misconduct" includes failure to declare a potential conflict of interest, conflict of interest, bias, or failure to comply with the West Linn Municipal Code, including Section 2.015, or any other West Linn policies or rules.

(b) "Non-performance of duty" occurs if a member has unexcused absences from three meetings within a calendar year.

(2) Removal Upon Recommendation of **Citizen Community** Advisory Group. A **citizen community** advisory group may recommend removal of one of its members to the City Council for misconduct or nonperformance of duty in accordance with subsection (1) of this section. The City Council shall act on a recommendation for removal of a member for misconduct or nonperformance at the next convenient opportunity.

2.075 ~~Citizen Community~~ Advisory Groups.

Establishment. The following ~~citizen community~~ advisory groups are established in accordance with the provisions of Sections 2.005 to 2.099:

- (1) ~~Citizens'~~ Budget Committee;
- (2) Economic Development Committee;
- (3) Historic Review Board;
- (4) Library Board;
- (5) Parks and Recreation Board;
- (6) Planning Commission;
- (7) Sustainability Advisory Board;
- (8) Transportation Advisory Board;
- (9) Utility Advisory Board;
- (10) Public Safety Advisory Board; and
- (11) Arts and Culture Commission.

2.085 ~~Citizens'~~ Budget Committee.

Appointments to the ~~Citizens'~~ Budget Committee shall be in accordance with ORS 294.414.

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder or the designee is authorized to correct any cross-references and any typographical errors.

SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 13th day of September, 2021, and duly PASSED and ADOPTED this _____ day of _____, 2021.

JULES WALTERS, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY



Agenda Bill 2020-09-13-04

Date Prepared: 08/30/2021

For Meeting Date: 09/13/2021

To: Jules Walters, Mayor
West Linn City Council

From: Daniel'le DeVoss, Public Works Associate Engineer

Through: Erich Lais, P.E. – Assistant City Engineer *EL*
Jerry Gabrielatos – City Manager *JG*

Subject: Bittner Street Sanitary Sewer Replacement (PW-21-06)

Purpose

Request Council approval of the Bittner Street Sanitary Sewer Replacement Project.

Question(s) for Council:

Should Council spend capital funds on replacing the structurally damaged sewer main located within private properties along Bittner Street with a new sewer main located within the City right of way?

Public Hearing Required:

None required.

Background & Discussion:

The existing sanitary sewer main is structurally damaged and located on private properties. This sewer replacement project generally consists of installing 632 linear feet of sanitary sewer main in Bittner Street and 400 feet of sanitary sewer service connections.

The project was advertised and bid in accordance with the West Linn Local Contracting Rules. A virtual bid opening was held on August 25th, 2021 at 4:00 P.M. with a total of eight bids received as indicated on the attached bid results form. Icon Construction and Development was the lowest, responsive and responsible bidder with a bid of \$194,224.00. The City has reviewed the bidder's work and has had positive previous experience with them and has determined that they are a qualified contractor. A project webpage has been created for the project which includes details about the project including contract specifications and detailed engineering plans.

Budget Impact:

\$194,224.00 to the Wastewater Fund. The bid is within the anticipated project budget.

Sustainability Impact:

Exfiltration from failing sewer mains can result in environmental contamination including soil and groundwater contamination with sulphate, chloride and nitrogen compounds. Groundwater and surface runoff may also leak into structurally damaged sewers, reducing the longevity of the infrastructure. Additionally, locating utilities within the roadway minimizes future disturbances to private property.

Council Goal/Priority:

Guiding Principal #0 (Core Services of West Linn City Government) as well as Guiding Principle #3 (Fiscal Sustainability).

Council Options:

1. Award the contract to the lowest, responsive and responsible bidder, Icon Construction and Development, or
2. Not award the project and defer planned pavement maintenance.

Staff Recommendation:

Approve the contract with Icon Construction and Development to ensure continuous improvement to the City's sewer system.

Potential Motion:

I move to authorize the City Manager to sign a contract with Icon Construction and Development in the amount of \$194,224.00 for the Bittner Street Sanitary Sewer Replacement project.

Attachments:

1. Bittner Street Sanitary Sewer Replacement Project Bid Results Form
2. Project Plans
3. <https://westlinnoregon.gov/publicworks/bittner-street-sanitary-sewer-replacement>

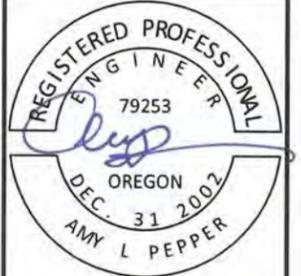
CITY OF WEST LINN

BITTNER STREET SANITARY SEWER REPLACEMENT

PW-21-06



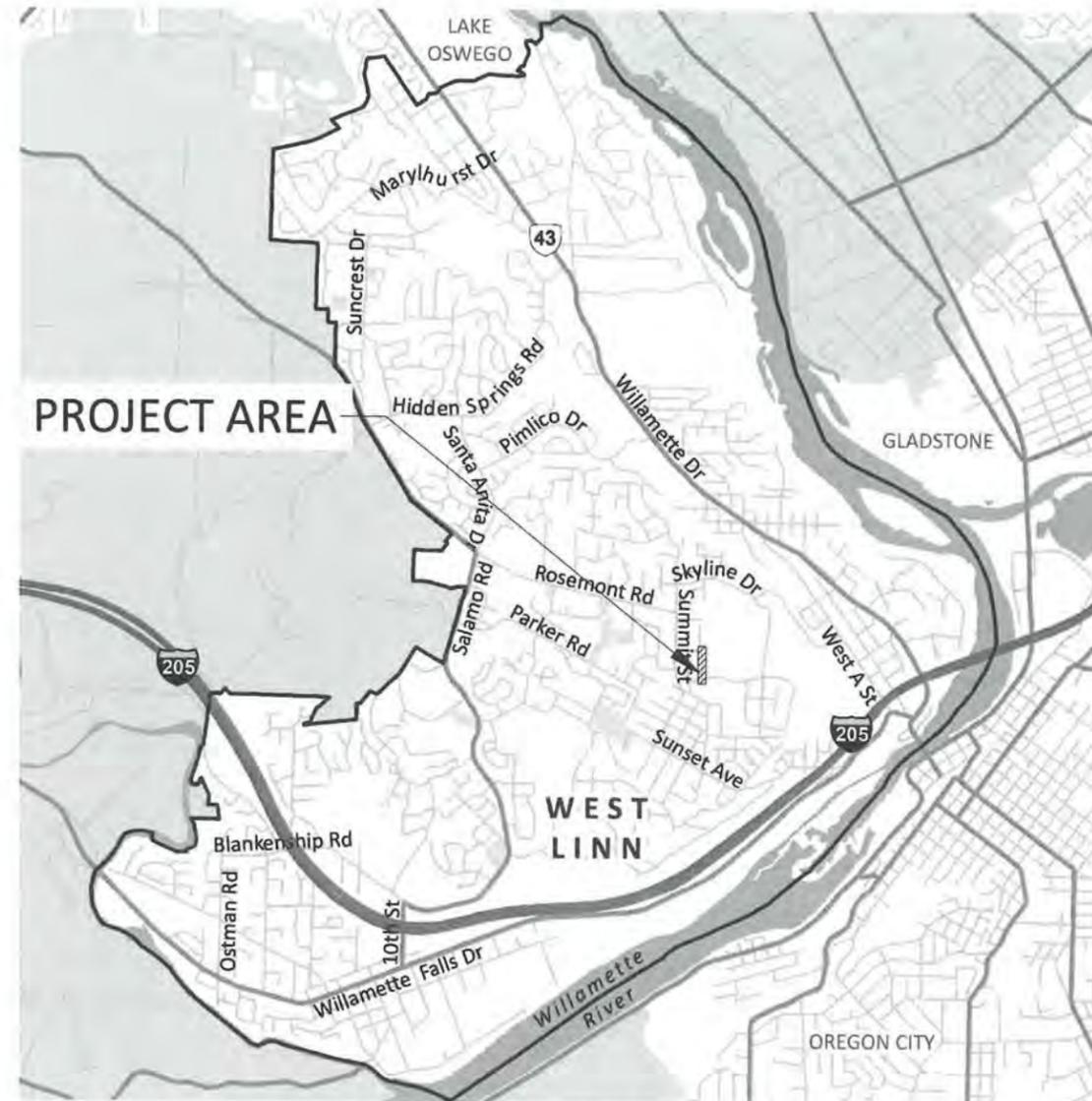
CITY OF WEST LINN
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 FAX: (503) 650-9041



EXPIRES: 12/31/2022

INDEX OF SHEETS

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7	TRENCH BACKFILL, BEDDING, PIPE ZONE CROSS SECTION	SD1
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VICINITY MAP
NOT TO SCALE

BITTNER STREET SANITARY SEWER REPLACEMENT

COVER SHEET

PROJECT DATA	
PROJECT NO.:	PW-21-06
DESIGNED BY:	DD
DRAWN BY:	DD
CHECKED BY:	APEPPER/LCALVERT
DATE:	JULY, 2021

REVISION	
DATE	DESCRIPTION



GENERAL NOTE
 All work within the public right-of-way shall conform to the current ODOT Oregon Standard Specifications for Construction

GIS BASE MAP INFORMATION
 Data Source: West Linn GIS
 OGIC Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

ATTENTION
 Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the center. (Note: the telephone number for the Oregon Utility Notification Center is (503) 232-1987).

SHEET NO.
CS
 1 OF 7

GENERAL NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT CITY OF WEST LINN'S PUBLIC WORKS STANDARDS. THE ODOT STANDARD SPECIFICATIONS FOR CONSTRUCTION WILL APPLY FOR MEASUREMENT AND PAYMENT.
- THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY OF WEST LINN REQUIREMENTS PRIOR TO ISSUANCE FOR CONSTRUCTION. HOWEVER, SUCH REVIEW SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTION OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF ANY LAW OR ORDINANCE.
- THE CITY ENGINEER DOES NOT WARRANT ANY QUANTITIES SHOWN ON THESE PLANS. QUANTITIES ARE ESTIMATES. UNIT PRICING TO BE USED FOR ALL CONSTRUCTION.
- THE ENGINEERING DIVISION, INSPECTION SECTION SHALL BE NOTIFIED TWENTY-FOUR (24) HOURS PRIOR TO ANY CONSTRUCTION WORK BY TELEPHONE AT 503-722-5500. ANY WORK CONCEALED WITHOUT INSPECTION SHALL BE SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.
- AN APPROVED SET OF PLANS MUST BE AVAILABLE ON THE JOB SITE AT ALL TIMES. THE CONTRACTOR'S REPRESENTATIVE SHALL BE ON THE JOB AT ALL TIMES THE WORK IS BEING PURSUED.
- THE CONTRACTOR IS RESPONSIBLE TO PROVIDE EMERGENCY TELEPHONE NUMBERS TO THE CITY OF WEST LINN AT TIME OF RECEIVING PROJECT NOTICE TO PROCEED AND HAVE PERSONNEL AVAILABLE 24-HOURS A DAY TO RESPOND TO EMERGENCIES. IF THE CITY IS REQUIRED TO RESPOND AND MAKE EMERGENCY REPAIRS ON BEHALF OF THE CONTRACTOR, THE CONTRACTOR IS RESPONSIBLE TO REIMBURSE THE CITY FOR ALL COSTS INCURRED.
- IT IS UNDERSTOOD THAT THERE WILL BE INTERFERING UTILITIES, SERVICE LATERALS, AND OTHER UNDERGROUND PIPES, DRAINS OR STRUCTURES ENCOUNTERED ON UNDERGROUND PROJECTS THAT ARE NOT SHOWN OR ARE SHOWN INCORRECTLY ON THE PLANS AND/OR HAVE NOT BEEN PREVIOUSLY DISCOVERED IN THE FIELD. CONTRACTOR AGREES THIS IS A NORMAL AND USUAL OCCURRENCE IN THE CONSTRUCTION OF UNDERGROUND IMPROVEMENTS. FURTHERMORE, BIDDERS UNDERSTAND AND AGREE THAT WORK IN SOME CASES MUST BE DONE IN CLOSE PROXIMITY TO SAID UTILITIES AND UNDERGROUND PIPES, DRAINS, AND STRUCTURES WHICH MAY REQUIRE A CHANGE IN OPERATIONS AND MAY CAUSE SLOUGHING OF THE TRENCH, ADDITIONAL TRAFFIC CONTROL, ADDITIONAL PAVEMENT AND BACKFILL COSTS, AND TIME. THE CONTRACTOR AGREES THAT A REASONABLE NUMBER OF THESE OCCURRENCES ARE USUAL AND ORDINARY ON UNDERGROUND PROJECTS AND ARE REFLECTED IN THE BID AND PLAN OF OPERATION.
- THE CONTRACTOR SHALL POTHOLE AND VERIFY LOCATIONS, ELEVATIONS, TYPES AND SIZES OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTING NEW PIPING FAR ENOUGH IN ADVANCE TO ALLOW NECESSARY ADJUSTMENTS IN GRADE AND SHALL NOTIFY ENGINEER OF NEED TO ADJUST PIPING INSTALLATION ACCORDINGLY. POTHOLING SHALL SUFFICIENTLY PRECEDE LAYING OF PIPE TO ALLOW REQUIRED ELEVATION ADJUSTMENTS TO BE ACCOMPLISHED WITHOUT REWORK. ELEVATION ADJUSTMENTS SHALL BE EXPECTED AND ARE INCIDENTAL TO THE WORK..
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ANY AND ALL OTHER PERMITS AND MEET ANY REQUIREMENTS SET FORTH BY OTHER AGENCIES OR UTILITIES WHICH HAVE JURISDICTION AT THE CONTRACTORS EXPENSE.
- LOCATIONS OF EXISTING UTILITIES ARE BASED ON INFORMATION SUPPLIED BY THE UTILITIES AND CONSIDERED APPROXIMATE ONLY. AS REQUIRED BY STATE LAW, THE CONTRACTOR SHALL OBTAIN UTILITY LOCATES PRIOR TO COMMENCING CONSTRUCTION, CONTACT UTILITIES PRIOR TO CONSTRUCTION AND COMPLY WITH PROVISIONS OF ORS 757.542 TO 757.562.

UTILITY PROVIDERS			
WATER/STORM/SANITARY	CITY OF WEST LINN	PUBLIC WORKS	503-656-6081
POWER/LIGHTS	PGE	ROSS CICHOSZ	503-669-3331
GAS	NW NATURAL	RICHARD GIRARD	503-226-4211 X 2967
CATV	COMCAST	MATTHEW BRAVO	503-351-9311
PHONE	CENTURYLINK (LUMEN)	DAVID DODD	503-242-8849

TRAFFIC CONTROL GENERAL NOTES:

- ROAD CLOSURES ARE NOT ALLOWED WITHOUT CITY ENGINEER'S PRIOR APPROVAL AS DELEGATED BY THE CITY MANAGER.
- TRAFFIC CONTROL SHALL CONFORM TO THE ODOT TEMPORARY TRAFFIC CONTROL HANDBOOK AND MUTCD. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE CITY OF WEST LINN ENGINEERING DIVISION FOR REVIEW AND ACCEPTANCE A MINIMUM OF 48-HOURS PRIOR TO CONSTRUCTION. A COPY OF THE ACCEPTED TRAFFIC CONTROL PLAN MUST REMAIN ON THE JOB SITE AT ALL TIMES.
- MAINTAIN VEHICULAR, BICYCLE, PEDESTRIAN, BUS, AND EMERGENCY VEHICLE ACCESS TO AREA HOMES AND SCHOOL THROUGHOUT CONSTRUCTION.

CONSTRUCTION NOTES:

- CONTRACTOR SHALL PROVIDE EROSION CONTROL BEST MANAGEMENT PRACTICES PER CITY OF WEST LINN STANDARDS. PROVIDE CATCH BASIN PROTECTION AND CONTINUAL SWEEPING SO THAT NO MUD, SEDIMENT, OR ROCK IS LEFT ON THE STREETS.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION SURVEYING AND CONSTRUCTION STAKING FOR THE PROJECT.
- HYDRANT METER LOCATIONS SHALL BE COORDINATED WITH THE CITY WATER OPERATIONS SUPERVISOR FOR CONSTRUCTION WATER.
- CONTRACTOR SHALL PROVIDE INGRESS AND EGRESS TO RESIDENTIAL DRIVEWAYS WITH LIMITED DELAY.
- NO VEHICLE SHALL BE PERMITTED TO WORK ON THIS PROJECT THAT HAS MORE THAN ONE (1) DROP AXLE IN WHICH RAISING THE ADDITIONAL AXLES WOULD CAUSE THE VEHICLE TO EXCEED LEGAL LOAD LIMITS. THIS INCLUDES A REAR TAG AXLE.
- WORKING HOURS: 7:00 AM - 7:00 PM MONDAY - FRIDAY
9:00 AM - 5:00 PM SATURDAY - SUNDAY & FEDERAL HOLIDAYS

SANITARY CONSTRUCTION NOTES:

- PIPE SHALL BE PVC SEWER PIPE CONFORMING TO ASTM D-3034 SDR 35. MINIMUM STIFFNESS SHALL BE 46 PSI AND JOINT TYPE SHALL BE ELASTOMERIC GASKET CONFORMING TO ASTM D-3212.
- MANHOLE BASE SHALL BE POURED IN PLACE CONCRETE BASE WITH A MINIMUM COMPRESSIVE STRENGTH OF 3300 PSI OR PRECAST. MANHOLE RISERS AND TOPS SHALL BE PRECAST SECTIONS WITH MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI. TOPS SHALL BE ECCENTRIC CONES EXCEPT WHERE INSUFFICIENT HEADROOM REQUIRES FLAT TOPS. INVERTS SHALL BE CONSTRUCTED SO AS TO PROVIDE SMOOTH FLOW-THROUGH CHARACTERISTICS AND CHANNELS MUST BE ABLE TO PASS A 7"X30" CYLINDER INTO PIPES. PVC SHALL BE CONNECTED TO MANHOLE BY MEANS OF FLEXIBLE CONNECTION AND SHALL HAVE A SHEAR JOINT LOCATED 18" OUTSIDE OF MANHOLE. CEMENT GROUT FOR CONNECTING PVC SEWER PIPE TO MANHOLE WILL NOT BE PERMITTED. SEE OREGON STANDARD DRAWING RD340.
- CLEANOUT PIPE, FITTINGS, AND JOINTS SHALL BE THE SAME SPECIFICATIONS AS FOR PIPE.
- GRANULAR BACKFILL (3/4"-0) IS TO BE COMPACTED TO 95% MAXIMUM DRY DENSITY PER AASHTO T-180 TEST METHOD AND NATIVE MATERIAL SHALL BE COMPACTED TO 95% OF IN-PLACE DRY DENSITY OF SURROUNDING SOIL. EXCAVATION,

BEDDING, AND BACKFILL SHALL BE IN ACCORDANCE WITH DIVISION 204 OF THE CITY OF WEST LINN STANDARD CONSTRUCTION SPECIFICATIONS.

- PVC SERVICE LATERALS SHALL BE 4" PIPE CONFORMING TO THE SAME SPECIFICATIONS AS THE SEWER MAINS. THE SERVICE LATERAL SHALL BE PLUGGED WITH A 4" RUBBER RING PLUG.
- SANITARY SEWER PIPE AND APPURTENANCES SHALL BE TESTED FOR LEAKAGE IN ACCORDANCE WITH WEST LINN STANDARD CONSTRUCTION SPECIFICATIONS DIVISION 302.03.07. ALL TESTS SHALL BE WITNESSED BY THE CITY OF WEST LINN CONSTRUCTION INSPECTOR. CONTRACTOR IS RESPONSIBLE FOR COORDINATING TESTING SO THAT ALL TESTS SHALL BE PASSED AND NEW NEW LINE SHALL BE ACCEPTED PRIOR TO CONNECTION TO EXISTING SYSTEM.
- INSTALL PIPE TRACER WIRES IN MANHOLE PER ODOT DETAIL RD 336.
- A PLUMBING PERMIT FROM THE CITY OF WEST LINN BUILDING DEPARTMENT IS REQUIRED FOR SANITARY SEWER LATERALS OUTSIDE THE RIGHT OF WAY. CITY WILL PAY PLUMBING PERMIT FEES.
- A BACKWATER VALVE MAY BE REQUIRED BY THE PLUMBING INSPECTOR DEPENDING ON SITE CIRCUMSTANCES (E.G. IF NEAREST DOWNSTREAM MANHOLE COVER IS ABOVE ELEVATION OF HOME).
- WHERE SEWER LATERALS ARE TO CROSS UNDER NEW CURB CONSTRUCTION, AN "S" SHALL BE STAMPED ON TOP OF THE CURB, DIRECTLY ABOVE THE SEWER LATERAL.
- ALL MATERIALS, INSTALLATION, TESTS, AND INSPECTIONS TO BE MADE IN STRICT ACCORDANCE WITH CITY OF WEST LINN PUBLIC WORKS STANDARD CONSTRUCTION SPECIFICATIONS.

ADDITIONAL NOTES:

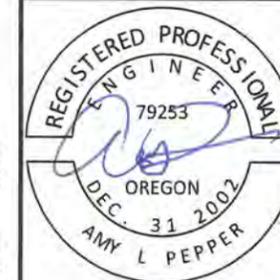
- CONTRACTOR TO PROVIDE DETAILED AS-BUILT SITE PLAN SHOWING EXACT LOCATIONS, DIMENSIONS, DEPTHS, AND BENDS.
- DAMAGED OR DISTURBED SIDEWALK AND DRIVEWAY PANELS SHALL BE REPLACED AS WHOLE PANELS, NO PARTIAL REPAIRS.
- REMOVED AND REPLACED CURB SECTIONS CANNOT BE SMALLER THAN 3' AND MUST HAVE STRAIGHT SAWCUT CONNECTIONS. PERPENDICULAR AND PARALLEL DOWELING REQUIRED.
- CONCRETE SHALL BE STANDARD GREY, COMMERCIALLY MIXED, AND BE A MINIMUM 3,500 PSI AFTER 28 DAYS.

