

Parsons, Susan

From: Parsons, Susan
Sent: Monday, January 07, 2013 9:10 AM
To: Commissioner Fish, Fritz, Amanda; Hales, Charlie; Novick, Steve; Saltzman, Dan
Subject: FW: Agenda item 19: Testimony of Birdshill CPO / NA to Portland City Council 2013 Jan 09 Wed

Attachments: TSTM_BHCH_PTCC_Issues_L4T_2013_01Jan_04Fr_1300U.pdf;
CMPT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf;
AGRM_PTUN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf;
REPTXCH2M_LOCG_TCWP_Decom_2005_12Dec_15Th_1700U.pdf; REPT_VAIN_F-
2_FDRP_Floodplain_2011_02Feb_15Tu_1700U.pdf;
RQST_BHCN_GovProj_L1A_2011_03Mar_02We_0112U.pdf;
CMUA_BHCN_WSL_Earthquake_2011_04Apr_04Mo_2003U.pdf;
CNRPXLOCC_102_RSLT_1270_ERT_2012_12Dec_18Tu_1700U.pdf;
SHPK_LOPL_BH_Birdshill_2012_09Sep_19Mo_2200U.pdf

Susan Parsons
Assistant Council Clerk
City of Portland
susan.parsons@portlandoregon.gov
503.823.4085

From: Birdshill CPO/NA [mailto:birdshill.cpo.na@gmail.com]
Sent: Friday, January 04, 2013 3:01 PM
To: Parsons, Susan
Cc: Birdshill CPO/NA; Skip Ormsby
Subject: Testimony of Birdshill CPO / NA to Portland City Council 2013 Jan 09 Wed

Tryon Creek Wastewater Treatment Plant (TCWP) is owned and operated by City of Portland Bureau of Environmental Services (PBES) abuts our community of the Birdshill CPO / NA on our southern boarder of Tryon Creek. Birdshill CPO / NA does not have a voting seat on the facilities plan review committee (TCWP_CAC). Further issues have been ignored with open indifference by "citizen representatives", staff, and consultants when testimony is given during meeting comment periods. In brief comments "are welcomed" but never acted upon. This needs to be addressed and corrected immediately. Other issues and details of concerns between City of Portland and Birdshill CPO / NA are expanded in Attachment 01 and in referenced documents.

2013 January 04 Friday 14:50 U (2:50 PM PT)
Charles B. Ormsby (Skip)

1/7/2013

Chair 2012 – 2013
Birdshill CPO / NA
A Joint Clackamas County Community Planning Organization (CPO) and
City of Lake Oswego Oregon Neighborhood Association (NA)

Honorable Charles Hales
Mayor of the City of Portland (2012 – 2013)
and Portland City Council (2011 – 2012)
c/o Susan Parsons
Assistant Council Clerk
City of Portland Oregon
Portland City Hall
1121 SW 4 th Avenue Rm 140 (First Floor NE)
Portland OR 97204
Google Earth GPS Coordinates: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.823.4085
Wb: <http://www.portlandonline.com/auditor/index.cfm?c=26979>
Em: susan.parsons@portlandoregon.gov

Subject: Testimony of Birdshill CPO / NA to Portland City Council 2013 Jan 09 Wed

Copy:
Forward as you see fit

Good Afternoon Honorable Mayor and Council Members:

The Birdshill CPO / NA exits outside both the city limits and
Urban Service Provider (USP) boundary of the City of Portland Oregon.
Please review my testimony file Attachment 01 below.

Page 1 is an abstract page which serves as both an abstract and
table of contents to provide quick access to remainder of testimony.
For immediate reference key documents have been attached.
They may be surveyed as desired.

I look forward to presenting my citizen comments on
2013 Jan 09 Wednesday 09:30 U (9:30 AM PT).

Sincerely

Skip

Charles B. Ormsby (Skip)
Birdshill CPO / NA, Chair 2012 - 2013
A Joint Clackamas County Community Planning Organization (CPO) and
City of Lake Oswego Oregon Neighborhood Association (NA)
Google Earth GPS Coordinates: 45°25'42.18"N, 122°39'41.48"W
Clackamas County
170 SW Birdshill Road
Portland Oregon 97219-8502
Phn: 503.636.4483 Residence
E-mail: birdshillepona@gmail.com
Web: <http://birdshillepona.shutterfly.com/> (Not Open Yet)

Attachments (9) Nine, One of nine to be downloaded due to file size

Note:

1. Sent only as attachments to Susan Parsons all others may access by
viewing email and hyperlinked documents posted or referenced at:
Site: <https://sites.google.com/site/bhcmctwp/home/05em20130103>

2. File information abbreviated. Please see endnotes in

1/7/2013

AT01 : TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA for details
3. Order of Attachments is by Key Document Order in AT01 on page 6 of 18.