LEGEND

	WATER LINE
	STORM DRAIN
	NEW SEWER LINE
	EXISTING SEWER LINE
	ASPHALT SAWCUTTING
	SEWER MANHOLE
	WATER METER
	CATCH BASIN
	HYDRANT
	WATER VALVE



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EXPIRES: 12/31/2022

BITTNER STREET SANITARY
SEWER REPLACEMENT

GENERAL NOTES

PROJECT DATA	
PROJECT NO.:	PW-21-06
DESIGNED BY:	DD
DRAWN BY:	DD
CHECKED BY:	APEPPER/LCALVERT
DATE:	JULY, 2021

REVISION	
DATE	DESCRIPTION

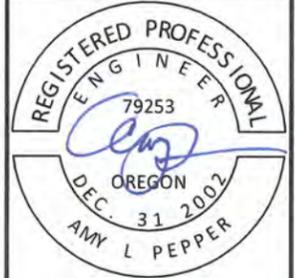
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EXPIRES: 12/31/2022

QUANTITIES

BID ITEM	ODOT SPECIFICATION #	DESCRIPTION	UNIT	QUANTITY
1	00210.90	MOBILIZATION	LS	1
2	00225.90(a)(2)	TEMPORARY WORK ZONE TRAFFIC CONTROL	LS	1
3	00280.90(a)	EROSION CONTROL	LS	1
4	SP-1	CONSTRUCTION SURVEY AND AS-BUILT DRAWINGS	LS	1
5	SP-2	REMOVAL/REPLACEMENT OF HARDSCAPE	LS	1
6	00310.92(b)	REMOVAL OF CURBS	LF	9
7	00310.92(c)	REMOVAL OF WALKS AND DRIVEWAYS (CONCRETE)	SY	73
8	310.92(f)	REMOVAL OF MANHOLES	EA	2
9	00310.92(g)	ASPHALT PAVEMENT SAW CUTTING	LF	1504
10	00495.90	TRENCH RESURFACING	SY	308
11	00445.91(a)	4" ASTM D3034 PVC PIPE	FT	400
12	00445.91(a)	8" ASTM D3034 PVC PIPE	FT	632
13	00445.91(c)	PIPE TEES, 10 INCH	EA	1
14	00470.90(a)	CONCRETE SANITARY SEWER MANHOLES	EA	4
15	00490.90(d)	ADJUSTING BOXES	EA	1
16	00490.90(g)	CONNECTION TO EXISTING STRUCTURES	EA	1
17	00490.90(h)	FILLING ABANDONED STRUCTURES	EA	3

BITTNER STREET SANITARY
 SEWER REPLACEMENT
 QUANTITIES

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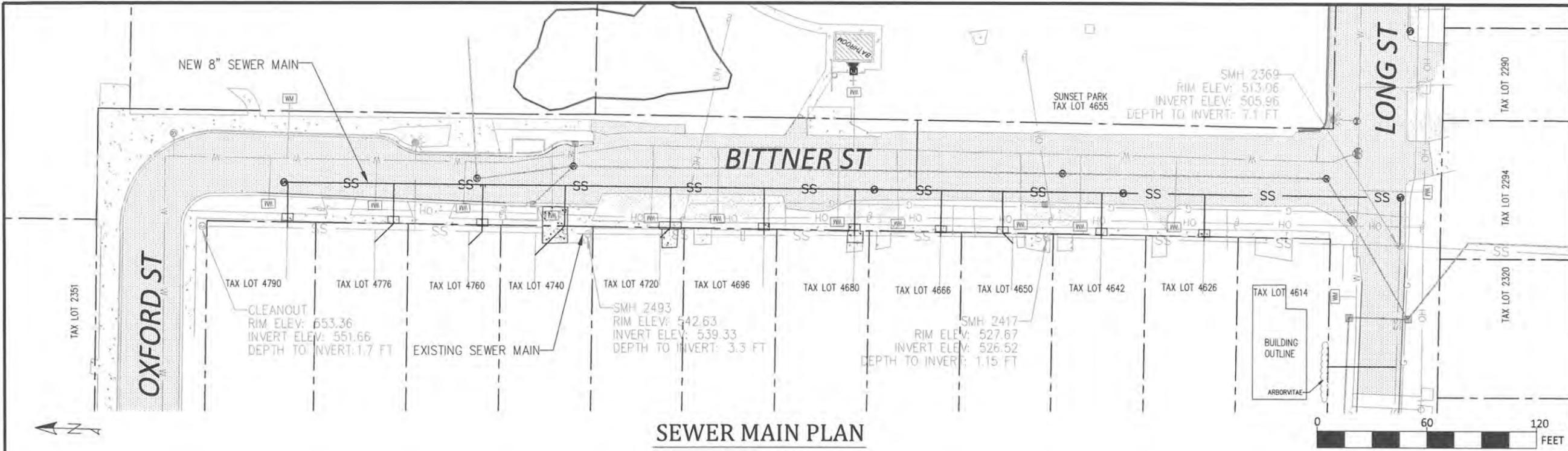
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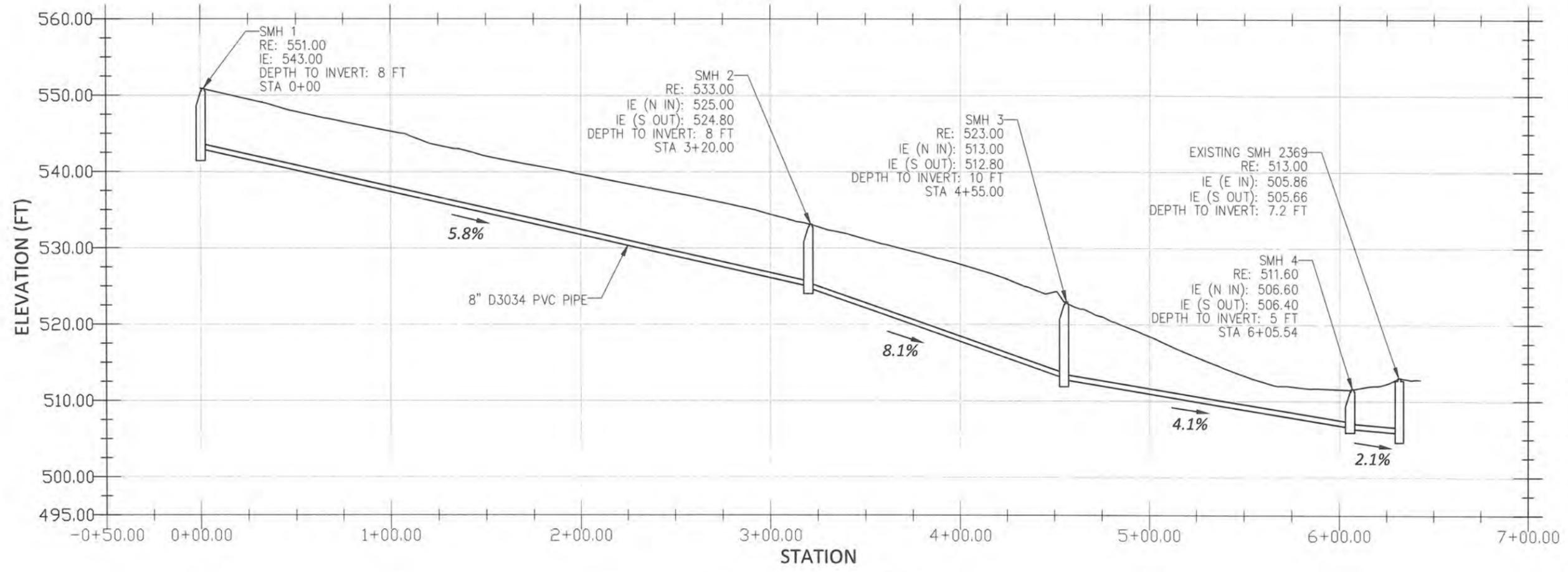


EXPIRES: 12/31/2022



SEWER MAIN PLAN

1" = 60'



SEWER MAIN PROFILE

H: 1" = 60' V: 1" = 15'

BITTNER STREET SANITARY
 SEWER REPLACEMENT
 PROJECT OVERVIEW

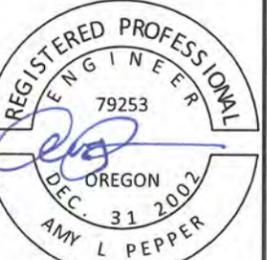
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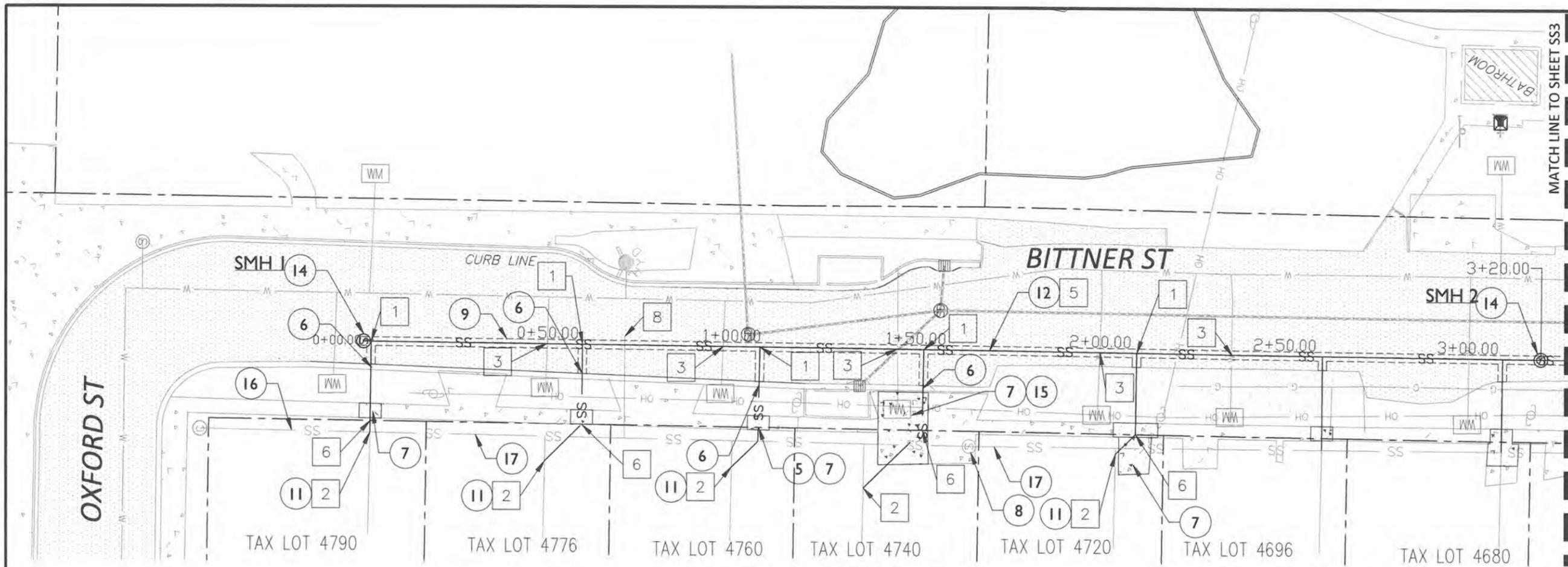
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CITY OF WEST LINN
 22500 SALAMO ROAD
 WEST LINN, OREGON 97068
 WWW.WESTLINNOREGON.GOV
 PHONE: (503) 567-0331
 FAX: (503) 650-9041

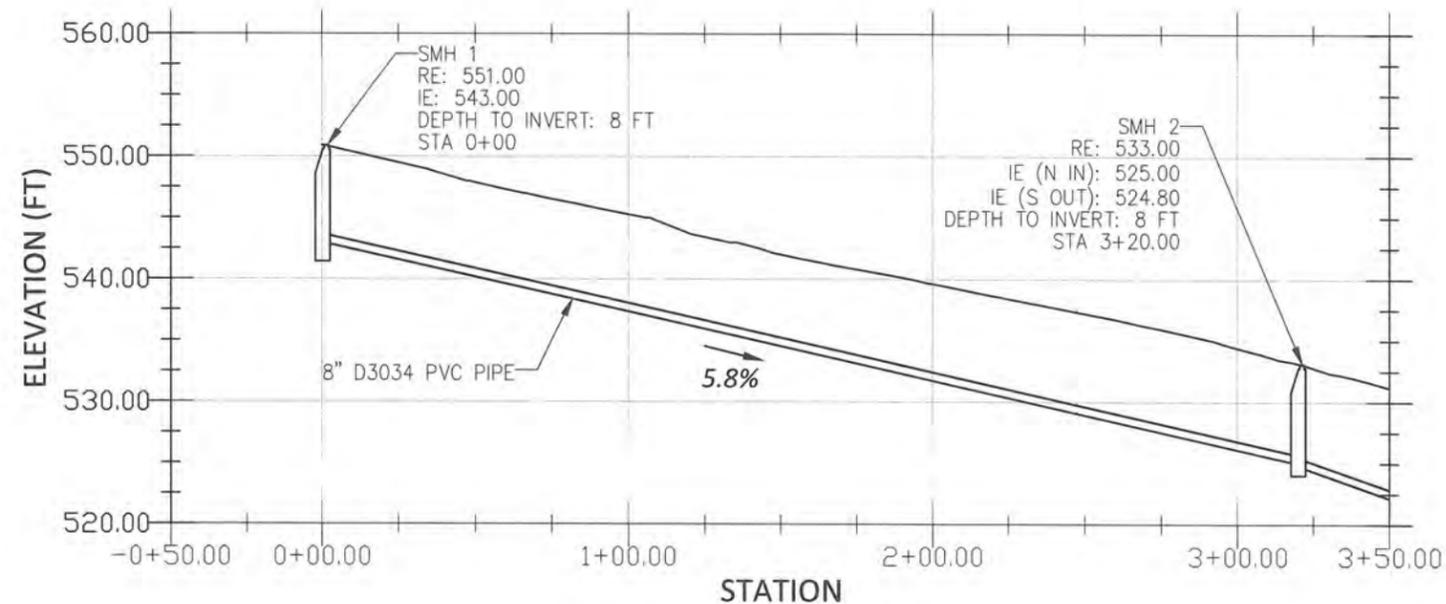


EXPIRES: 12/31/2022



SEWER MAIN PLAN

1" = 30'



SEWER MAIN PROFILE

H: 1" = 60' V: 1" = 15'

- # ITEM NOTES**
- 5 REMOVAL/REPLACEMENT OF HARDSCAPE
 - 6 REMOVAL OF CURBS
 - 7 REMOVAL OF WALKS AND DRIVEWAYS
 - 8 REMOVAL OF MANHOLES
 - 9 ASPHALT PAVEMENT SAW CUTTING
 - 10 TRENCH RESURFACING
 - 11 4" D3034 PVC PIPE
 - 12 8" D3034 PVC PIPE
 - 14 CONCRETE SANITARY SEWER MANHOLES
 - 15 ADJUSTING BOXES
 - 17 FILLING ABANDONED STRUCTURES

- # OTHER NOTES**
- 1 CONNECT NEW SERVICE LATERAL TO NEW SEWER MAIN PER WL-RD341
 - 2 CONNECT NEW SERVICE LATERAL TO EXISTING SERVICE LATERAL
 - 3 PROTECT EXISTING WATER LINE
 - 4 PROTECT EXISTING GAS LINE
 - 5 INSTALL TRACER WIRE PER ODOT STANDARD DRAWING RD 336
 - 6 INSTALL TEST TEE AT RIGHT-OF-WAY LINE
 - 8 EXISTING SERVICE, VERIFY IF INACTIVE IN FIELD

BITTNER STREET SANITARY SEWER REPLACEMENT

STA 0+00 to 3+25

PROJECT DATA	
PROJECT NO.:	PW-21-06
DESIGNED BY:	DD
DRAWN BY:	DD
CHECKED BY:	APEPPER/LCALVERT
DATE:	JULY, 2021

REVISION	
DATE	DESCRIPTION



EXPIRES: 12/31/2022

**BITTNER STREET SANITARY
SEWER REPLACEMENT**

STA 3+25 TO END

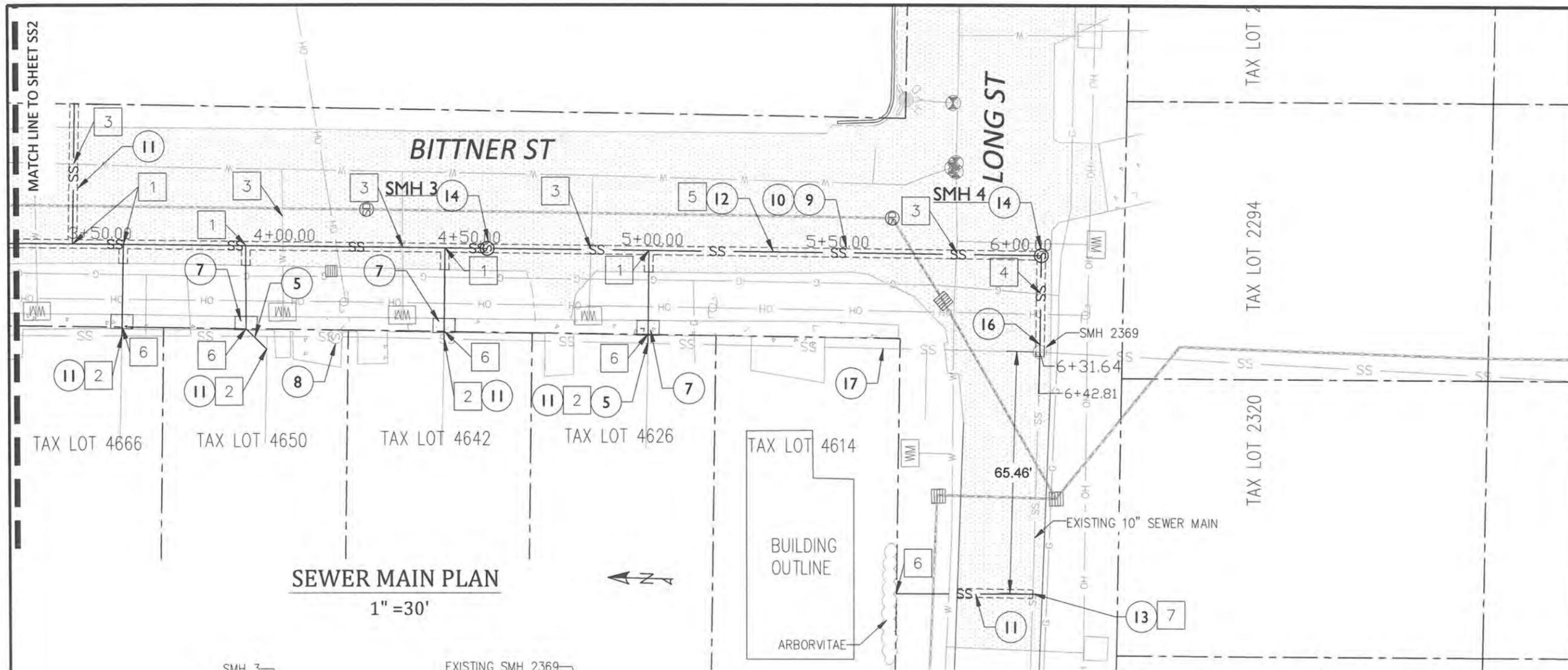
PROJECT DATA	
PROJECT NO.:	PW-21-06
DESIGNED BY:	DD
DRAWN BY:	DD
CHECKED BY:	APEPPER/LCALVERT
DATE:	JULY, 2021

REVISION	
DATE	DESCRIPTION

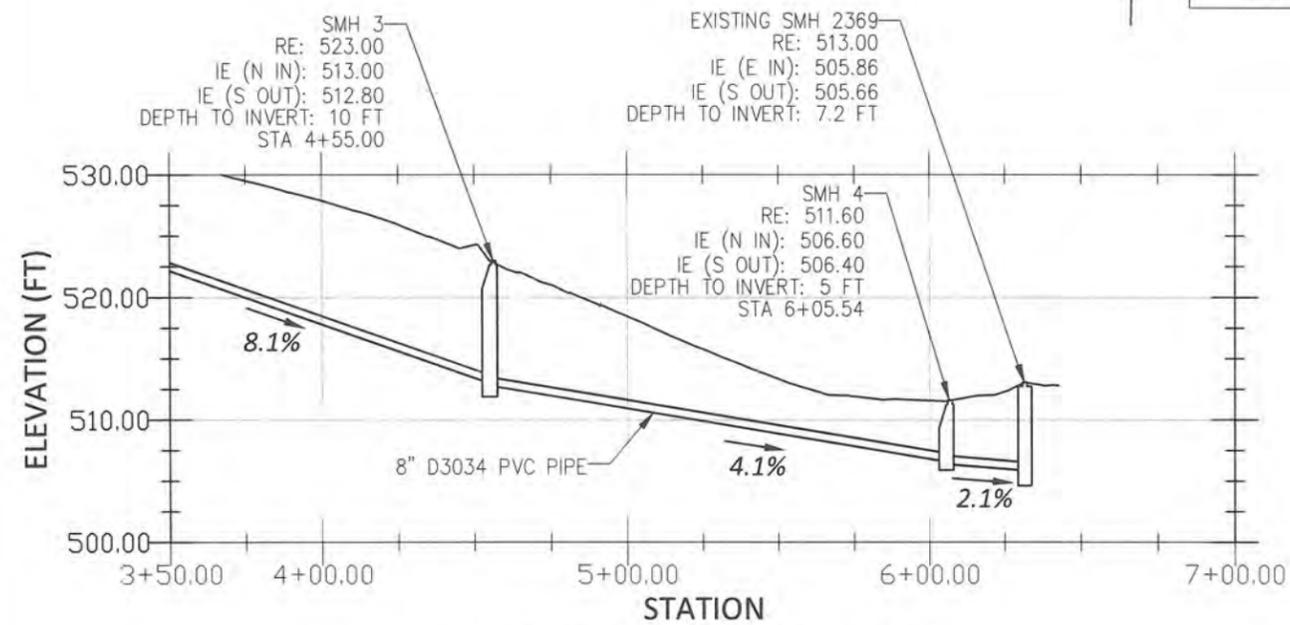
SHEET NO.

SS3

6 OF 7



SEWER MAIN PLAN
1" = 30'



SEWER MAIN PROFILE
H: 1" = 60' V: 1" = 15'

ITEM NOTES

- 5 REMOVAL/REPLACEMENT OF HARDSCAPE
- 6 REMOVAL OF CURBS
- 7 REMOVAL OF WALKS AND DRIVEWAYS
- 8 REMOVAL OF MANHOLES
- 9 ASPHALT PAVEMENT SAW CUTTING
- 10 TRENCH RESURFACING
- 11 4" D3034 PVC PIPE
- 12 8" D3034 PVC PIPE
- 13 PIPE TEES, 10 INCH
- 14 CONCRETE SANITARY SEWER MANHOLES
- 16 CONNECTION TO EXISTING STRUCTURES
- 17 FILLING ABANDONED STRUCTURES

OTHER NOTES

- 1 CONNECT NEW SERVICE LATERAL TO NEW SEWER MAIN PER WL-RD341
- 2 CONNECT NEW SERVICE LATERAL TO EXISTING SERVICE LATERAL
- 3 PROTECT EXISTING WATER LINE
- 4 PROTECT EXISTING GAS LINE
- 5 INSTALL TRACER WIRE PER ODOT STANDARD DRAWING RD 336
- 6 INSTALL TEST TEE AT RIGHT-OF-WAY LINE
- 7 CONNECT NEW SERVICE LATERAL TO EXISTING 10 INCH SEWER MAIN



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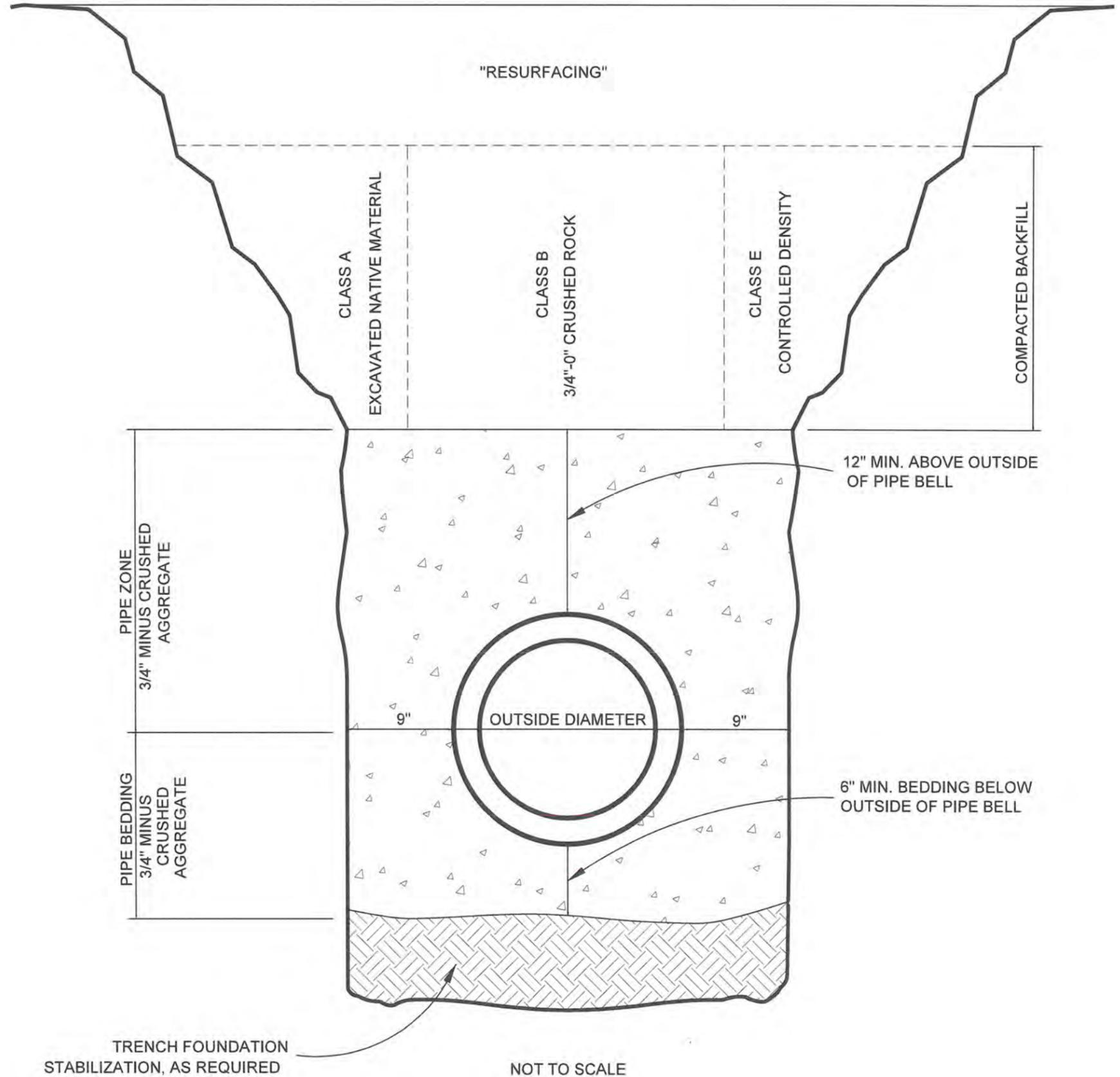
EXPIRES: 12/31/2022

**BITTNER STREET SANITARY
 SEWER REPLACEMENT
 TRENCH BACKFILL, BEDDING,
 PIPE ZONE CROSS SECTION**

PROJECT DATA	
PROJECT NO.:	PW-21-06
DESIGNED BY:	DD
DRAWN BY:	DD
CHECKED BY:	APEPPER/LCALVERT
DATE:	JULY, 2021

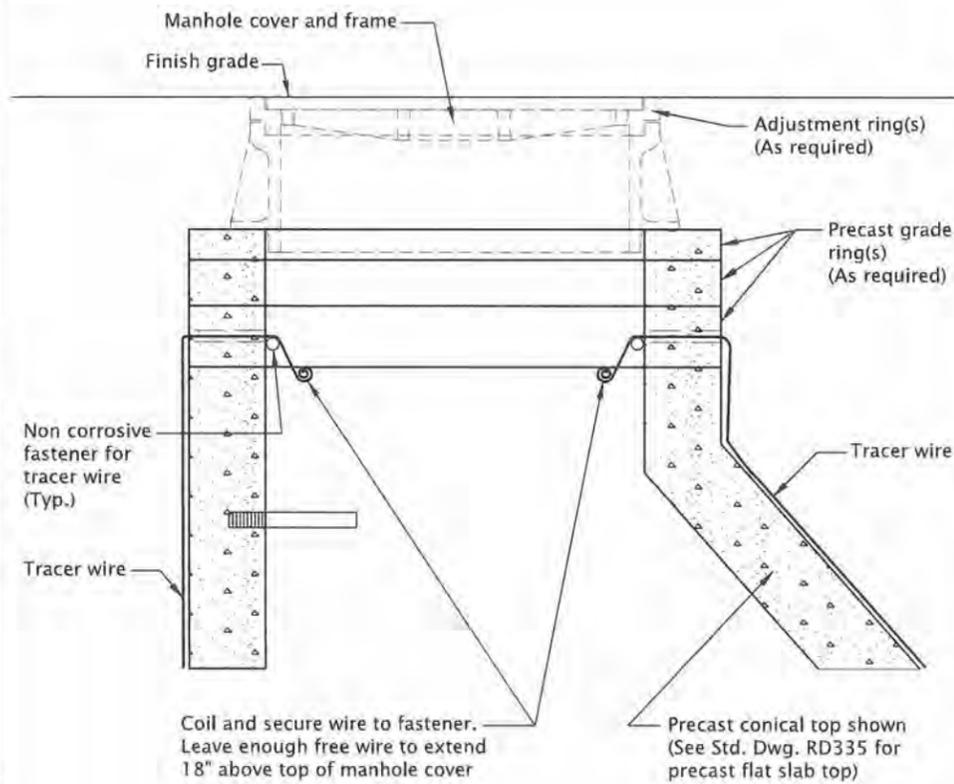
REVISION	
DATE	DESCRIPTION

SHEET NO.
SD1
 7 OF 7

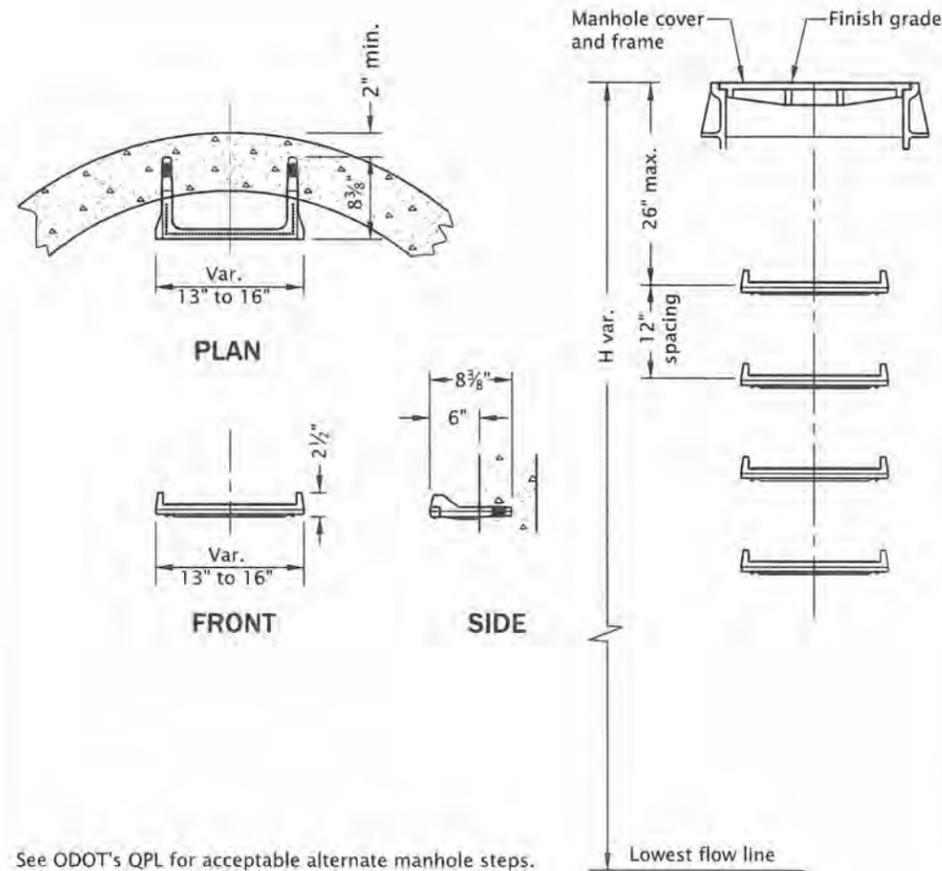


TRENCH FOUNDATION STABILIZATION, AS REQUIRED
 NOT TO SCALE

rd3336.dgn 20-JUL-2020

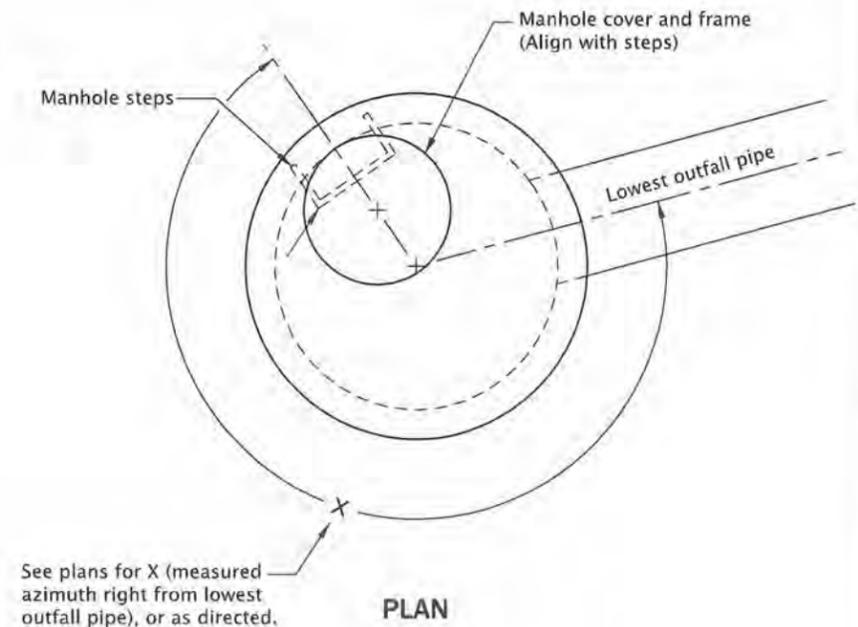


**DETAIL "A"
TRACER WIRE**
(See general note 6)



See ODOT's QPL for acceptable alternate manhole steps.
NOTE: No conflict with pipe align with available shelf.

**DETAIL "B"
MANHOLE STEPS**
(See general note 7)



**DETAIL "C"
PRECAST CONICAL TOP
OR
PRECAST FLAT SLAB TOP
AND MANHOLE STEPS ORIENTATION**
(See general note 7)

GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

1. All precast products shall conform to requirements of ASTM C478.
2. Standard precast manhole section diameter shall be 48". Use 42" if specified by the Engineer.
3. See Std. Dwg. RD345 for pipe to manhole connections.
4. See Std. Dwg. RD344 for manhole base section.
5. Adjust 24" maximum.
6. All connecting pipes shall have a tracer wire, or approved alternate. Place tracer wire directly over pipe centerline and on top of the pipe zone material.

7. Steps shall conform to requirements of ASTM C478. When H=42" or less omit steps. See Detail "C" for alignment of steps, and manhole cover and frame.
8. See Std. Dwg. RD335 for details not shown.
9. See Std. Dwg. RD356 for manhole covers and frames, manhole adjustment rings, etc.
10. Max. pipe diameter varies with pipe material.
11. See Std. Dwg. RD342 for shallow manholes.
12. See project plans for details not shown.

CALC. BOOK NO. N/A

SDR DATE 16-JAN-2019

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

**OREGON STANDARD DRAWINGS
STANDARD MANHOLE DETAILS**

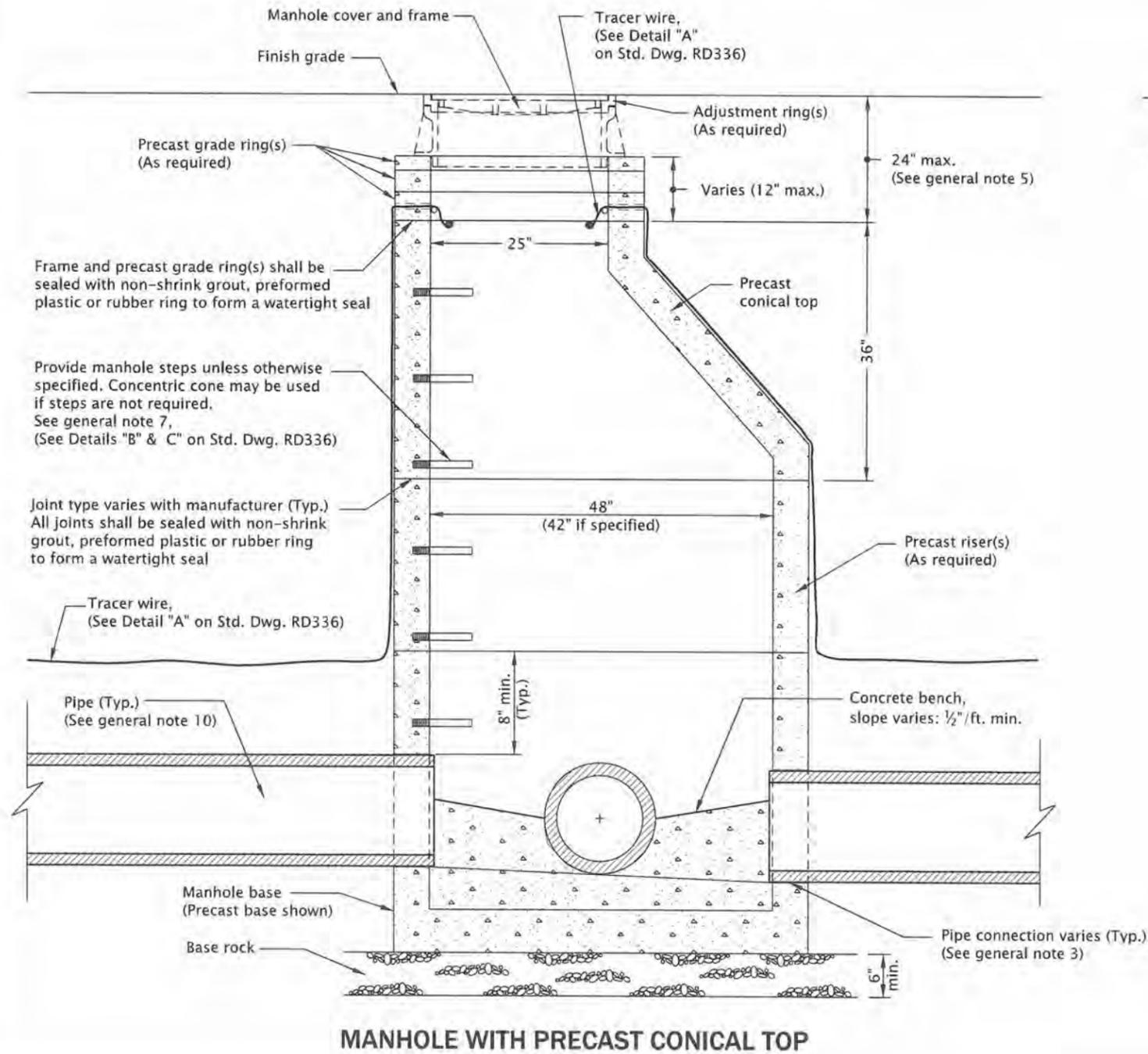
2021

DATE	REVISION DESCRIPTION

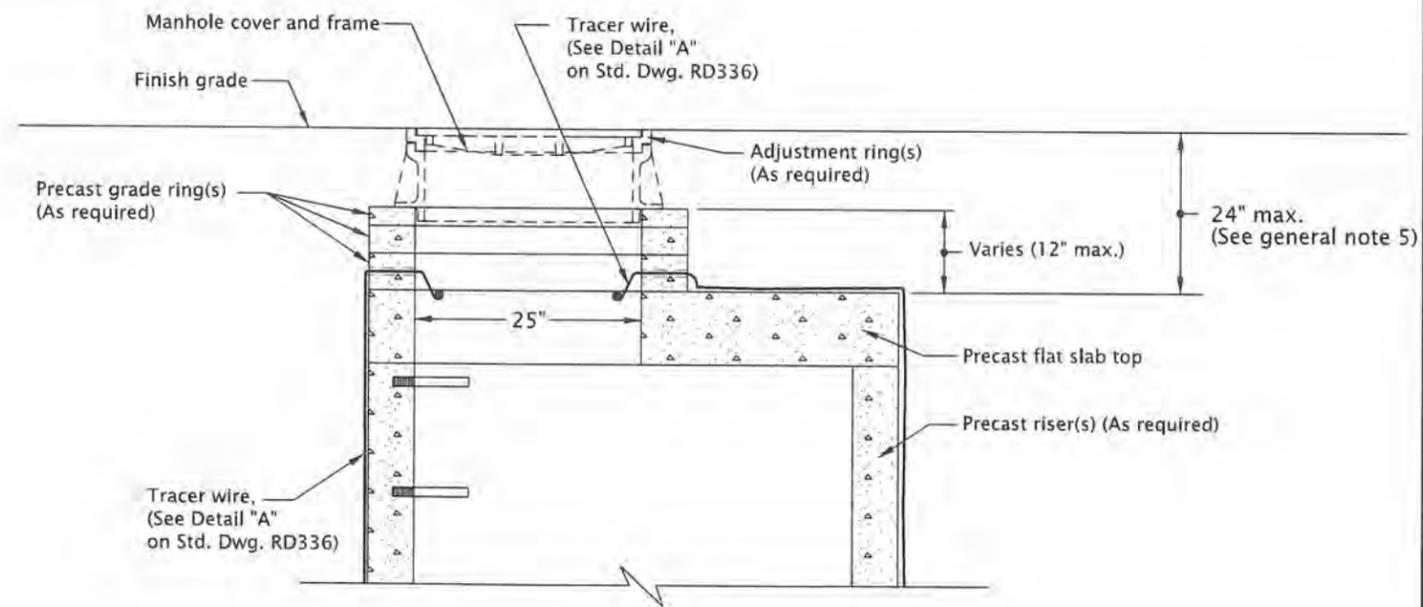
The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