AT01

Title: TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA
Site: <https://sites.google.com/site/bhcnicwp/home/05em20130103>
File: TSTM_BHCH_PTCC_Issues_L4T_2013_01Jan_04Fr_1300U.pdf

AT02

Title: COMPLAINT Tryon Creek Facilities Plan Update Process and Committees
Site: <https://sites.google.com/site/bhcnicwp/home/02reports>
File: CMPPT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf

AT03

Title: City of Lake Oswego and City of Portland Wholesale Sewage Treatment and Disposal Agreement
Site: <http://sites.google.com/site/schmickskp/home/ndpenst03>
File: AGRM_PTLN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf

AT04

Title: City of Lake Oswego Oregon, Tryon Creek Wastewater Treatment Plant Alternatives Study <Extract Pages 1 - 3>
Site: <https://sites.google.com/site/bhcnicwp/home/05em170120720fr1528>
File: REPTXCH2M_LOCG_TCWP_Decom_2005_12Dec_15Th_1700U.pdf

AT05

Title: Appendix B-7, Foothills District Framework Plan: Floodplain <EXHIBIT F-2, LU 12-0032>
Site: <https://sites.google.com/site/bhcnicwp/home/05em20130103>
File: REPT_VAIN_F-2_FDPR_Floodplan_2011_02Feb_15Tu_1700U.pdf

AT06

Title: Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locale
Site: <https://sites.google.com/site/bhcnicwp/home/07rgswmsr>
File: RQST_BHCH_GovProj_LIA_2011_03Mar_02We_0100U.pdf

AT07

Title: Primary Earthquake Hazard Locales Along Oregon Highway 43 (OR 43) & Willamette Shore Line right-of-way (WSL) (ROW) for LOPt <ABSTRACT>
Site: <https://sites.google.com/site/condhazard/home/02reports>
File: CMUA_BHCH_WSL_Earthquake_2011_04Apr_04Mo_2003U.pdf

AT08

Title: Willamette Shore Line Intergovernmental Agreement for the Elk Rock Tunnel Improvements
Site: <https://sites.google.com/site/bhentewp/home/05en20130103>
File: CNRPXLOCC_102_RSL1_1270_ER1_2012_12Dec_18Tu_1700U.pdf

AT09 (NOT ATTACHED DUE TO FILE SIZE 3 mb, 1 Page)

Title: Terwilliger Blvd Gravity Sewer (TBGS) Service Area Overview
Site: <https://sites.google.com/site/pbestbs/home/03maps>
File: MPUA_BH_PBFS_TBGS_Dvrsn_2012_09Sep_19We_1400U.pdf

AT10

Title: Factsheet and Maps - Birdshill CPO / N
Site: <https://sites.google.com/site/bhentewp/home/05en20130103>
File: SHPK_LOPL_BH_Birdshil_2012_09Sep_19Mo_2200U.pdf

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

2013 Jan 04 Friday 13:00 U [1:00 PM PT]



Testimony By:
Chair of the
Birdshill CPO / NA

Birdshill CPO / NA
of Clackamas County and
City of Lake Oswego Oregon

2012 – 2013 Officers
Chair: Charles Ormsby (Skip)
Vice-Chair: Amir Mehrabi
Sec / Treas: John Hedlund



Edition: L4 – Total Outline
Edition Access: L1 – Abstract, L2 – Summary,
L3 – Key Documents, and L4 – Total Outline
Website for editions: <https://sites.google.com/site/bhcntcwp/home/05sem20130103>
Note: Navigate between most headers by Ctrl + mouse click, to follow most links.
Note: CR = Cross Reference – Linked jump to Outline Section & then to endnotes.
Affected Parties(s):
Please see Section 05 – Testimony Contacts on page 8

01 – Abstract of Testimony
On 2013 Jan 09 Wednesday 09:30 U (09:30 AM PT) Charles Ormsby, (Skip), Birdshill CPO / NA Chair has been scheduled to give testimony by Office of Auditor (503.823.4085) and make requests to the Portland City Council (PTCC) for 2013 – 2014 on projects listed below in 02 – Summary and Impact, that are under PTCC control or direct influence that affect some or all residents of the Birdshill CPO / NA (BHCN).

02 – Summary and Impact.