RD336

rd338.dgn 20-JUL-2020



MANHOLE WITH PRECAST CONICAL TOP



MANHOLE WITH PRECAST FLAT SLAB TOP

GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

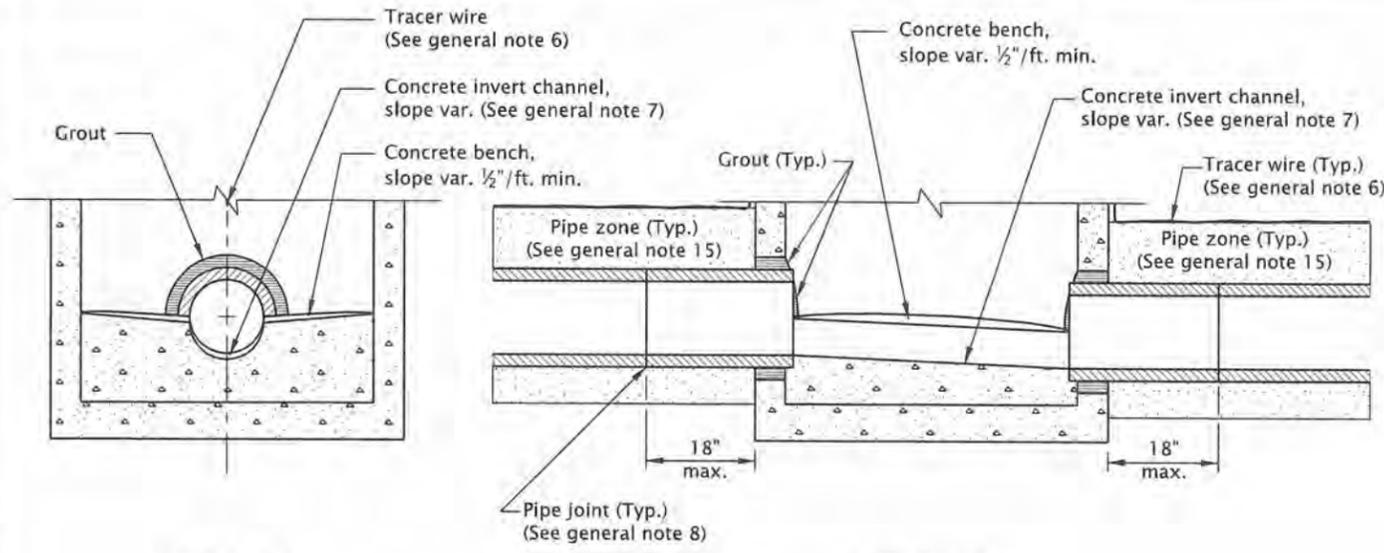
- | | |
|---|---|
| <ol style="list-style-type: none"> 1. All precast products shall conform to requirements of ASTM C478. 2. Standard precast manhole section diameter shall be 48". Use 42" if specified by the Engineer. 3. See Std. Dwg. RD345 for pipe to manhole connections. 4. See Std. Dwg. RD344 for manhole base section. 5. Adjust 24" maximum. 6. All connecting pipes shall have a tracer wire, or approved alternate. 7. See Std. Dwg. RD336 for manhole steps. | <ol style="list-style-type: none"> 8. See Std. Dwg. RD336 for details not shown. 9. See Std. Dwg. RD356 for manhole covers and frames, manhole adjustment rings, etc. 10. Max. pipe diameter varies with pipe material. 11. See Std. Dwg. RD342 for shallow manholes. 12. Location, elevation, diameter, slope, and number of pipe(s) varies, see project plans. 13. This detail limited to interior drop of 24". See Std. Dwg. RD350 or RD352 for drop manhole details for drops in excess of 24". |
|---|---|

CALC. BOOK NO. <u>N/A</u>	SDR DATE <u>21-JUN-2019</u>
NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications	
OREGON STANDARD DRAWINGS	
STANDARD SANITARY SEWER MANHOLE	
2021	
DATE	REVISION DESCRIPTION

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

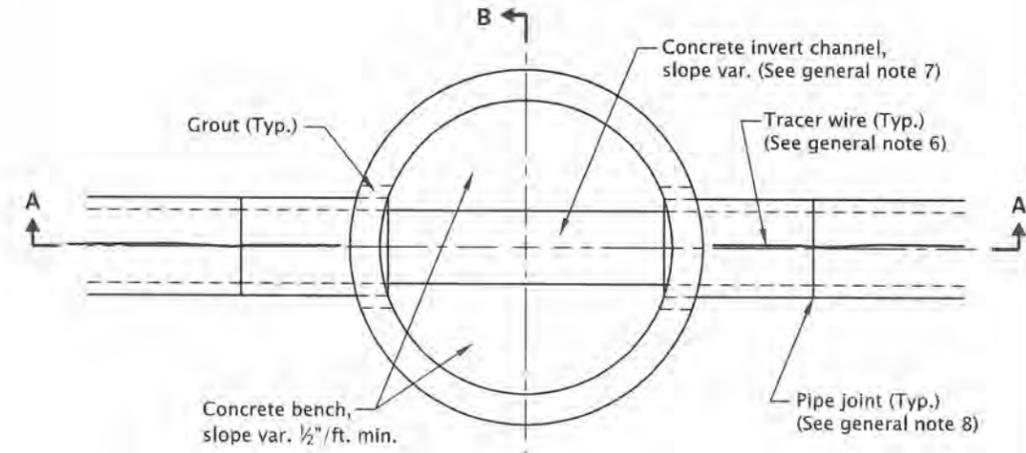
RD338

rd345.dgn 20-JUL-2020



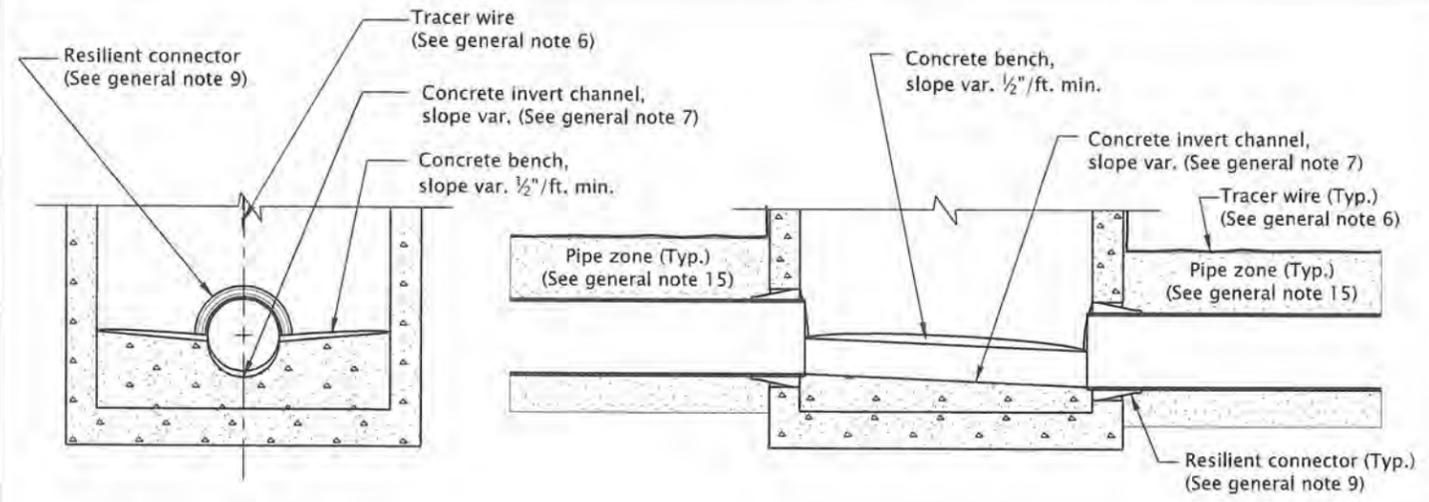
SECTION B-B

SECTION A-A



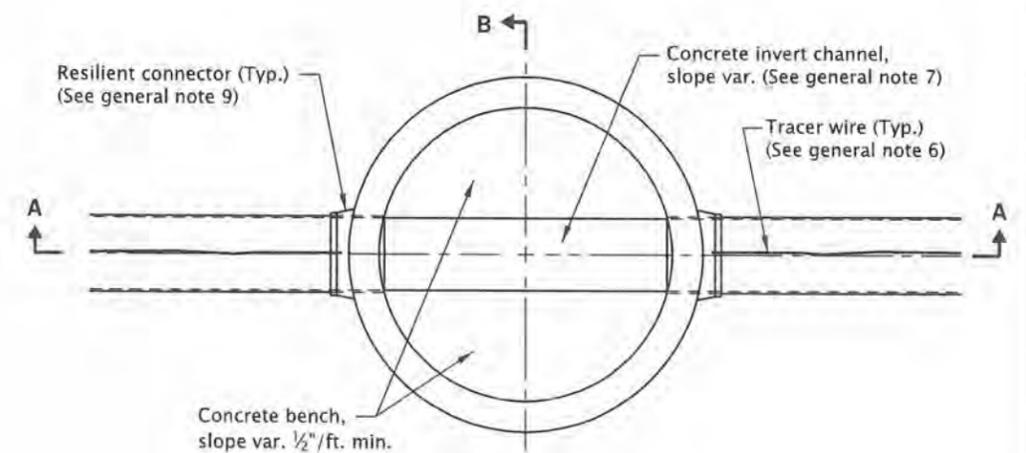
PLAN

CONNECTION OF RIGID PIPE TO MANHOLE



SECTION B-B

SECTION A-A



PLAN

CONNECTION OF FLEXIBLE PIPE TO MANHOLE

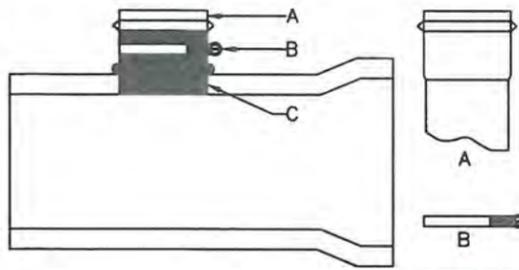
GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

1. All precast sections shall conform to requirements of ASTM C478.
2. Manhole base sections may be precast or cast-in-place.
3. All concrete shall be commercial grade concrete.
4. Location, elevation, diameter, slope, and number of pipe(s) varies, see project plans.
5. Max. pipe diameter varies with pipe material.
6. All connecting pipes shall have a tracer wire, or approved alternate. See Std. Dwg. RD336 for tracer wire details.
7. Invert channels shall be constructed to provide smooth slopes and radii to outlet pipe.
8. When rigid pipe is used, the connecting pipe shall have a flexible, gasketted and unrestrained joint within 18" of manhole wall. Joint type varies with manufacturer.
9. When flexible pipe is used, install resilient connectors conforming to requirements of ASTM C923.
10. See Std. Dwgs. RD335, RD336, and RD338 for details not shown.
11. See Std. Dwg. RD336 for manhole steps details.
12. See Std. Dwg. RD342 for shallow manholes.
13. See Std. Dwg. RD344 for manhole base section.
14. See Std. Dwg. RD356 for manhole covers and frames, manhole adjustment rings, etc.
15. Pipe zone varies, see Std. Dwg. RD300.

CALC. BOOK NO. N/A	SDR DATE 14-JUL-2014
NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications	
OREGON STANDARD DRAWINGS	
PIPE TO MANHOLE CONNECTIONS	
2021	
DATE	REVISION DESCRIPTION

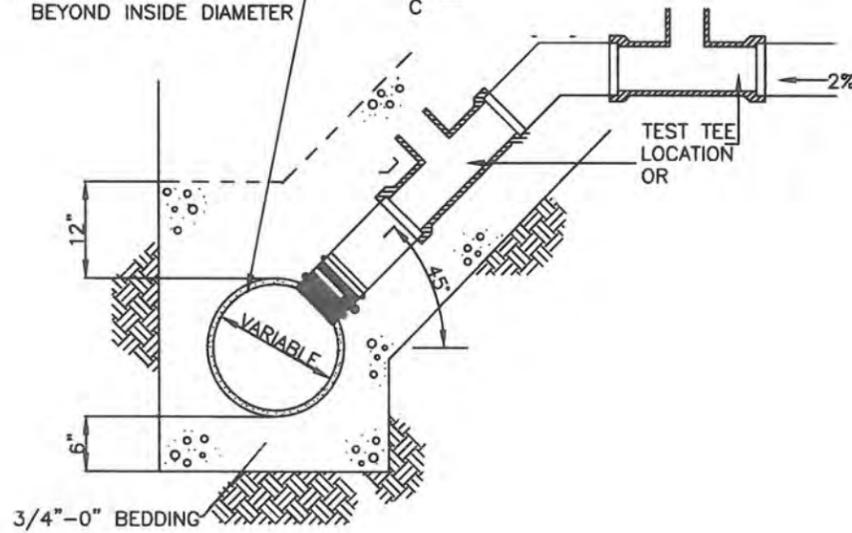
The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

RD345

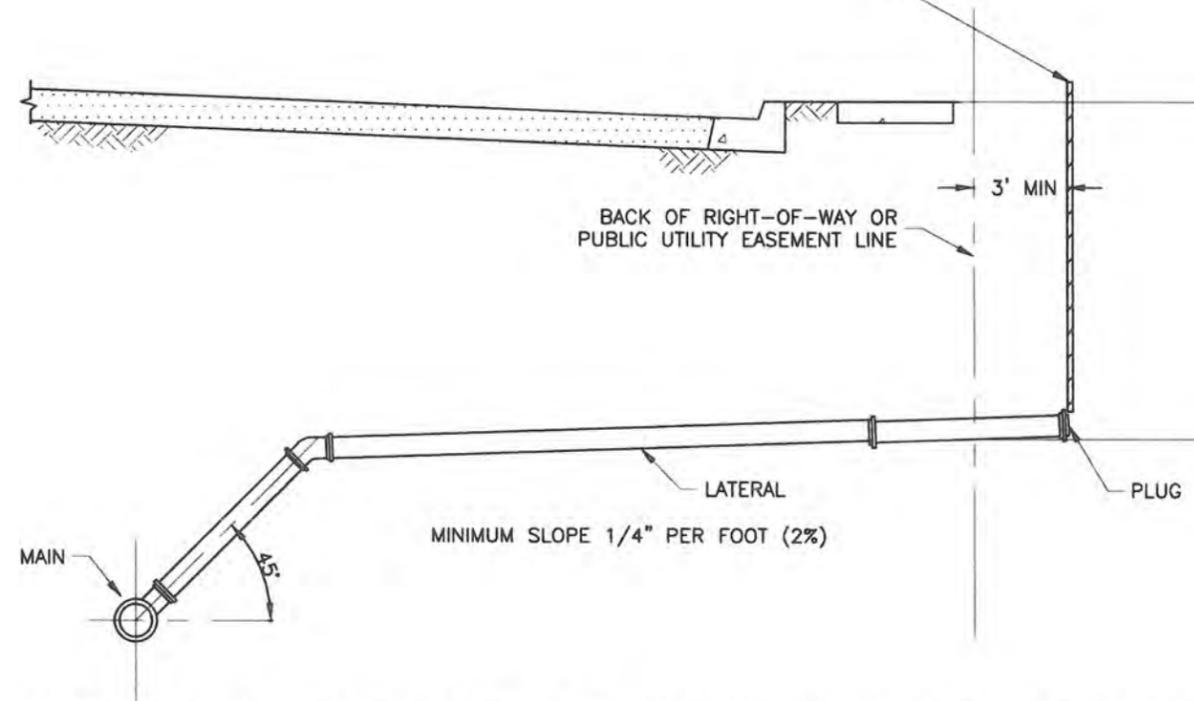


- A. PVC HUB SHALL CONFORM TO ASTM 3034, SDR 35 DRIVE INTO CENTER OF RUBBER SLEEVE AFTER SLEEVE IS PLACED IN HOLE.
- B. STAINLESS STEEL BAND SECURES UPPER HALF OF RUBBER SLEEVE TO THE PVC HUB. STAINLESS STEEL BAND SHALL BE 300 SERIES, 9/16" BAND WIDTH, CADMIUM PLATED CARBON STEEL, AND ATTACHED WITH HEX HEAD SLOTTED SCREW.
- C. COMPLETE RUBBER SLEEVE INCLUDES A MOLDED SEGMENT THAT HOLDS IT IN PLACE.

INSERT NOT TO PROTRUDE BEYOND INSIDE DIAMETER



FOR SUBDIVISIONS WHERE HOME CONSTRUCTION IS EXPECTED AT A LATER DATE, A 2" x 4" STAKE SHALL BE PLACED FROM INVERT TO 4' ABOVE FINISH GRADE. STAKE SHALL BE CONTINUOUS AND REMAIN VERTICAL AFTER BACKFILLING. END SHALL BE PAINTED GREEN FOR SANITARY AND WHITE FOR STORM.



NOTE:

1. TAP SHALL BE LOCATED A MINIMUM OF 12" FROM EXISTING PIPE JOINTS AND FROM OTHER TAPS.
2. CORE DRILL THE SEWER MAIN IN THE UPPER QUADRANT OF THE PIPE SO THE LATERAL CAN BE PLACED AT A 45° ANGLE AND PRESENT THE CORE-DRILLED "COUPON" TO THE CITY INSPECTOR AT TIME OF THE INSERT-A-TEE INSPECTION. THE TAP SHALL BE INSPECTED BEFORE THE SIDE SEWER CONNECTION IS MADE.
3. INSERT-A-TEE SHALL BE USED TO CONNECT LATERAL TO MAIN. TAP SHALL BE INSTALLED WATER TIGHT, WITHOUT PROTRUSION INTO OR DAMAGE TO EXISTING SEWER. PROVIDE INSERT-A-TEE PACKAGING TO INSPECTOR SHOWING TYPE OF INSERT-A-TEE INSTALLED.
4. LATERAL SHALL BE 4" (FOR STANDARD SINGLE FAMILY HOMES) GREEN ASTM3034 AND PLACED AT 2% SLOPE TO THE PROPERTY LINE. PLACE A TEST TEE WITHIN 3 FEET OF THE TAP.
5. PLACE INSULATED, 12-GAUGE, GREEN TRACER WIRE OVER CENTERLINE OF SERVICE LATERAL.
6. COMPACT 6" OF 3/4"-0" ROCK UNDER THE PIPE. HAUNCH WELL UNDER LATERAL.

7. ONCE APPROVED BY CITY INSPECTOR, PLACE 12" OF 3/4"-0" ROCK ABOVE THE TOP OF THE PIPE IN THE PIPE ZONE.
8. BACKFILL ABOVE THE PIPE ZONE WITH CDF (DELIVER CDF RECEIPT TO THE ENGINEERING DIVISION). ALTERNATELY, 3/4"-0" GRAVEL BACKFILL MAY BE USED. COMPACTION TESTING BY A CERTIFIED TESTING AGENCY MUST OCCUR IN LIFTS AS SPECIFIED BY THE CITY INSPECTOR (DELIVER TEST RESULTS TO THE ENGINEERING DIVISION). CITY RESERVES THE RIGHT TO FURTHER SPECIFY BACKFILL BASED ON SITE CONDITIONS.
9. T.V. INSPECTION OF THE LATERAL AND/OR MAIN MAY BE REQUIRED FOLLOWING BACKFILL, PRIOR TO FINAL APPROVAL.
10. THE MAXIMUM SIZE TAP FOR AN 8" MAIN IS 4". CUT IN A TEE FOR 6" LATERAL ON A 8" MAIN.
11. ALL CONNECTIONS SHALL BE MADE WITH HARD FITTINGS, INCLUDING TRANSITIONS BETWEEN DISSIMILAR MATERIALS.
12. DEPTH OF LATERAL TO BE DETERMINED BY DESIGN ENGINEER.

CITY OF
West Linn
PUBLIC WORKS DEPARTMENT - STANDARD DRAWINGS
22500 Salamo Road, West Linn OR 97068
Phone: 503-722-5500
www.westlinnoregon.gov

NOTE: All material and workmanship shall be in accordance with the City of West Linn Standard Construction Specifications.

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

File
WL-RD341.dwg

Standard Drawing No.
WL-RD341
Effective Date:
07/01/08

Title:
SANITARY SEWER LATERALS

Approved: City Engineer



Agenda Bill 2021-09-13-05

Date Prepared: September 1, 2021

For Meeting Date: September 13, 2021

To: Jules Walters, Mayor
West Linn City Council

From: Dylan Digby, Assistant to the City Manager

Through: Jerry Gabrielatos, City Manager JG

Subject: Temporary Easements for Abernethy Bridge Construction

Purpose

ODOT is requesting approval of temporary easement documents for three City-owned properties adjacent to the I-205 Abernethy Bridge to allow construction activities related to the I-205 Widening and Seismic Improvements Project.

Question(s) for Council:

Does Council wish to approve temporary easements on City property for construction work related to the Abernethy Bridge?

Public Hearing Required:

None required.

Background & Discussion:

To proceed with construction activities necessary for the ODOT I-205 Widening and Seismic Improvements Project ODOT must receive Council approval to access and work on City-owned properties adjacent to the Abernethy Bridge. Municipal Code section 2.902 requires Council approval for any temporary easement beyond 30 days. The affected temporary construction easement areas on City property are outlined in blue on the attached map (you may note a triangular piece of property adjacent to the Bridge is not included as this is owned by Oregon State Parks). To allow construction to stay on schedule, the City Manager may sign a short-term right of entry permit to allow ODOT crews to access the site for preliminary site activities prior to execution of these formal temporary construction easement documents.

Additionally, City Charter Section 46 does not allow any “nonauthorized” use (defined in section b) of City-owned park space without first receiving voter approval. Voter approval was given in passage of Measures 3-543 and 3-544 in the November 6, 2018 election to allow for temporary construction impacts to these City parks and open spaces for the ODOT I-205 Project.

Staff has negotiated favorable temporary easement agreement terms with ODOT to ensure that work proceeds within the boundaries of City codes, the approved Ballot Measures, and that the City properties are returned to prior condition or better. Additional conditions ensuring further protection of McLean House and grounds were added.

Budget Impact:

\$5,000 will be paid to the City from ODOT for construction impacts. These numbers were provided as part of a comprehensive appraisal that was performed by ODOT for all three properties.

Sustainability Impact:

ODOT will follow all state, federal, and local requirements related to erosion control and environmental protections during construction. Removed trees and landscaping will be restored in kind and as required by City codes.

Council Goal/Priority:

Council Goal #2, Maintain Livability and Affordability for All. The I-205 Widening and Seismic Improvements Project will provide an additional lane to reduce traffic congestion, while providing seismic resiliency for the Bridge and the City's water transmission main. Goal #2(5)(a) also relates to the Abernethy water transmission main replacement.

Council Options:

1. Approve the temporary easements to allow construction work on the Abernethy Bridge to proceed.
2. Deny the temporary easements as written or provide required language edits to the agreements.

Staff Recommendation:

Staff recommends approval of the temporary easements as negotiated.

Potential Motion:

I move to authorize the City Manager to approve temporary easement documents to allow ODOT to perform construction work on City-owned property for the I-205 Widening and Seismic Improvements Project.

Attachments:

1. Temporary easement documents for three properties.
2. Area map

TEMPORARY EASEMENT

CITY OF WEST LINN, a municipal corporation of the State of Oregon, Grantor, for the true and actual consideration of \$1,200.00, does grant to the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, its successors and assigns, a temporary easement for a work area for construction purposes, over and across the property described on **Exhibit "A" dated 11/12/2018**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate five (5) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

Dated this ____ day of _____, 20____.

APPROVED AS TO FORM:

CITY OF WEST LINN, a municipal corporation of the State of Oregon

By _____

By _____
Mayor

By _____
Auditor

STATE OF OREGON, County of _____

Dated _____, 20____. Personally appeared _____ and _____, who, being sworn, stated that they are the Mayor and Auditor of the City of West Linn, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its Ordinance No. _____, passed by the Council of said City on this _____ day of _____, 20____.

Notary Public for Oregon
My Commission expires _____

Temporary Easement For Work Area (5 years or duration of Project, whichever is sooner)

A parcel of land lying in the Hugh Burns D.L.C. No. 51, Township 2 South, Range 2 East, W.M., City of West Linn, Clackamas County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to City of West Linn, a Municipal Corporation, recorded March 06, 1987 as Recorder's Fee No. 87-09952, Film Records of Clackamas County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated East Portland Freeway, which center line is described as follows:

Beginning at Engineer's center line Station "L" 707+08.13, said station being South 3,195.87 feet and West 2,693.62 feet of the North one-quarter corner of Section 29, Township 2 South, Range 2 East, W.M.; thence South 68°16'23" West 2215.77 feet; thence on a spiral curve left (the long chord of which bears South 64°06'29" West, 997.89 feet) 1000.00 feet; thence on a 2291.83 foot radius curve left (the long chord of which bears South 53°16'23" West, 199.94 feet) 200.00 feet; thence on a spiral curve left (the long chord of which bears South 42°26'17" West, 997.89 feet) 1000.00 feet; thence South 38°16'23" West 107.54 feet to Engineer's center line station "L" 752+31.44, said station being North 222.00 feet and East 447.34 feet of the Re-entrant corner in the southerly line of the Hugh Burns Donation Land Claim No. 51, Township 2 South, Range 2 East, W.M.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
"L" 728+70.00		"L" 731+20.00	147.00 in a straight line to 274.00

Bearings are based on the Oregon Coordinate Reference System – Portland Zone, NAD 83 (2011) epoch 2010.00.

This parcel of land contains 12,652 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
MAY 12, 2011
ANDREW JOSEPH SILBERNAGEL
#79198

RENEWS: JUNE 30, 2020
SIGNED: 11/13/2018

TERMS OF STATE'S OFFER

THE STATE'S OFFER IS AS DESCRIBED IN THE ENCLOSED ACQUISITION SUMMARY STATEMENT AND ACQUISITION DOCUMENT(S) AND INCLUDES THE FOLLOWING ADDITIONAL TERMS:

1. The State will pay recording costs, title insurance premiums, and all other normal costs of sale.
2. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the just compensation in order to provide sufficient title to the State.
3. Pursuant to ORS 311.412-311.414, the State will pay the taxes proportional to the part of the property acquired and prorated as of the date of the acquisition.
4. As part of this acquisition for this Project, the State will require the following actions:

A. **Bonds.** The State and all subcontractors shall maintain a public works bond in full force and effect, as required by Oregon statutes, and shall obtain the mandatory insurance coverage required by the construction contract. The contractor shall verify subcontractors have filed a public works bond and required insurance certificates before the subcontractor begins work. All construction shall be completed in conformance with standard engineering and construction practices.

B. **Utilities.** (Check appropriate box)

There will be no changes to public utilities to the property.

Public utilities will be reconnected to improvements on the remainder property, except for the following:

n/a.

Public utilities will be made available within the right-of-way adjacent to the remainder property, except for the following: **n/a.**

Public utilities will not be available to the remainder property in the after.

If a public utility on the property is not reconnected, just compensation (payment) is provided.

C. **Access.** (Check appropriate box)

Access to the remainder property will remain the same.

There will be no access to the remainder property.

Access to the remainder property will remain the same, except for the following access:

Access #1 located at: **n/a**, is modified, relocated or closed as a result of:

the access modification letter dated: **n/a**(attached)

this Project as follows: **n/a.**

Access #2 located at: **n/a**, is modified, relocated or closed as a result of:

the access modification letter dated: **n/a**(attached)

this Project as follows: n/a.

Access #3 located at: n/a, is modified, relocated or closed as a result of:

the access modification letter dated: n/a(attached)

this Project as follows: n/a.

After construction of the project, if any access to the property has been modified, relocated or closed, other than a reservation(s) of access noted in the acquisition document(s), the altered access shall be public access; said access before and after the Project is subject to the government's police powers.

The following access, n/a, to be removed or modified as part of the project, shall remain open for access to the remainder property until the Project has completed construction of the new access as described above.

Access to the property shall remain open during construction with at least one lane for vehicle traffic, except for minimal closures (up to 2 hours) that are reasonably necessary pursuant to the Oregon Standard Specifications for Construction, Volume 2, Chapter 00220.02.

D. Improvements.

Private improvements in any easement areas shall be protected in place, or returned to a same or similar condition, except for the following: **Natural vegetation.**

Any sidewalks in the acquisition area, that are impacted by the Project, will be reconnected to preexisting sidewalks, except at the following locations: n/a.

E. Fencing on the Property.

Will not be affected.

Will be replaced as follows: n/a.

Will not be replaced.

F. Other terms of offer:

The Temporary Easement for work area is for 5 years or the duration of the project, whichever is sooner. The actual work onsite will be completed within a 24 month period. Reasonable access to existing park facilities will be maintained throughout construction. Temporary gravel access road will be graded to meet City of West Linn Standard for a two-way driveway. All areas occupied by the project will be restored in kind if damaged. Trees along the Parcel 1 easement line will be protected. Trees that are removed for construction shall be replaced by the project.

5. To accept this offer, each of the persons listed on the attached signature page must (i) sign and return this document; and (ii) sign, notarize and deliver to ODOT all of the necessary acquisition document(s), in an original and unaltered form sufficient for transferring title and recording in the appropriate county recorder's office.

6. If this offer is addressed to multiple persons, it is a joint offer to all of those persons and must be accepted by all of the persons listed (or provide evidence showing any non-accepting persons do not have an interest in the property). If accepted, the just compensation in a joint offer may be apportioned among the persons listed in any mutually agreed upon manner.
7. The persons executing this offer each warrant and represent that they have authority to act for and bind their respective party with respect to the transfer of the real property interests that are the subject of this offer.
8. The "Terms of State's Offer" may be signed in counterparts. Once the signature of each person as set forth on the attached signature page has been affixed to one or more counterparts and returned to ODOT, this document shall be deemed fully executed as if all of the signatures were contained in a single document.
9. The Terms of State's Offer does not apply to any uneconomic remainder as identified in the appraisal.

[See attached Signature page]

SIGNATURE PAGE FOR TERMS OF STATE'S OFFER

**STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION**



05/11/2021

Grant Casebeer

Date

City of West Linn, a Municipal corporation

Date

STATE'S OBLIGATION(S) AGREEMENT

August 27, 2021

File No.:	9316-005
Grantor:	City of West Linn, a Municipal corporation
Section:	I-205: I-5 - OR213, Phase 1
Highway:	064 - EAST PORTLAND FREEWAY
County:	Clackamas
FAP No.:	S064(057)e.d.9/30/21

The State is to:

- The Temporary Easement for work area is for 5 years or the duration of the project, whichever is sooner. The actual work onsite will be completed within a 24-month period. Reasonable access to existing park facilities will be maintained throughout construction, including temporary trail access. Temporary gravel access road will be graded to meet City of West Linn Standard for a two-way driveway. Gravel to remain post-construction in locations as coordinated with City staff. Trees on the Temporary Easement line will be protected. Trees and other landscaping that are removed for construction shall be replaced by the Project, in coordination with and to the satisfaction of City staff. Any trees to be removed must first go through the City's permit process for approval. Work is restricted to use for construction access, construction staging, and construction activities necessary for the ODOT I-205 Widening and Seismic Improvements Project as allowable under the November 2018 voter-approved measures 3-543 and 3-544. All necessary City and other permits will be acquired by ODOT for the Project. All areas occupied by the Project will be preserved, protected, restored to existing conditions or better, or otherwise improved as directed by the City.

Any construction lying outside of the traveled portion and shoulders but within the right of way of the highway which is made for the use and benefit of the remaining property, either under the terms of this agreement or the construction plans, shall be completed in conformance with normal engineering construction practices and hereafter shall be maintained or reconstructed by the property owner in accordance with ORS 374.305, et seq. and OAR 734-051-1010 to 051-7010, OAR 734-055-0005 to 055-0110 and other applicable statutes and regulations.

If any of the construction under the terms of this agreement is outside of the highway right of way, Grantors hereby grant State, its employees or contractors, permission to enter upon their remaining property for the purpose of performing any of said construction work.

It is understood and agreed that State's performance of this agreement shall be a portion of the consideration for the concurrent real property transaction evidenced by deed between Grantors and State. This agreement shall not be effective or binding until Grantors receive notice from the State accepting the conveyance of the real property interests.

City of West Linn, a Municipal corporation

Date

ODOT Representative

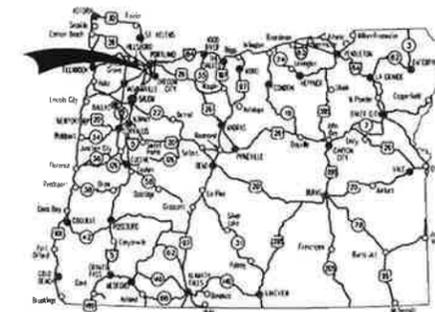
Date

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
A01	Title Sheet
A02, A03	Index Of Sheets Cont'd.
A04 thru A05	Standard Drawing Numbers
A06, A07	Plan Sheet Layout
A08 thru A10	Control Data

PRELIMINARY PLANS

STATE OF OREGON
 DEPARTMENT OF TRANSPORTATION
 PLANS FOR PROPOSED PROJECT
 GRADING, DRAINAGE, STRUCTURES, PAVING, SIGNING & SIGNALS
I-205: I-5 - OR213, PHASE 1 SEC.

**EAST PORTLAND FREEWAY
 CLACKAMAS COUNTY
 APRIL 2022**



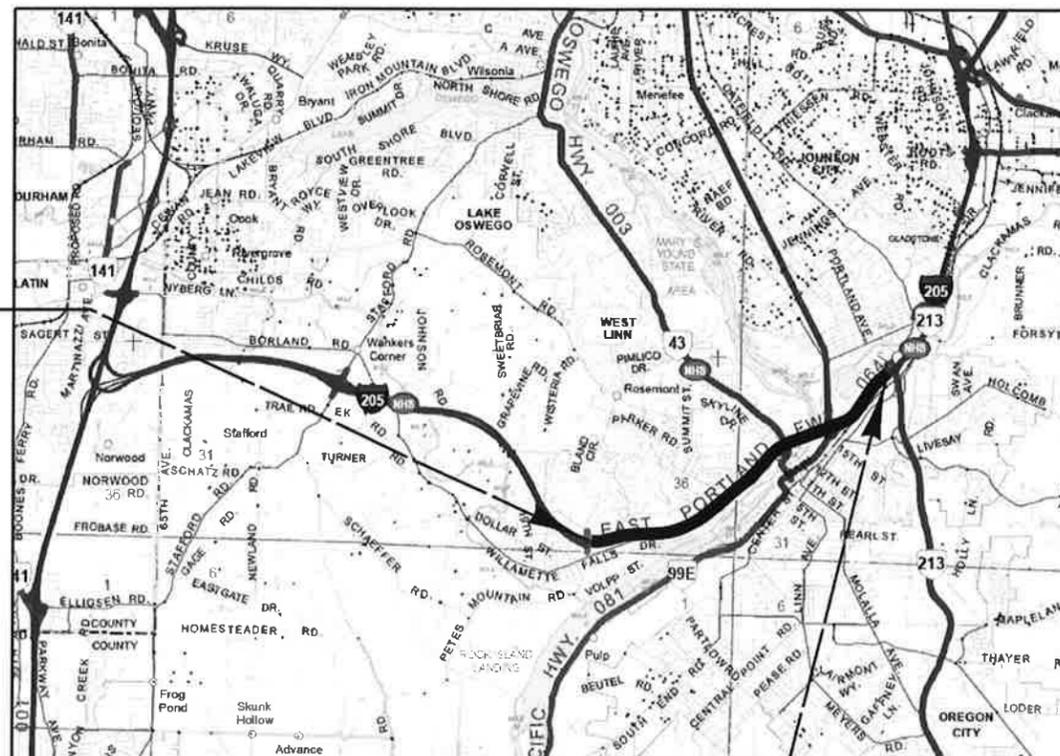
Overall Length Of Project - 3.70 Miles

ATTENTION:
 Oregon Law Requires You To Follow Rules Adopted By The Oregon Utility Notification Center. Those Rules Are Set Forth In OAR 952-001-0010 Through OAR 952-001-0090. You May Obtain Copies Of The Rules By Calling The Center. (Note: The Telephone Number For The Oregon Utility Center Is (503) 232-1987.)



END OF PROJECT
 S???(???)

STA. "LN2" 860+60 (M.P. 6.48)
 STA. "LS2" 859+79 (M.P. 6.41)



BEGINNING OF PROJECT
 S???(???)

STA. "L" 665+82 (M.P. 10.11)



OREGON TRANSPORTATION COMMISSION

- Robert Van Brocklin CHAIR
- Alando Simpson COMMISSIONER
- Martin Callery COMMISSIONER
- Julie Brown COMMISSIONER
- Sharon Smith COMMISSIONER
- Kristopher W. Strickler DIRECTOR OF TRANSPORTATION

These plans were developed using ODOT design standards. Exceptions to these standards, if any, have been submitted and approved by the ODOT Chief Engineer or their delegated authority.

Approving Authority: _____
 Signature & date

 Print name and title

 Concurrence by ODOT Chief Engineer

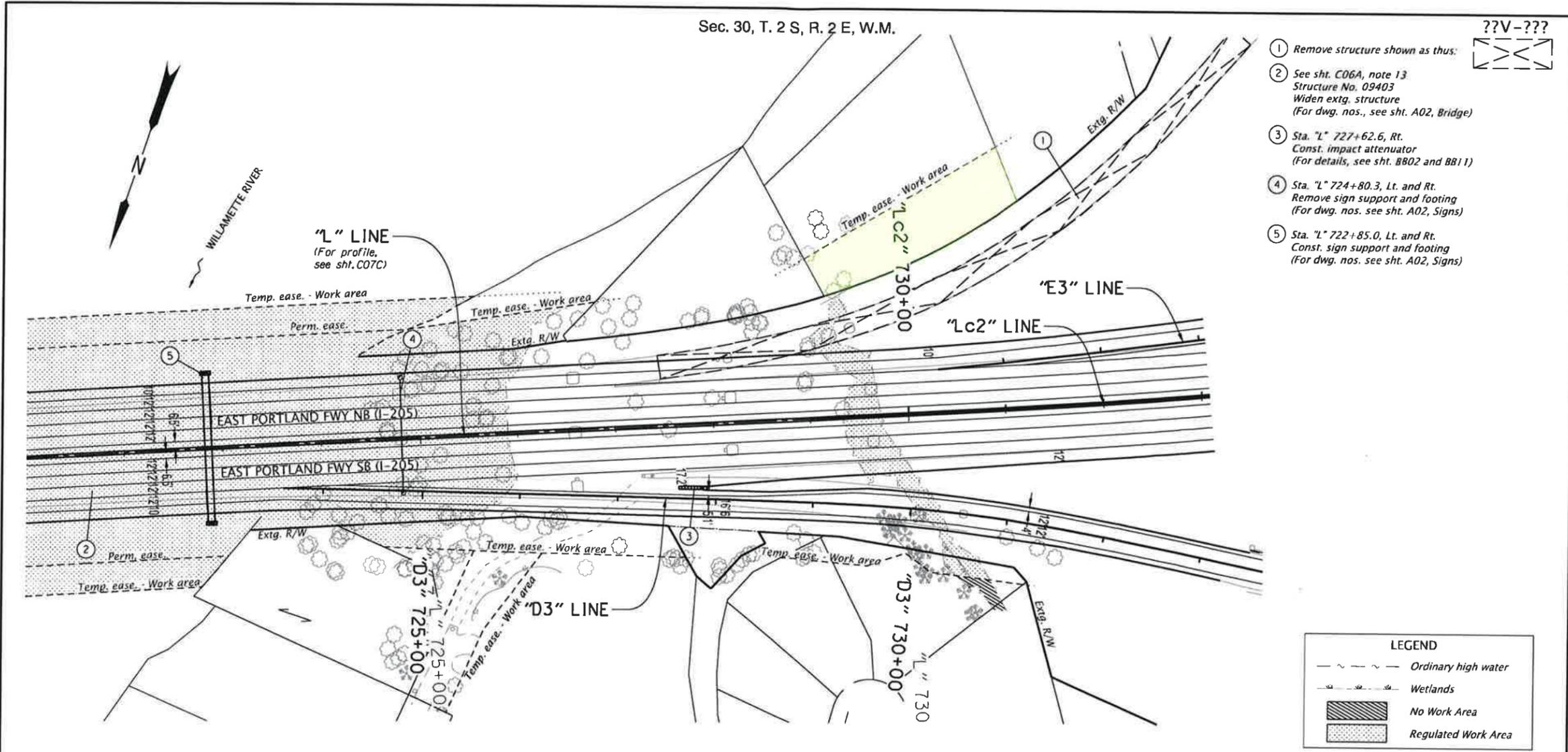
I-205: I-5 - OR213, PHASE 1 SEC.

EAST PORTLAND FREEWAY
 CLACKAMAS COUNTY

FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER	SHEET NO.
OREGON DIVISION	S???(???)	A01

Sec. 30, T. 2 S, R. 2 E, W.M.

??V-???



- ① Remove structure shown as thus:
- ② See sht. C06A, note 13
Structure No. 09403
Widen extg. structure
(For dwg. nos., see sht. A02, Bridge)
- ③ Sta. "L" 727+62.6, Rt.
Const. impact attenuator
(For details, see sht. B802 and BB11)
- ④ Sta. "L" 724+80.3, Lt. and Rt.
Remove sign support and footing
(For dwg. nos. see sht. A02, Signs)
- ⑤ Sta. "L" 722+85.0, Lt. and Rt.
Const. sign support and footing
(For dwg. nos. see sht. A02, Signs)

LEGEND

- Ordinary high water
- Wetlands
- No Work Area
- Regulated Work Area

**PRELIMINARY
SUBJECT TO CHANGE**

REGISTERED PROFESSIONAL
ENGINEER
7791
M. RAHM
ON 4, 2011
PRELIMINARY COPY
FOR INFORMATION ONLY

	HDR ENGINEERING, INC 1050 SW 6TH AVENUE, SUITE 1800 PORTLAND, OR 97204-1134 503.423.3700	
	I-205: I-5 - OR213, PHASE 1 SEC. EAST PORTLAND FREEWAY CLACKAMAS COUNTY	
Designer: Jason Rahm Drafter: Connor Donovan	Reviewer: John Wolf Checker: Brendan LeBlanc	SHEET NO. C07A
GENERAL CONSTRUCTION		

EXPIRES: DEC. 31, 2020
FINAL ELECTRONIC DOCUMENT
AVAILABLE UPON REQUEST

TEMPORARY EASEMENT

CITY OF WEST LINN, a municipal corporation of the State of Oregon, Grantor, for the true and actual consideration of \$900.00, does grant to the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, its successors and assigns, a temporary easement for a work area for construction purposes, over and across the property described on Exhibit "A" dated 08/23/2019, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate five (5) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

Dated this ____ day of _____, 20____.

APPROVED AS TO FORM:

CITY OF WEST LINN, a municipal corporation of the State of Oregon

By _____

By _____
Mayor

By _____
Auditor

STATE OF OREGON, County of _____

Dated _____, 20____. Personally appeared _____ and
_____, who, being sworn, stated that they are the Mayor and Auditor of the City of West
Linn, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its Ordinance No.
_____, passed by the Council of said City on this _____ day of _____, 20_____.

Notary Public for Oregon
My Commission expires _____

Temporary Easement For Work Area (5 years or duration of Project, whichever is sooner)

A parcel of land lying in SW¼SE¼ of Section 30, Township 2 South, Range 2 East, W.M., City of West Linn, Clackamas County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to City of West Linn, a Municipal Corporation, recorded March 06, 1987 as Recorder's Fee No. 87-09953, Film Records of Clackamas County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated East Portland Freeway, which center line is described as follows:

Beginning at Engineer's center line Station "L" 707+08.13, said station being South 3,195.87 feet and West 2,693.62 feet of the North one-quarter corner of Section 29, Township 2 South, Range 2 East, W.M.; thence South 68°16'23" West 2215.77 feet; thence on a spiral curve left (the long chord of which bears South 64°06'29" West, 997.89 feet) 1000.00 feet; thence on a 2291.83 foot radius curve left (the long chord of which bears South 53°16'23" West, 199.94 feet) 200.00 feet; thence on a spiral curve left (the long chord of which bears South 42°26'17" West, 997.89 feet) 1000.00 feet; thence South 38°16'23" West 107.54 feet to Engineer's center line Station "L" 752+31.44, said station being North 222.00 feet and East 447.34 feet of the Re-entrant corner in the southerly line of the Hugh Burns Donation Land Claim No. 51, Township 2 South, Range 2 East, W.M.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
"L" 724+00.00		"L" 724+91.53	110.00
"L" 724+91.53		"L" 727+10.00	110.00 in a straight line to 131.00

Bearings are based on the Oregon Coordinate Reference System – Portland Zone, NAD 83 (2011) epoch 2010.00.

EXCEPT therefrom that portion of said parcel lying below the ordinary low water mark.