Overview

1. Lack of Voting Seat on TCWP_CAC
2. Request Map of TCWP Service Area
3. Request TCWP Tech Memo
4. Request discussion of TCWP Berm
5. Request for Project and Initiative Notice
6. Ascertain Stability of Elk Rock Tunnel
7. Request to Participate in Fluoridation Vote
8. Request Status of Portland “Union Station”
9. Request Status for TBGS Connection
10. Birdshill Statistics and Conclusion

03 – Key Documents

Please note these key documents will be attached to a transmittal email to be sent to the City of Portland, Office of the City Auditor for inclusion into the Portland City Council (2013 – 2014) meeting packet for the council meeting to occur on 2013 January 09 Wednesday 9:30 U (9:30 AM PT). They include the following:
03.01.01-Lack of Voting Seat on TCWP_CAC

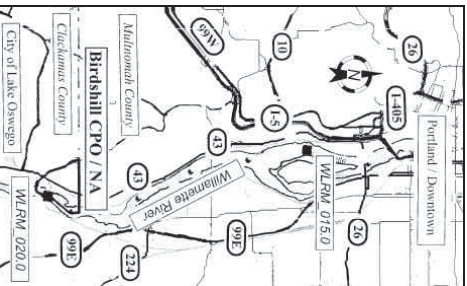
- Site: <https://sites.google.com/site/bhcntcwp/home/02reports>
File: CMPT_BHCH_TCWP_Form_L4T_2012_061um_12Tu_1700U.pdf
03.01.02 – Request Map of TCWP Service Area
Site: <http://sites.google.com/site/sentinelskip/home/amtpens103>
File: AGRM_PTLN_LKOS_TCWP_1984_09S8ep_26We_1700U.pdf
03.01.03 – Request TCWP Tech Memo
Site: <https://sites.google.com/site/bhntsgov/home/05email/20120720Ht1528>
File: REPTXCH2M_LOCG_TCWP_Decom_2005_12Dec_15Th_1700U.pdf
03.01.04 – Request discussion of TCWP Berm
Site: <https://sites.google.com/site/bhcntcwp/home/05sem20130102>
File: REPT_VAIN_F2_FDRP_Floodplain_2011_02Feb_15Tu_1700U.pdf
03.01.05 – Request for Project and Initiative Notice
Site: <https://sites.google.com/site/bhntsgov/home/07trgswnsr>
File: RQST_BHCH_GovProj_L1A_2011_03Mar_02We_0100U.pdf
03.01.06 – Ascertain Stability of Elk Rock Tunnel
Site: <https://sites.google.com/site/lophazard/home/02reports>
File: CMUA_BHCH_WSL_Earthquake_2011_04Apr_04Mo_2003U.pdf
Site: <https://sites.google.com/site/bhcntcwp/home/05sem20130102>
File: CNRPXLOC_102_RSLT_1270_BRT_2012_12Dec_18Tu_1700U.pdf

04 – Total Outline of Documents

05 – Testimony Contacts

06 – Locales Referenced

07 – Endnotes and Access Hyperlinks



Location:
The Birdshill CPO / NA (area) is a joint county and city community located on the west bank of the Willamette River between river miles 019.4 south to 020.2. This is about seven miles south of central Portland Oregon and immediately north of the City of Lake Oswego Oregon in Clackamas County.

Google Earth Coordinates
Intersect: Midvale / Underhill Rds
045° 25' 46.65" N, 122° 39' 39.90" W

Contact Information Birdshill CPO/NA Vice Chair:

Phone: 503.636.4483 Residence
Mali: Clackamas County – Birdshill Area
170 SW Birdshill Road
Portland OR 97219-8052

Internet Presence – Birdshill CPO / NA

Email: birdshillepona@gmail.com
Website: <http://birdshillepona.shinterfly.com/>
Group: <http://group.google.com/group/birdshillepona>
YouTube: <http://www.youtube.com/birdshillepona>

Attached Files / Cross Referenced Files:

07 – Endnotes and Access Hyperlinks, Page <11>.

Detail levels, pages, document files and disk space:

Detail Level	No Pages	No Files	Cum Disk Spc [kb-kilobytes]
L1 – Abstract ¹ :	0	0	0 kb
L2 – Summary ² :	0	0	0 kb
L3 – Key Docs ³ :	Est 100	9	10,000 kb
L4 – Total Outline ⁴ :	Est 500	Est 27	Est 12,000 kb
L6 – Endnotes ⁵ :	Est 1,250	Est 36	Est 25,000 kb

Notes on referenced documents:

1. Files referenced have been posted to above website for download.
2. **Downloaded files require name change to enable hyperlinks.**
3. Files available for at least 30 days from date at top of column.
4. Files also available upon request by email to above address(es).