This parcel of land contains 6,257 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Andrew J. Silbernagel
OREGON
MAY 12, 2011
ANDREW JOSEPH SILBERNAGEL
#79198

RENEWS: JUNE 30, 2020
SIGNED: *08/23/2019*

TERMS OF STATE'S OFFER

THE STATE'S OFFER IS AS DESCRIBED IN THE ENCLOSED ACQUISITION SUMMARY STATEMENT AND ACQUISITION DOCUMENT(S) AND INCLUDES THE FOLLOWING ADDITIONAL TERMS:

1. The State will pay recording costs, title insurance premiums, and all other normal costs of sale.
2. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the just compensation in order to provide sufficient title to the State.
3. Pursuant to ORS 311.412-311.414, the State will pay the taxes proportional to the part of the property acquired and prorated as of the date of the acquisition.
4. As part of this acquisition for this Project, the State will require the following actions:

A. **Bonds.** The State and all subcontractors shall maintain a public works bond in full force and effect, as required by Oregon statutes, and shall obtain the mandatory insurance coverage required by the construction contract. The contractor shall verify subcontractors have filed a public works bond and required insurance certificates before the subcontractor begins work. All construction shall be completed in conformance with standard engineering and construction practices.

B. **Utilities.** (Check appropriate box)

There will be no changes to public utilities to the property.

Public utilities will be reconnected to improvements on the remainder property, except for the following:

n/a.

Public utilities will be made available within the right-of-way adjacent to the remainder property, except for the following: n/a.

Public utilities will not be available to the remainder property in the after.

If a public utility on the property is not reconnected, just compensation (payment) is provided.

C. **Access.** (Check appropriate box)

Access to the remainder property will remain the same.

There will be no access to the remainder property.

Access to the remainder property will remain the same, except for the following access:

Access #1 located at: n/a, is modified, relocated or closed as a result of:

the access modification letter dated: n/a(attached)

this Project as follows: n/a.

Access #2 located at: n/a, is modified, relocated or closed as a result of:

the access modification letter dated: n/a(attached)

this Project as follows: n/a.

* **Access #3** located at: n/a, is modified, relocated or closed as a result of:

the access modification letter dated: n/a(attached)

this Project as follows: n/a.

After construction of the project, if any access to the property has been modified, relocated or closed, other than a reservation(s) of access noted in the acquisition document(s), the altered access shall be public access; said access before and after the Project is subject to the government's police powers.

The following access, n/a, to be removed or modified as part of the project, shall remain open for access to the remainder property until the Project has completed construction of the new access as described above.

Access to the property shall remain open during construction with at least one lane for vehicle traffic, except for minimal closures (up to 2 hours) that are reasonably necessary pursuant to the Oregon Standard Specifications for Construction, Volume 2, Chapter 00220.02.

D. Improvements.

Private improvements in any easement areas shall be protected in place, or returned to a same or similar condition, except for the following: Natural vegetation.

Any sidewalks in the acquisition area, that are impacted by the Project, will be reconnected to preexisting sidewalks, except at the following locations: n/a.

E. Fencing on the Property.

Will not be affected.

Will be replaced as follows: n/a.

Will not be replaced.

F. Other terms of offer:

Reasonable access to existing park facilities will be maintained throughout construction. Temporary gravel access road will be graded to meet City of West Linn Standard for a two-way driveway. All areas occupied by the project will be restored in kind if damaged. Trees along the Parcel 1 easement line will be protected. Trees that are removed for construction shall be replaced by the project.

5. To accept this offer, each of the persons listed on the attached signature page must (i) sign and return this document; and (ii) sign, notarize and deliver to ODOT all of the necessary acquisition document(s), in an original and unaltered form sufficient for transferring title and recording in the appropriate county recorder's office.

6. If this offer is addressed to multiple persons, it is a joint offer to all of those persons and must be accepted by all of the persons listed (or provide evidence showing any non-accepting persons do not have an interest in the

property). If accepted, the just compensation in a joint offer may be apportioned among the persons listed in any mutually agreed upon manner.

7. The persons executing this offer each warrant and represent that they have authority to act for and bind their respective party with respect to the transfer of the real property interests that are the subject of this offer.
8. The "Terms of State's Offer" may be signed in counterparts. Once the signature of each person as set forth on the attached signature page has been affixed to one or more counterparts and returned to ODOT, this document shall be deemed fully executed as if all of the signatures were contained in a single document.
9. The Terms of State's Offer does not apply to any uneconomic remainder as identified in the appraisal.

[See attached Signature page]

SIGNATURE PAGE FOR TERMS OF STATE'S OFFER

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION



05/11/2021

Grant Casebeer

Date

City of West Linn, a Municipal corporation

Date

STATE'S OBLIGATION(S) AGREEMENT

August 27, 2021

File No.:	9316-006
Grantor:	City of West Linn, a Municipal corporation
Section:	I-205: I-5 - OR213, Phase 1
Highway:	064 - EAST PORTLAND FREEWAY
County:	Clackamas
FAP No.:	S064(057)e.d.9/30/21

The State is to:

- The Temporary Easement for work area is for 5 years or the duration of the project, whichever is sooner. The actual work onsite will be completed within a 24-month period. Reasonable access to existing park facilities will be maintained throughout construction, including temporary trail access. Trees on the Temporary Easement line will be protected. Trees and other landscaping that are removed for construction shall be replaced by the Project, in coordination with and to the satisfaction of City staff. Any trees to be removed must first go through the City's permit process for approval. Work is restricted to use for construction access, construction staging, and construction activities necessary for the ODOT I-205 Widening and Seismic Improvements Project as allowable under the November 2018 voter-approved measures 3-543 and 3-544. All necessary City and other permits will be acquired by ODOT for the Project. All areas occupied by the Project will be preserved, protected, restored to existing conditions or better, or otherwise improved as directed by the City.

Any construction lying outside of the traveled portion and shoulders but within the right of way of the highway which is made for the use and benefit of the remaining property, either under the terms of this agreement or the construction plans, shall be completed in conformance with normal engineering construction practices and hereafter shall be maintained or reconstructed by the property owner in accordance with ORS 374.305, et seq. and OAR 734-051-1010 to 051-7010, OAR 734-055-0005 to 055-0110 and other applicable statutes and regulations.

If any of the construction under the terms of this agreement is outside of the highway right of way, Grantors hereby grant State, its employees or contractors, permission to enter upon their remaining property for the purpose of performing any of said construction work.

It is understood and agreed that State's performance of this agreement shall be a portion of the consideration for the concurrent real property transaction evidenced by deed between Grantors and State. This agreement shall not be effective or binding until Grantors receive notice from the State accepting the conveyance of the real property interests.

City of West Linn, a Municipal corporation

Date

ODOT Representative

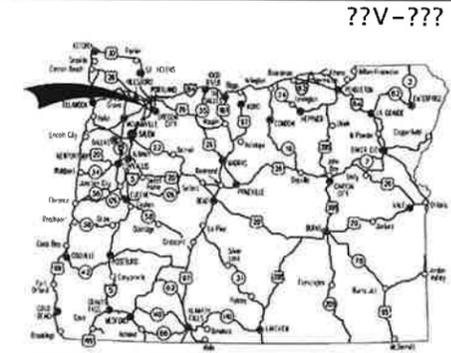
Date

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
A01	Title Sheet
A02, A03	Index Of Sheets Cont'd.
A04 thru A05	Standard Drawing Numbers
A06, A07	Plan Sheet Layout
A08 thru A10	Control Data

PRELIMINARY PLANS

STATE OF OREGON
 DEPARTMENT OF TRANSPORTATION
 PLANS FOR PROPOSED PROJECT
 GRADING, DRAINAGE, STRUCTURES, PAVING, SIGNING & SIGNALS
I-205: I-5 - OR213, PHASE 1 SEC.

**EAST PORTLAND FREEWAY
 CLACKAMAS COUNTY
 APRIL 2022**



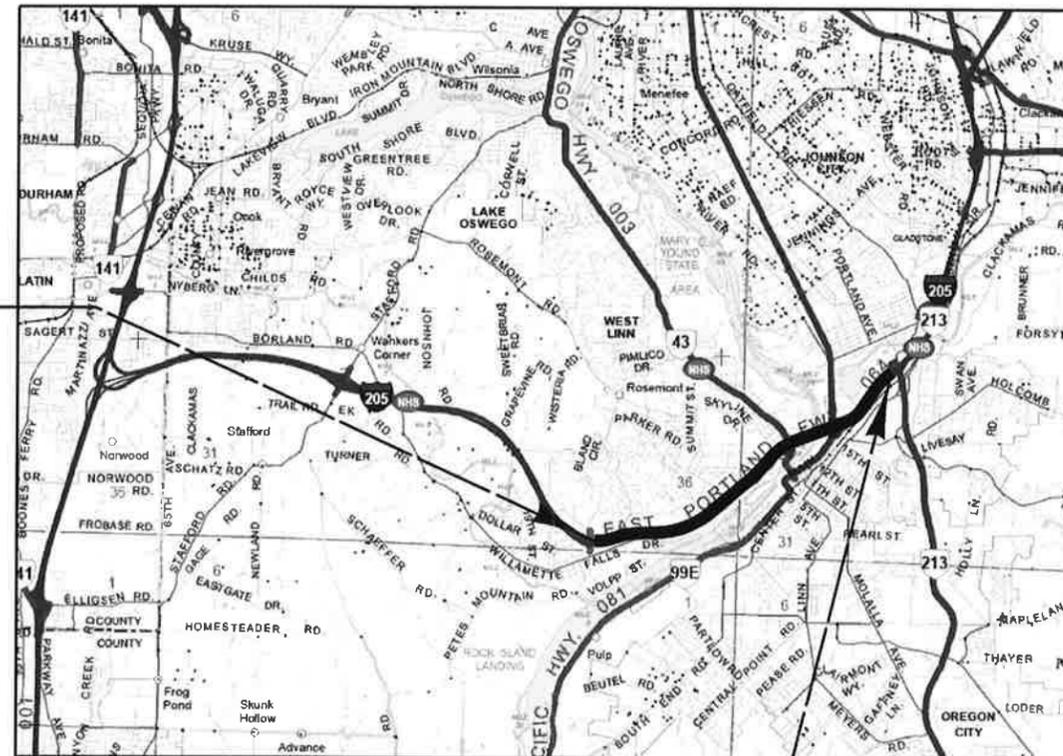
Overall Length Of Project - 3.70 Miles

ATTENTION:
 Oregon Law Requires You To Follow Rules Adopted By The Oregon Utility Notification Center. Those Rules Are Set Forth In OAR 952-001-0010 Through OAR 952-001-0090. You May Obtain Copies Of The Rules By Calling The Center. (Note: The Telephone Number For The Oregon Utility Center Is (503) 232-1987.)



END OF PROJECT
 S????(???)

STA. "LN2" 860+60 (M.P. 6.48)
 STA. "LS2" 859+79 (M.P. 6.41)



BEGINNING OF PROJECT
 S????(???)

STA. "L" 665+82 (M.P. 10.11)



T. 2 S., R. 2 E., W.M.

OREGON TRANSPORTATION COMMISSION
 Robert Van Brocklin CHAIR
 Alando Simpson COMMISSIONER
 Martin Callery COMMISSIONER
 Julie Brown COMMISSIONER
 Sharon Smith COMMISSIONER
 Kristopher W. Strickler DIRECTOR OF TRANSPORTATION

These plans were developed using ODOT design standards. Exceptions to these standards, if any, have been submitted and approved by the ODOT Chief Engineer or their delegated authority.

Approving Authority: _____
 Signature & date

 Print name and title

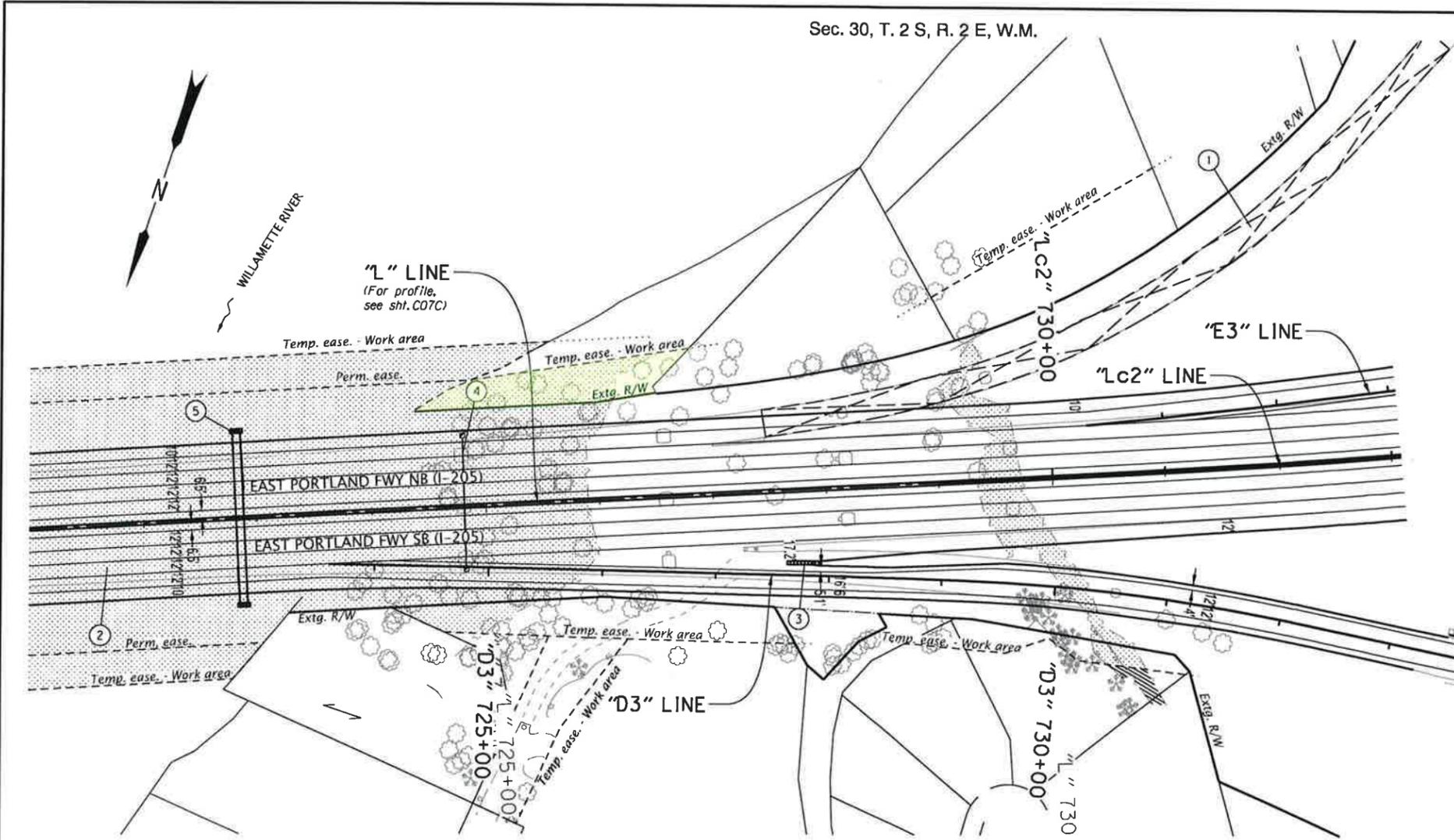
 Concurrence by ODOT Chief Engineer

I-205: I-5 - OR213, PHASE 1 SEC.
 EAST PORTLAND FREEWAY
 CLACKAMAS COUNTY

FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER	SHEET NO.
OREGON DIVISION	S????(???)	A01

Sec. 30, T. 2 S, R. 2 E, W.M.

??V-???



- ① Remove structure shown as thus: 
- ② See sht. C06A, note 13
Structure No. 09403
Widen extg. structure
(For dwg. nos., see sht. A02, Bridge)
- ③ Sta. "L" 727+62.6, Rt.
Const. impact attenuator
(For details, see sht. 8802 and 8811)
- ④ Sta. "L" 724+80.3, Lt. and Rt.
Remove sign support and footing
(For dwg. nos. see sht. A02, Signs)
- ⑤ Sta. "L" 722+85.0, Lt. and Rt.
Const. sign support and footing
(For dwg. nos. see sht. A02, Signs)

LEGEND

	Ordinary high water
	Wetlands
	No Work Area
	Regulated Work Area

**PRELIMINARY
SUBJECT TO CHANGE**



EXPIRES: DEC. 31, 2020
FINAL ELECTRONIC DOCUMENT
AVAILABLE UPON REQUEST

	HDR ENGINEERING, INC. 1050 SW 6TH AVENUE, SUITE 1800 PORTLAND, OR 97204-1134 503.423.3700	
	I-205: I-5 - OR213, PHASE 1 SEC. EAST PORTLAND FREEWAY CLACKAMAS COUNTY	
Designer: Jason Rahm Drafter: Connor Donovan	Reviewer: John Wolf Checker: Brendan LeBlanc	SHEET NO. C07A
GENERAL CONSTRUCTION		

TEMPORARY EASEMENT

CITY OF WEST LINN, OREGON, a municipal corporation, Grantor, for the true and actual consideration of \$2,900.00, does grant to the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, its successors and assigns, a temporary easement for a work area for construction purposes, over and across the property described as **Parcels 1 and 2 on Exhibit "A" dated 04/26/2021**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate five (5) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

Dated this ____ day of _____, 20____.

APPROVED AS TO FORM:

CITY OF WEST LINN, OREGON, a municipal corporation

By _____

By _____
Mayor

By _____
Auditor

STATE OF OREGON, County of _____

Dated _____, 20____. Personally appeared _____ and _____, who, being sworn, stated that they are the Mayor and Auditor of the City of West Linn, Oregon, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its Ordinance No. _____, passed by the Council of said City on the _____ day of _____, 20_____.

Notary Public for Oregon
My Commission expires _____

Parcel 1 - Temporary Easement For Work Area (5 Years or duration of Project, whichever is sooner)

A parcel of land lying in Lots 16 and 24 of PLAT OF TRACTS 1 TO 34 INC. OF UNIT "D" OF WEST OREGON CITY, Clackamas County, Oregon, and being a portion of that property described in that Guardian's Deed to City of West Linn, Oregon, a Municipal Corporation, recorded April 21, 1969 as Recorder's Fee No. 69-6893, Film Records of Clackamas County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated East Portland Freeway, which center line is described as follows:

Beginning at Engineer's center line Station "L" 707+08.13, said station being South 3,195.87 feet and West 2,693.62 feet of the North one-quarter corner of Section 29, Township 2 South, Range 2 East, W.M.; thence South 68°16'23" West 2215.77 feet; thence on a spiral curve left (the long chord of which bears South 64°06'29" West, 997.89 feet) 1000.00 feet; thence on a 2291.83 foot radius curve left (the long chord of which bears South 53°16'23" West, 199.94 feet) 200.00 feet; thence on a spiral curve left (the long chord of which bears South 42°26'17" West, 997.89 feet) 1000.00 feet; thence South 38°16'23" West 107.54 feet to Engineer's center line Station "L" 752+31.44, said station being North 222.00 feet and East 447.34 feet of the Re-entrant corner in the southerly line of the Hugh Burns Donation Land Claim No. 51, Township 2 South, Range 2 East, W.M.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
"L" 722+00.00		"L" 723+00.00	140.00
"L" 723+00.00		"L" 724+58.03	140.00 in a straight line to 108.73
"L" 724+58.03		"L" 725+85.00	108.73 in a straight line to 120.00
"L" 725+85.00		"L" 727+81.00	120.00 in a straight line to 135.00

Bearings are based on the Oregon Coordinate Reference System – Portland Zone, NAD 83 (2011) epoch 2010.00.

This parcel of land contains 15,903 square feet, more or less, outside the existing right of way.

Parcel 2 - Temporary Easement For Work Area (5 Years or duration of Project, whichever is sooner)

A parcel of land lying in Lots 16 and 24 of PLAT OF TRACTS 1 TO 34 INC. OF UNIT "D" OF WEST OREGON CITY, Clackamas County, Oregon, and being a portion of that

property described in that Guardian's Deed to City of West Linn, Oregon, a Municipal Corporation, recorded April 21, 1969 as Recorder's Fee No. 69-6893, Film Records of Clackamas County; the said parcel being that portion of said property lying within the following described tract:

Beginning at a point opposite and 116.91 feet Northerly of Engineer's Station "L" 725+50.17 on the center line of the relocated East Portland Freeway; thence Northerly in a straight line to a point opposite and 259.36 feet Northerly of Engineer's Station "L" 724+76.50 at the southwest corner of Lot 23, PLAT OF TRACTS 1 TO 34 INC. OF UNIT "D" OF WEST OREGON CITY; thence Westerly in a straight line along the south right-of-way line of River Street to a point opposite and 278.95 feet Northerly of Engineer's Station "L" 725+14.21; thence leaving said south right-of-way line of River Street, Southerly in a straight line to a point opposite and 196.91 feet Northerly of Engineer's Station "L" 725+56.64; thence Southerly in a straight line to a point opposite and 122.63 feet Northerly of Engineer's Station "L" 726+19.39; thence Easterly in a straight line to a point opposite and 120.00 feet Northerly of Engineer's Station "L" 725+85.00; thence Easterly in a straight line to the point of beginning.

The center line of the relocated East Portland Freeway referred to herein is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 8,113 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
MAY 12, 2011
ANDREW JOSEPH SILBERNAGEL
#79198

RENEWS: JUNE 30, 2022
SIGNED: 04/27/2021

TERMS OF STATE'S OFFER**THE STATE'S OFFER IS AS DESCRIBED IN THE ENCLOSED ACQUISITION SUMMARY STATEMENT AND ACQUISITION DOCUMENT(S) AND INCLUDES THE FOLLOWING ADDITIONAL TERMS:**

1. The State will pay recording costs, title insurance premiums, and all other normal costs of sale.
2. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the just compensation in order to provide sufficient title to the State.
3. Pursuant to ORS 311.412-311.414, the State will pay the taxes proportional to the part of the property acquired and prorated as of the date of the acquisition.
4. As part of this acquisition for this Project, the State will require the following actions:

A. **Bonds.** The State and all subcontractors shall maintain a public works bond in full force and effect, as required by Oregon statutes, and shall obtain the mandatory insurance coverage required by the construction contract. The contractor shall verify subcontractors have filed a public works bond and required insurance certificates before the subcontractor begins work. All construction shall be completed in conformance with standard engineering and construction practices.

B. **Utilities.** (Check appropriate box)

There will be no changes to public utilities to the property.

Public utilities will be reconnected to improvements on the remainder property, except for the following:

n/a.

Public utilities will be made available within the right-of-way adjacent to the remainder property, except for the following: **n/a.**

Public utilities will not be available to the remainder property in the after.

If a public utility on the property is not reconnected, just compensation (payment) is provided.

C. **Access.** (Check appropriate box)

Access to the remainder property will remain the same.

There will be no access to the remainder property.

Access to the remainder property will remain the same, except for the following access:

Access #1 located at: **n/a**, is modified, relocated or closed as a result of:

the access modification letter dated: **n/a**(attached)

this Project as follows: **n/a.**

Access #2 located at: **n/a**, is modified, relocated or closed as a result of:

the access modification letter dated: **n/a**(attached)

this Project as follows: n/a.

Access #3 located at: n/a, is modified, relocated or closed as a result of:

the access modification letter dated: n/a(attached)

this Project as follows: n/a.

After construction of the project, if any access to the property has been modified, relocated or closed, other than a reservation(s) of access noted in the acquisition document(s), the altered access shall be public access; said access before and after the Project is subject to the government's police powers.

The following access, n/a, to be removed or modified as part of the project, shall remain open for access to the remainder property until the Project has completed construction of the new access as described above.

Access to the property shall remain open during construction with at least one lane for vehicle traffic, except for minimal closures (up to 2 hours) that are reasonably necessary pursuant to the Oregon Standard Specifications for Construction, Volume 2, Chapter 00220.02.

D. Improvements.

Private improvements in any easement areas shall be protected in place, or returned to a same or similar condition, except for the following: Natural vegetation.

Any sidewalks in the acquisition area, that are impacted by the Project, will be reconnected to preexisting sidewalks, except at the following locations: n/a.

E. Fencing on the Property.

Will not be affected.

Will be replaced as follows: n/a.

Will not be replaced.

F. Other terms of offer:

Access to temporary easement areas shall be via paved public city street (River Street). Project use of the access road will be limited to light duty trucks. Contractor will place gravel on the existing access road and gravel will remain post-construction. All improvements within acquisition areas will be protected or restored in kind if damaged. All historic features of the McLean House will be protected throughout construction. Reasonable access to existing House and park facilities will be maintained throughout construction.

5. To accept this offer, each of the persons listed on the attached signature page must (i) sign and return this document; and (ii) sign, notarize and deliver to ODOT all of the necessary acquisition document(s), in an original and unaltered form sufficient for transferring title and recording in the appropriate county recorder's office.

6. If this offer is addressed to multiple persons, it is a joint offer to all of those persons and must be accepted by all of the persons listed (or provide evidence showing any non-accepting persons do not have an interest in the property). If accepted, the just compensation in a joint offer may be apportioned among the persons listed in any mutually agreed upon manner.
7. The persons executing this offer each warrant and represent that they have authority to act for and bind their respective party with respect to the transfer of the real property interests that are the subject of this offer.
8. The "Terms of State's Offer" may be signed in counterparts. Once the signature of each person as set forth on the attached signature page has been affixed to one or more counterparts and returned to ODOT, this document shall be deemed fully executed as if all of the signatures were contained in a single document.
9. The Terms of State's Offer does not apply to any uneconomic remainder as identified in the appraisal.

[See attached Signature page]

SIGNATURE PAGE FOR TERMS OF STATE'S OFFER

**STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION**



06/25/2021

Grant Casebeer

Date

City of West Linn, Oregon, a Municipal
Corporation

Date

STATE'S OBLIGATION(S) AGREEMENT

August 27, 2021

File No.:	9316-009
Grantor:	City of West Linn, Oregon, a Municipal Corporation
Section:	I-205: I-5 - OR213, Phase 1
Highway:	064 - EAST PORTLAND FREEWAY
County:	Clackamas
FAP No.:	S064(057)e.d.9/30/21

The State is to:

- The Temporary Easement for work area is for 5 years or the duration of the project, whichever is sooner. The actual work onsite will be completed within a 24 month period. Access to temporary easement areas shall be via paved public city street (River Street). Project use of the access road will be limited to light duty trucks to deliver workers and construction supplies. Contractor will place gravel on the existing access road and gravel will remain post-construction in locations as coordinated with City staff. All improvements within acquisition areas will be protected or restored in kind if damaged. All historic features of the McLean House and grounds will be protected throughout construction. Reasonable access to existing McLean House, park facilities, and park area trails will be maintained throughout construction. Work is restricted to use for construction access, construction staging, and construction activities necessary for the ODOT I-205 Widening and Seismic Improvements Project as allowable under the November 2018 voter-approved measures 3-543 and 3-544. All necessary City and other permits will be acquired by ODOT for the Project. All areas occupied by the Project will be preserved, protected, restored to existing conditions or better, or otherwise improved as directed by the City. Trees along the Parcel 1 Temporary Easement line will be protected. Trees and other landscaping that are removed for construction shall be replaced by the Project, in coordination with the City. Any trees to be removed must first go through the City's permit process for approval. .

Any construction lying outside of the traveled portion and shoulders but within the right of way of the highway which is made for the use and benefit of the remaining property, either under the terms of this agreement or the construction plans, shall be completed in conformance with normal engineering construction practices and hereafter shall be maintained or reconstructed by the property owner in accordance with ORS 374.305, et seq. and OAR 734-051-1010 to 051-7010, OAR 734-055-0005 to 055-0110 and other applicable statutes and regulations.

If any of the construction under the terms of this agreement is outside of the highway right of way, Grantors hereby grant State, its employees or contractors, permission to enter upon their remaining property for the purpose of performing any of said construction work.

It is understood and agreed that State's performance of this agreement shall be a portion of the consideration for the concurrent real property transaction evidenced by deed between Grantors and State. This agreement shall not be effective or binding until Grantors receive notice from the State accepting the conveyance of the real property interests.

City of West Linn, Oregon, a Municipal Corporation

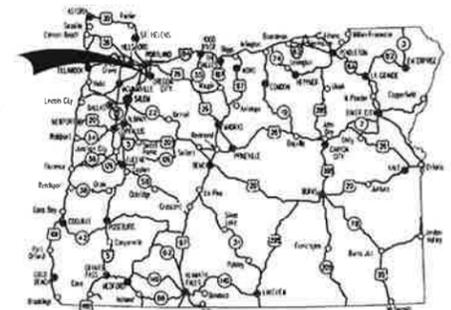
Date

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
A01	Title Sheet
A02, A03	Index Of Sheets Cont'd.
A04 thru A05	Standard Drawing Numbers
A06, A07	Plan Sheet Layout
A08 thru A10	Control Data

PRELIMINARY PLANS

STATE OF OREGON
DEPARTMENT OF TRANSPORTATION
PLANS FOR PROPOSED PROJECT
GRADING, DRAINAGE, STRUCTURES, PAVING, SIGNING & SIGNALS
I-205: I-5 - OR213, PHASE 1 SEC.

EAST PORTLAND FREEWAY
CLACKAMAS COUNTY
APRIL 2022



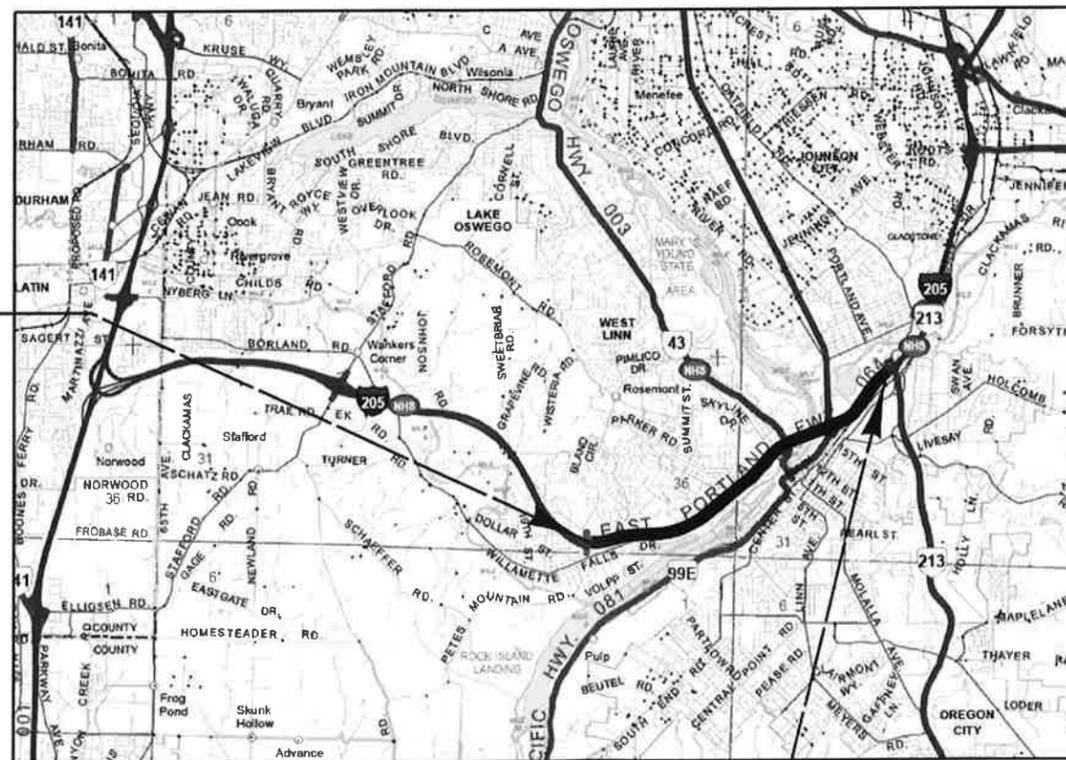
Overall Length Of Project - 3.70 Miles

ATTENTION:
Oregon Law Requires You To Follow Rules Adopted By The Oregon Utility Notification Center. Those Rules Are Set Forth In OAR 952-001-0010 Through OAR 952-001-0090. You May Obtain Copies Of The Rules By Calling The Center. (Note: The Telephone Number For The Oregon Utility Center Is (503) 232-1987.)



END OF PROJECT
S????(???)

STA. "LN2" 860+60 (M.P. 6.48)
STA. "LS2" 859+79 (M.P. 6.41)



BEGINNING OF PROJECT
S????(???)
STA. "L" 665+82 (M.P. 10.11)

T. 2 S., R. 2 E., W.M.



OREGON TRANSPORTATION COMMISSION

Robert Van Brocklin	CHAIR
Alando Simpson	COMMISSIONER
Martin Callery	COMMISSIONER
Julie Brown	COMMISSIONER
Sharon Smith	COMMISSIONER
Kristopher W. Strickler	DIRECTOR OF TRANSPORTATION

These plans were developed using ODOT design standards. Exceptions to these standards, if any, have been submitted and approved by the ODOT Chief Engineer or their delegated authority.

Approving Authority: _____
Signature & date

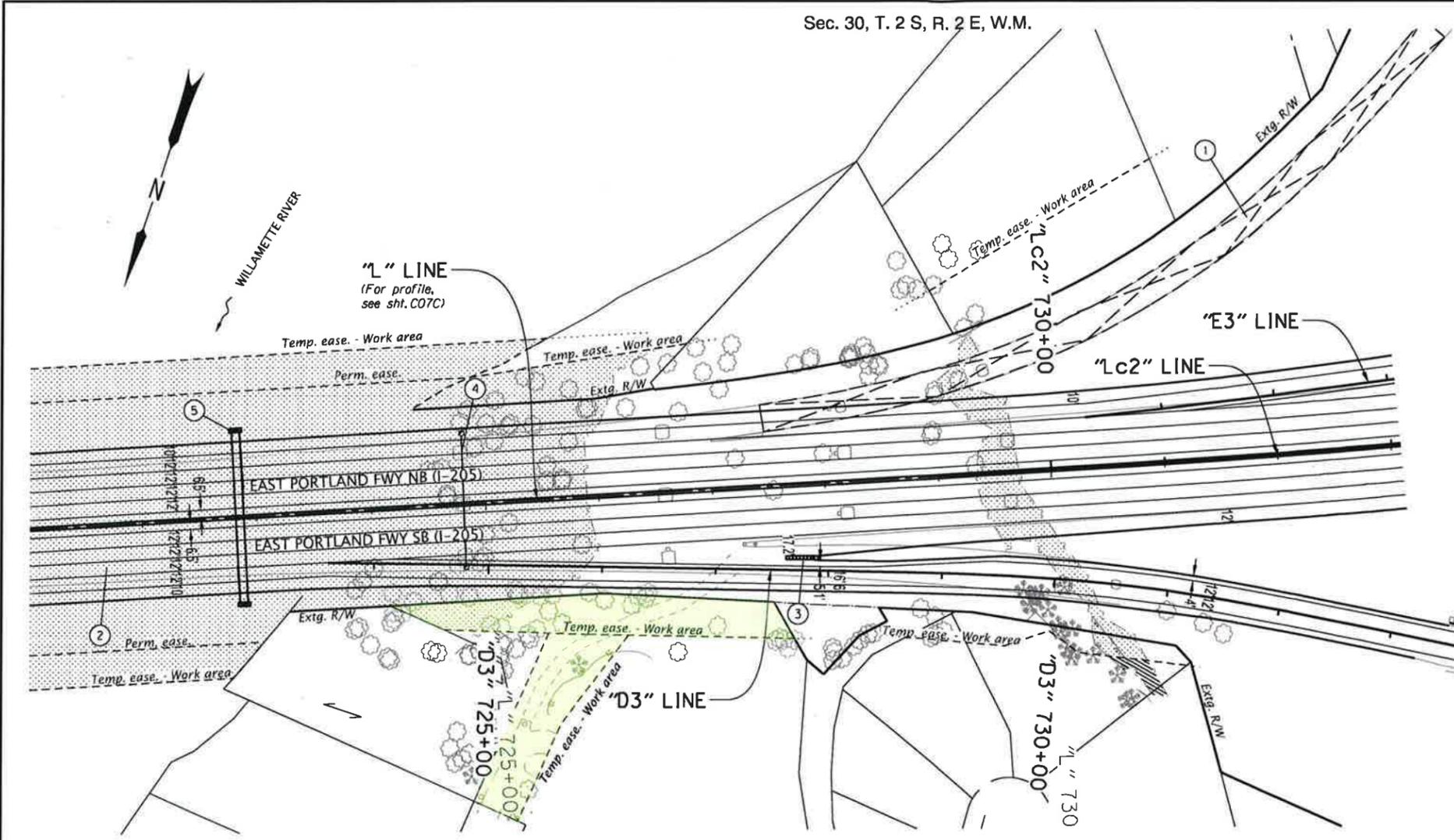
Print name and title

Concurrence by ODOT Chief Engineer

I-205: I-5 - OR213, PHASE 1 SEC.
EAST PORTLAND FREEWAY
CLACKAMAS COUNTY

FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER	SHEET NO.
OREGON DIVISION	S????(???)	A01

Sec. 30, T. 2 S, R. 2 E, W.M.



- ① Remove structure shown as thus: 
- ② See sht. C06A, note 13
Structure No. 09403
Widen extg. structure
(For dwg. nos., see sht. A02, Bridge)
- ③ Sta. "L" 727+62.6, Rt.
Const. impact attenuator
(For details, see sht. BB02 and BB11)
- ④ Sta. "L" 724+80.3, Lt. and Rt.
Remove sign support and footing
(For dwg. nos. see sht. A02, Signs)
- ⑤ Sta. "L" 722+85.0, Lt. and Rt.
Const. sign support and footing
(For dwg. nos. see sht. A02, Signs)

LEGEND

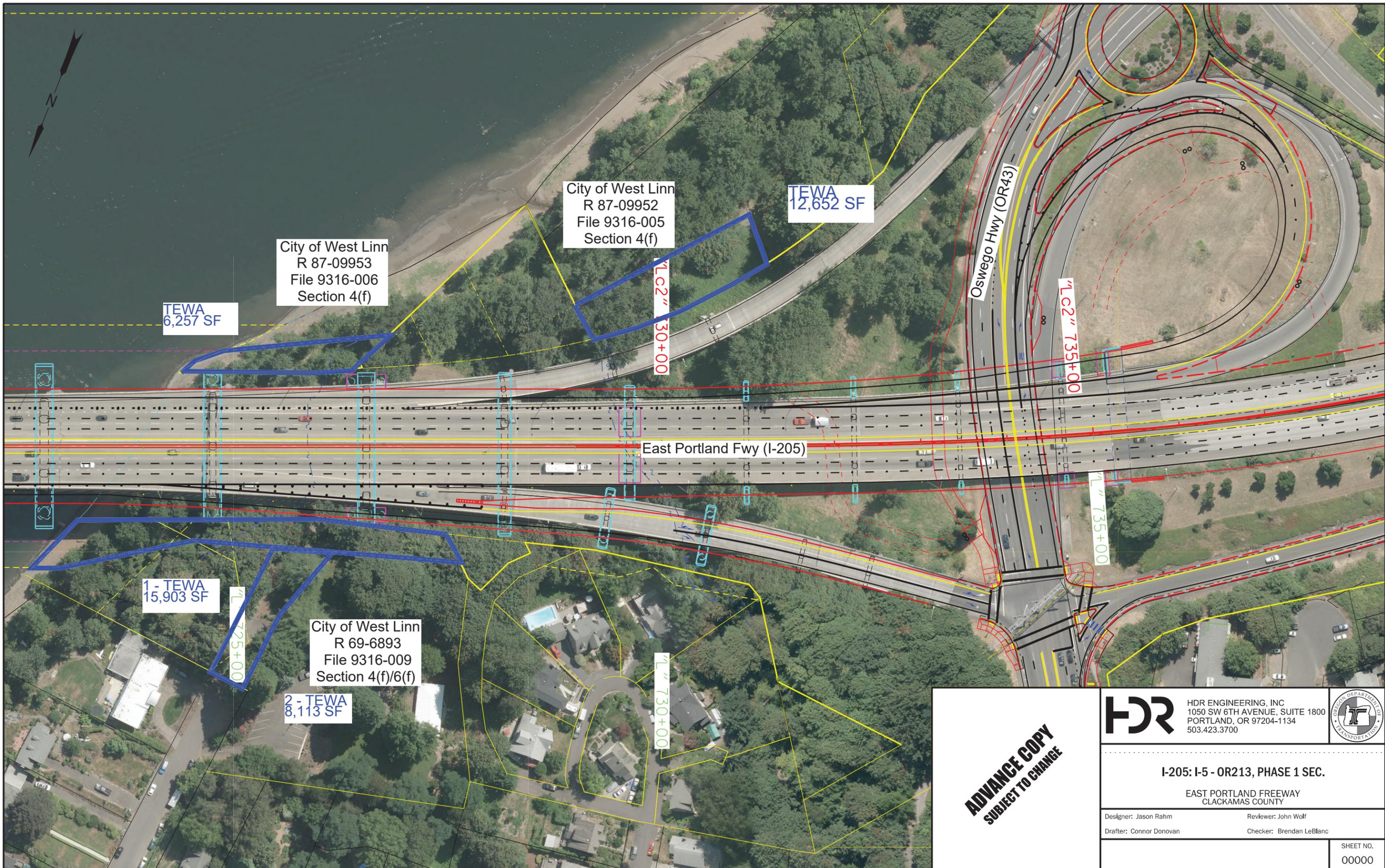
-  Ordinary high water
-  Wetlands
-  No Work Area
-  Regulated Work Area

**PRELIMINARY
SUBJECT TO CHANGE**

REGISTERED PROFESSIONAL
ENGINEER
7791
PRELIMINARY COPY
INFORMATION ONLY
4, 2011
M. RAHM

EXPIRES: DEC. 31, 2020

HDR	HDR ENGINEERING, INC 1050 SW 6TH AVENUE, SUITE 1800 PORTLAND, OR 97204-1134 503.423.3700	
	I-205: I-5 - OR213, PHASE 1 SEC.	
EAST PORTLAND FREEWAY CLACKAMAS COUNTY		
Designer: Jason Rahm	Reviewer: John Wolf	
Drafter: Connor Donovan	Checker: Brendan LeBlanc	
GENERAL CONSTRUCTION		SHEET NO. C07A



TEWA
6,257 SF

City of West Linn
R 87-09953
File 9316-006
Section 4(f)

City of West Linn
R 87-09952
File 9316-005
Section 4(f)

TEWA
12,652 SF

1/2" LG 2" 330+00

1/2" LG 2" 735+00

East Portland Fwy (I-205)

1/2" LG 2" 735+00

Oswego Hwy (OR43)

1 - TEWA
15,903 SF

1/2" LG 2" 725+00

City of West Linn
R 69-6893
File 9316-009
Section 4(f)/6(f)

2 - TEWA
8,113 SF

1/2" LG 2" 730+00

ADVANCE COPY
SUBJECT TO CHANGE

HDR HDR ENGINEERING, INC
1050 SW 6TH AVENUE, SUITE 1800
PORTLAND, OR 97204-1134
503.423.3700



I-205: I-5 - OR213, PHASE 1 SEC.

EAST PORTLAND FREEWAY
CLACKAMAS COUNTY

Designer: Jason Rahm Reviewer: John Wolf
Drafter: Connor Donovan Checker: Brendan LeBlanc

SHEET NO.
00000

FINAL ELECTRONIC DOCUMENT
AVAILABLE UPON REQUEST

Scale: 1"=100'

DECLARATION OF EMERGENCY FOR ICE STORM RECOVERY EFFORTS CITY OF WEST LINN, OREGON

WHEREAS, the City of West Linn has enacted a local Ordinance (West Linn Municipal Code Section 2.700 et seq.) pursuant to the authority granted by ORS Chapter 401 granting the Mayor the authority to declare a local state of emergency; and

WHEREAS, between Friday, February 12, 2021 and Monday, February 15, 2021, the City of West Linn experienced a major winter storm with significant amounts of snow and icefall; and

WHEREAS, the storm resulted in extended power outage and widespread damage throughout the City; and

WHEREAS, on February 13, 2021, Governor Brown issued Executive Order No. 21-02 declaring a state of emergency in Clackamas County and activated the State's Emergency Operations Plan and Emergency Coordination Center due to the severe winter storm; and

WHEREAS, on February 13, 2021, the Clackamas County Board of County Commissioners declared a state of emergency for the entire county under the authority granted by ORS Chapter 401 due to heavy snow and ice, tree falls, and power outages.

WHEREAS, on February 16, 2021, pursuant to its adopted authority governing the exercise of emergency planning provisions in Chapter 2 of the West Linn Municipal Code (WLMC) and the authority granted in ORS Chapter 401, the City declared a local state of emergency due to heavy snow, ice accumulation, and sustained cold temperatures which caused power outages, closed roads, damaged private and public property, and threatened lives.

WHEREAS, on May 4, 2021, the Federal Government granted a Major Disaster Declaration (4599DR-OR) authorizing the release of Federal funds to assist eligible local governments in its recovery efforts from the winter storm; and

WHEREAS, following the winter storm, the City established procedures and continues to take steps to respond to and recover from the emergency, including those necessary for the protection of life or property; and

WHEREAS, the City removed storm debris and downed trees from public rights-of-way and primarily hauled these items to Mary S. Young Park for temporary storage; and

WHEREAS, the continued storage of storm debris, tree stumps and wood chips in Mary S. Young Parks presents a threat to loss of life, injury to person or property due to the combustible nature of these materials; and

WHEREAS, all local resources have, or will likely be, expended in responding to this emergency and there may be need of additional resources from the County, State and other agencies; and

WHEREAS, a declaration of state of emergency is necessary to ensure the City of West Linn has the appropriate resources to continue responding to and recovering from this emergency.

NOW, THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF WEST LINN:

1. A state of emergency is immediately in effect for Mary S. Young Park and shall remain in effect until December 13, 2021, unless sooner terminated by the City Council, and may be further extended by the City Council if the conditions for the public health emergency continue to exist.

2. The City Manager is empowered to carry out the appropriate functions and duties identified in Municipal Code 2.700 *Emergency Planning* during times of emergency and shall implement the Emergency Operations Plan.
3. The City Manager shall take all necessary steps authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting public assistance from United States of America federal government as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended (Stafford Act), Title 42 of the United States Code (U.S.C.) § 5121 et seq., the State of Oregon and Clackamas County.
4. The following measures are necessary, or may become necessary as determined for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency:
 - a) Commit to mutual aid agreements;
 - b) Redirect funds for emergency use;
 - c) Order such other measures as are found to be immediately necessary for the protection of life and/or property;
 - d) The City may close or restrict access to public streets, City parks, and City facilities as necessary where danger exists, due to power outages, or for any related reason. Public information about closures, cancellations and restrictions will be posted on the City website.
 - e) To respond to damage, the City may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any necessary City funds for emergency purposes, and take any other actions set forth or authorized in WLMC 2.700 through 2.750.
5. The provisions herein regarding closures are enforceable as code violations and may be prosecuted in municipal court by municipal citation.

DATED THIS 13th DAY OF SEPTEMBER 2021.

JULES WALTERS, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

**West Linn Project Tracking List
9/2/2021**

	A	B	C	D	E	G	H
1	Date	Project/Department	Description of Task	Deadline	Assigned to	Contact	Notes
2	Immediate Priority						
3	4/3/2019 36808	19145 View Drive	Negotiate driveway contract, draft contract for Matton Excavation, negotiate deposit/estimate.		Tim Ramis	Morgan Coffie, Lance Calvert	Tim to prepare letter to their attorney.
4	12/19/2019 36841	Facility Use Agreements	Discuss facility use agreements and decision on funding for the buildings.		Tim Ramis/Bill Monahan/Matthew Kahl	John Williams, Ken Warner, Dylan Digby	Last update 3/8/2021 (same as FORS) (move to long term or ongoing)
5	1/22/2019 36845	Cedar Island Dredging Cedar Oak Boat Ramp	Map review and memorandum of understanding.		Tim Ramis/Matthew Kahl	Ken Warner	Last update 7/1/2021
6	2/26/2020 39479	Alarm Permit Ordinance & Master Fee Schedule	Can the city add verbiage to fee schedule that sets penalty for not paying false alarm charge on time?		Tim Ramis/Matthew Kahl	Shane Boyle	Last update 6/28/2021
7	3/2/2020 36842	Amendments to Historic City Hall Letter of Commitment	Review, amend or create new LOC. Specifically section 2 & 3. 7/16/2020 request for parking lease agreement template to go with LOC.		Tim Ramis/Bill Monahan/Matthew Kahl	John Williams	Last update 4/16/2021
8	4/6/2020 36844	Zoning Violation 1435 Rosemont Road	Resident violating zoning code, discuss options including revoking permit.		Tim Ramis/Matthew Kahl	Chris Myers, Lindsay Barney, John Millar	Last update 4/9/2021
9	4/10/2020 36839	Closure Youth Music Project Driveway	Review YMP's concerns and try to find solutions to mitigate negative impacts on YMP's property.		Tim Ramis/Matthew Kahl	Lance Calvert	Last update 11/9/2020
10	6/4/2020 36845 36838	Dangerous Alder Tree	Citizen notification of dangerous tree, what are necessary steps in situation? HOA owns tree in green space.		Tim Ramis/Kelly Burgess	Dylan Digby Ken Warner	Last update 4/15/2021
11	6/11/2020 36845	Release of Liability/Waiver	Create document to be utilized by outside groups that wish to use city facilities (fields, picnic shelters, rooms etc.)		Tim Ramis/Matthew Kahl	Ken Warner	Last update 7/31/2020
12	7/10/2020 36839	2196 Tannler Drive	Discuss memo regarding amendment to approval.		Tim Ramis	Jennifer Arnold Amy Pepper	Last update 8/27/2020
13	7/14/2020 36839	SUB 20-01 Street Alternative	Review email from Peter Watts and assist with response.		Tim Ramis	Jennifer Arnold	Email received 7/14/2020
14	8/17/2020 36845	ACTIVE Network Contract	Assist with preparing redline and edits to contract for renewal.		Tim Ramis/Bill Monahan	Ken Warner Shane Boyle	Last update 6/7/2021
15	10/8/2020 36842	Agreement for Event Funding	Prepare memorandum of agreement for city funding of events by an outside organization.		Tim Ramis/Matthew Kahl	Jerry Gabrielatos	Last update 10/9/2020
16	10/21/2020 36837	Renewed Harassment Complaint	Tom Meier email complaint.		Tim Ramis	Elissa Preston Jerry Gabrielatos	Last update 10/22/2020
17	12/7/2020 36808	Procurement Legal Review Lightship Master Services Agreement	Review agreement and subscription addendum for procurement of GIS based asset management system.		Tim Ramis/Matthew Kahl	Morgan Coffie	Last update 1/6/2021
18	12/21/2020 36838	ORS 30.275 Attachment	Tom Meier BOLI complaint/tort notice.		Tim Ramis/Kelly Burgess	Elissa Preston	Last update 12/23/2020
19	1/4/2021 36844	Police misconduct lawsuit	Complaint regarding police use of force and violation of the 4th amendment. Complainant has been trying to get accountability for almost a year.		Tim Ramis	Chief Mahuna, Elissa Preston, Jerry Gabrielatos	Last update 1/6/2021
20	01/06/2021 36845?	Questions on Behavior Policy	Library Advisory Board reviewing policy and looking to make adjustments based on recommendations.		Bill Monahan	Doug Erickson	Last update 4/16/2021

**West Linn Project Tracking List
9/2/2021**

	A	B	C	D	E	G	H
1	Date	Project/Department	Description of Task	Deadline	Assigned to	Contact	Notes
21	01/29/2021 36845	Robinwood Station Renovation	Questions regarding next steps.		Tim Ramis/Bill Monahan	Ken Warner	Last update 01/29/2021
22	2/5/2021 36842	Freedom of Information Act Request	Public Records Request to USPS to review records regarding Post Office in City closing, possibly permanently or relocating.		Tim Ramis/Chris Dolan	City Council	Last update 4/26/2021
23	2/16/2021 36808	ACWA Legal Committee Bond Concurrence	Follow Oregon City LUBA case for West Linn regarding the City's adoption of a new Stormwater Master Plan and Design Standards		Tim Ramis/Ed Trompke	Amy Pepper	Last update 2/17/2021
24	3/5/2021 36808 36841?	FEMA Contract Compliance for Disaster Relief Funding	Joshua will be sending emails as they prepare to request federal relief funding. Current drafts of contracts are lacking clauses and need to be reviewed from a legal perspective to ensure the proposed language is appropriate.		Tim Ramis/Bill Monahan/Matthew Kahl	Joshua Kam Morgan Coffie	Last update 3/9/2021
25	03/19/2021 36808	WES Proposed Rules/Standards Updates	Review the rules and standards updates proposed by WES.	30 days	Tim Ramis/Bill Monahan	Lance Calvert Amy Pepper	Last update 4/16/2021 Complete?
26	3/19/2021 36839	22150 Willamette Drive Questions	Legal assistance requested, two main components: regulating access to properties and altering established conservation easement. All to develop new roadway access options for commercial properties. Questions in email from JW.		Tim Ramis	John Williams Lance Calvert	Last update 4/6/2021
27	4/29/2021 36808	WAP-20-04/WRG-20-02/MIS-20-08 Completeness Letter	Review code section relied on to see if adopted after client's application was filed.		Tim Ramis	Amy Pepper	Last update 5/3/2021
28	5/4/2021 36845	Robinwood Station Correction	Questions forwarded from the FORS group.		Tim Ramis	Ken Warner	Last update 5/10/2021 Complete?
29	5/5/2021 36839	Ridwell Recycling Company Operation	Review WLRR franchise regarding for profit company's request to operate in West Linn.		Tim Ramis/Matthew Kahl/Bill Monahan	Dylan Digby	Last update 5/12/2021
30	5/5/2021 39479	Insurance Policy question due to IT cybersecurity event	Does policy not allow for recovery of lost wages other than overtime? If not, could an argument be made that government entity wages are tantamount to "revenue" since staff wages equate to work product delivering and operating municipal services for sitizen supplied tax dollars?		Tim Ramis	Shane Boyle	Last update 8/11/2021
31	5/24/2021 36838	Mouktabis Summons - Complaint	Summons - Clackamas County, West Linn and Oregon City - alleging false imprisonment and malicious prosecution. (note: this is the same person as 5/1/2020 under Potential or Pending Litigation section below)		Tim Ramis	Chief Mahuna, City Council	Last update 5/25/2021
32	5/28/2021 36808	WFD Ballot Measures	Assist with creating two ballot measures for November election to request voter approval to impact city-owned parks for road/bike improvements along Willamette Falls Drive and the I-205 Interchange area.	6/13/2021	Tim Ramis/Matthew Kahl	Morgan Coffie	Last update 6/3/2021 Complete?
33	5/28/2021 36842	Oppenlander Next Steps	Meet to discuss next steps following City Council hearing.		Tim Ramis	John Williams	Last update 7/6/2021
34	6/1/2021 36841	CIS Insurance Renewal	Review contract with Brown and Brown for assistance with CIS insurance renewal.	6/29/2021	Tim Ramis/Matthew Kahl	Lauren Breithaupt	Last update 6/3/2021
35	6/4/2021 36842	Municipal Advisor Agreement	Review and approve contract for city manager to sign.		Tim Ramis/Matthew Kahl	Lauren Breithaupt	Last update 6/10/2021
36	6/10/2021 36839	Draft Ordinance 9th Street PUE	Review draft ordinance to vacation public utility easement in 2017 and email any comments.		Tim Ramis/Matthew Kahl	Amy Pepper	Last update 6/11/2021
37	6/15/2021 36839	PW-20-09 Award	Review and approve acceptance of bid and contract award for 2021 Roads Program PW-20-09.	6/21/2021	Tim Ramis/Matthew Kahl	Daniel'le DeVoss	Complete 6/30/2021
38	6/24/2021 36841	Brown & Brown PSA	Review PSA for brokerage services.	ASAP	Tim Ramis/Matthew Kahl	Lauren Breithaupt	Complete 6/30/2021
39	6/28/2021 36844	Police Oversight Commission and DEI Committee	Prepare memo regarding SB 621 regarding police oversight commissions. May need to refer a measure to voters and Mayor would like information on an ordinance.		Tim Ramis/Shannon Lee-Erskine	City Council	Email request 6/28/2021

**West Linn Project Tracking List
9/2/2021**

	A	B	C	D	E	G	H
1	Date	Project/Department	Description of Task	Deadline	Assigned to	Contact	Notes
40	6/15/2021 36842	Resolutions for Signature	Review and sign resolutions 2021-03 through 2021-11		Tim Ramis	Kathy Mollusky	Complete 6/22/2021
41	7/19/2021 36808	I-205 Project Impacts to IGA	Review IGA submitted by ODOT and then schedule meeting to discuss.		Tim Ramis	Lance Calvert	Email request 7/19/2021
42	7/20/2021 36808	Right of Entry	Review right of entry agreement for sewer replacement project, which requires access to and work within private properties.		Tim Ramis/Matthew Kahl	Daniel'le DeVoss	Last update 8/17/2021
43	7/20/2021 36841	Street Maintenance Fees	Review options to verify there are no issues adding to utility bills. Lauren to reach out to Bond Counsel regarding GO Bond funds for this purpose.		Tim Ramis/Bill Monahan	Lauren Breithaupt	Last update 7/21/2021
44	7/23/2021 36838	Ordinance 1704 and ORS 124.100 Elder Abuse	Additional demandes from Tom Meier.		Tim Ramis/Kelly Burgess	Jerry Gabrielatos	Last update 7/23/2021
45	7/15/2021 36842	2955 Cedaroak Drive	Sale of surplus property - review memo and materials for posting to City's website. City would also like a title report to add to materials.		Tim Ramis	City Council	Last update 7/23/2021
46	8/2/2021 39479	Purchase Agreement - Standard 512 Contract Template	Review contract, city is about two weeks away from wanting to execute contract for fuel system hardware and labor.		Tim Ramis/Matthew Kahl	Shane Boyle	Last update 8/3/2021
47	8/2/2021 36844	BHS IGA	Review IGA for the BHS with LO PD.	8/20/2021	Tim Ramis/Matthew Kahl	Chief Mahuna	Last update 8/13/2021
48	8/12/2021 36839	Special Waiver Provisions in CDC	Client interested in Parker property corner of Tanner & Blankenship. Review special waiver section of CDC Chapter 75.	9/1/2021	Tim Ramis	Darren Wyss	Last update 8/19/2021
49	8/19/2021 36808	Asphalt Berms	Is City liable for damage from flooding where they have an asphalt berm? They're on select streets that don't have concrete curb, usually on the low side or bottom of a hill.		Tim Ramis	Erich Lais	Request received 8/19/2021
50	8/21/2021 78936	New Emergency Declaration	Prepare emergency declaration for clean up from storm damage. Detail the extent of the damage.		Tim Ramis/Matthew Kahl	City Council	Last update 9/1/2021
51	8/30/2021 36842	Protest Approval Request	The city would like guidance regarding Tom Pope requesting help to peaceful protest under local and federal law as he is disabled. See email which details the protest he would like to hold.		Tim Ramis	Chief Mahuna, Mayor Walters	Email request 8/30/2021
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55	Ongoing / Specified Due Date						
56	2/14/2019 36842	Bialostosky Public Records Litigation	Executive Session		Tim Ramis, Chris Dolan	John Williams	Appealed to Court of Appeals.
57	4/4/2019 36842	Gramor / Post Office Property	Legal analysis of post office procedural responsibilities.		Tim Ramis	John Williams	Last update 5/25/2021
58	9/9/2019 36839	I-205 Regulatory Framework	Develop process for permitting, etc.		Tim Ramis	John Williams, Lance Calvert	
59	10/14/2019 36841	Negotiate NW Natural Franchise	Pull NW Natural franchise out of ROW to renew and renegotiate.		Tim Ramis, Bill Monahan	Lance Calvert	Last update 10/28/19
60	?36845	Community Center Management Agreement	Revise agreement between City and Friends of Robinwood Station (FORS).		Tim Ramis/Matthew Kahl	Ken Warner	Last update 7/31/2020
61	9/22/2020 36844	Task Force	Assist with developing policies and reform.		Tim Ramis/Shannon Lee Erskine/Matthew Kahl/Kelly Burgess	Jerry Gabrielatos	Last update 10/1/2020
62	12/4/2020 36842	New Councilors	Request to schedule full debrief of all litigation and legal issues the City is currently involved in to bring new Council up to speed.		Tim Ramis/Chris Dolan/Kelly Burgess	City Council Jerry Gabrielatos	Updated 4/26/2021
63							

**West Linn Project Tracking List
9/2/2021**

	A	B	C	D	E	G	H
1	Date	Project/Department	Description of Task	Deadline	Assigned to	Contact	Notes
64	Longterm						
65	3/8/2019 36839	Code Changes Chapters 98 & 100, possibly 105	Review code, CDC, plan changes to confirm if on track.		Tim Ramis, Matthew Kahl	Darren Wyss	Last update 4/26/2021
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69	Consider Revised Schedule						
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72	Potential or Pending Litigation						
73	36842	Gossack Litigation	Collections, judgement issued		Tim Ramis, Chris Dolan	City Council	Per CKD need to follow up in a few months. Last update 11/21/19
74	5/1/2020 36844	Possible Tort Claim	Demand letter to WLPD regarding stolen legal document.		Tim Ramis	Peter Mahuna	Last update 5/5/2020
75	7/28/2020 36838	Philip Meier Tort Claim	Tort Claim regarding use of Roundup.		Tim Ramis/Kelly Burgess	Lauren Breithaupt	Last update 04/26/2021
76	10/5/2020 36838	Tort Claim Notice - Tony Reeves	Tort claim notice and preservation letter received.		Tim Ramis/Kelly Burgess	Jerry Gabrielatos	Last update 10/6/2020
77	10/22/2020 36837	Ethics Complaint	Tom Meier ethics complaint to Metro and City via online submittals. Complaints are against Ken Warner, Mayor Axelrod and Councilor Walters, alleging discrimination against his religious and political beliefs.		Tim Ramis	Elissa Preston Jerry Gabrielatos	Last update 10/30/2020
78	12/21/2020 36838	ORS 30.275 Attachment	Tom Meier BOLI complaint/tort notice		Tim Ramis/Kelly Burgess	Elissa Preston	Last update 12/23/2020
79	01/04/2021 36844	Police misconduct lawsuit	Complaint regarding police use of force and violation of the 4th amendment. Complainant has been trying to get accountability for almost a year.		Tim Ramis/Kelly Burgess	Chief Mahuna, Elissa Preston, Jerry Gabrielatos	Last update 1/6/2021
80	6/18/2021 36844	Potential Claim	Individuals living near pickleball courts complaining biterly about the effects of noise from the games on the quiet enjoyment of their homes. One person threatened legal action for nuisance.		Tim Ramis	City Council	Last update 6/18/2021
81	7/23/2021 36838	Ordinance 1704 and ORS 124.100 Elder Abuse	Additional demandes from Tom Meier.		Tim Ramis/Kelly Burgess	Jerry Gabrielatos	Last update 7/23/2021

Mollusky, Kathy

From: Laura Bergstrom <[REDACTED]>
Sent: Monday, September 13, 2021 10:28 AM
To: City Council; Calvert, Lance; Williams, John; Gabrielatos, Jerry
Subject: Comments concerning lot at 1310 9th St improvement

CAUTION: This email originated from an External source. Do not click links, open attachments, or follow instructions from this sender unless you recognize the sender and know the content is safe. If you are unsure, please contact the Help Desk immediately for further assistance.

Please have my comments included in the public record for tonight's City Council meeting:

My name is Laura Bergstrom, I have lived at 1333 10th St. West Linn since 1997. I would like to lodge a protest regarding the proposed development 1310 9th Street that proposed to add a "street" connecting 9th St. and 10th St. at 4th Avenue.

I am highly opposed to this plan. Both 9th St. and 10th St. are extremely narrow and steep streets. They were not built to code, being only 15 feet wide with no sidewalks. I live on 10th St. and I can tell you that 10th St. has a very high amount of pedestrian traffic going up and down the hill. As there are no sidewalks these people are walking in the middle of street. The street is extremely steep and cars coming up the hill cannot easily see pedestrians coming down.

10th St. is very narrow. The street is not wide enough to accommodate two cars. Anyone going down 10th St. must carefully wait at the top of the steepest part of the hill until cars going up have passed. Amazon, FedEx, UPS trucks frequently park in my driveway (at the widest part of the street on the hill) and walk down the hill to access houses down the hill. Cars are not allowed to park on the road down the hill as it is too narrow to accommodate. Adding a throughway at 4th Ave. would be extremely unsafe for drivers and pedestrians alike.

Additionally, many cars start to come down 10th St. thinking they can access the park. Since I have been working from home during the pandemic I generally see a minimum of 3 cars daily come down 10th St and pull into my driveway to turn around after they have realized they cannot get down to the park from 10th St. the addition of a throughway to 9th St. would allow people to use 10th St. as a route to the river, which would also increase traffic on a dangerous and narrow street.

I imagine 9th St. has similar issues as it is very steep, narrow, has high pedestrian traffic and no sidewalks.

The development of 4th Ave. to accommodate a builder should not be prioritized over fixing the existing safety issues on 9th and 10th St. The existing connection at 5th Ave. is sufficient for local traffic. The road construction would face topography constraints, tree removal and much more. If the stated goal of the city is connectivity, a footpath for pedestrians would better serve the neighborhood.

Regards,
Laura Bergstrom
West Linn, OR