GLOSSARY & Terms – See spreadsheet: Edition Access
Web: <https://sites.google.com/site/bhcntcwp/home/05sem20130103>

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

02 – Summary and Impact

Overview

My testimony scheduled for 2013 Jan 09 Wednesday at 9:30 U (9:30 AM PT) will briefly include the following topics within allotted 3:00 minutes that are a concern to residents of the Birdshill CPO / NA, of which I serve as Chair, and myself. In summary they include the following:

1. **Lack of Voting Seat on TCWP_CAC**
Lack of voting seat on Tryon Creek Wastewater Treatment Plant (TCWP) Citizen Advisory Committee (CAC) and request for immediate appointment.
2. **Request Map of TCWP Service Area**
Map of TCWP service area with boundaries to taxlot level of resolution.
3. **Request TCWP Tech Memo**
Source file to converted PDF document of Title: City of Lake Oswego Oregon,
Tryon Creek Wastewater Treatment Plant Alternatives Study
4. **Request discussion of TCWP Berm**
Agenda and discussion of flood control berm at TCWP (Tryon Creek Wastewater Treatment Plant by Citizens Advisory Committee)
5. **Request for Project and Initiative Notice**
Request for Portland City Council (PTCC) 2013 – 2014 originally made to 2011 – 2012 PTCC, to direct meetings with all departments / bureaus to ascertain a list of ALL projects, programs, and initiatives that are to affect the Birdshill CPO / NA.
6. **Ascertain Stability of Elk Rock Tunnel**
Request for Portland City Council as member of Willamette Shore Line Consortium (WSLC) to ascertain stability of Elk Rock Tunnel (ERT) along the Willamette Shore Line (WSL) right-of-way (ROW) underneath City of Portland Peter Kerr Park at approximately Willamette River Mile (WLRM_019.0) in Multnomah County. This is near and adjacent to the intersection of OR Hwy 43 / Breyman Avenue.
7. **Request to Participate in Fluoridation Vote**
Request (personal at this date) to vote on Portland Fluoridation measure.
8. **Request Status of Portland “Union Station”**
Request (personal at this date) as to the status of Portland OR “Union Station”.
9. **Request Status for TBGS Connection**
Request comprehensive document amongst multiple jurisdictions summarize imposed policies about connection to TBGS by homeowners.
10. **Birdshill Statistics and Conclusion**
Statistics and map summary as of 2012 September. Prepared for Multnomah County to illustrate issues at north end of Fielding Road in their jurisdiction.

Lack of Voting Seat on TCWP_CAC <CR 04.02.02.01>

The City of Portland, through the Bureau of Environmental Services (PBES) has embarked on a Facility Update Plan for the Tryon Creek Wastewater Treatment Plant (TCWP / TCWTP). This plant is owned and operated by the City of Portland within the city limits of Lake Oswego on the west bank of the Willamette River at river mile 20.2. This is immediately south of the confluence of Tryon Creek with the Willamette River 350 yards southeast of the intersection of OR Highway 43 (aka State Street) / Terrilliger Blvd. TCWP abuts the Birdshill CPO / NA on our southern boarder of Tryon Creek.

The Facility Plan Update began in secret in 2011 September. As detailed in complaint filed in 2012 <CR 04.02.02.01.01>

Also please see: <https://sites.google.com/site/bhentcwp/home>
Limited or no action has been taken by Portland City Council and Lake Oswego City Council to remedy the exclusion of the Birdshill CPO / NA for political reasons. As a result issues with respect to the TCWP that affect the Birdshill CPO / NA have not been discussed. Most notably a flood water diversion berm. See: requests for maps, memos, berm discussion immediately following below. In fact in meetings of the TCWP_CAC I have attended I have been treated with indifference. I have witnessed staff interacting with committee members more than I was permitted with three minute bursts of testimony at either beginning or end of the meeting. Further not one Lake Oswego representative has contacted me for issues to be discussed. This is indicative of treatment of neighborhood Chairs by members of many if not all “advisory boards” and CAC(s) since 2001.

Birdshill CPO / NA
Resolution ID (RsIt ID)
RsIt ID: 2012.13.08.05
Date ...: 2012-Jun-13 Wed 19:00 U
Title ...: Endorse Self Selection for Sewer Committees
Gist ...: Endorse and request of entities associated with Tryon Creek WTP ten year facilities plan empanel CAC(s) members by process of self selection rather than appointment by methods of selection by individuals by application of judgmental criteria.

Request Map of TCWP Service Area <CR 04.02.02.02>

Updates map in.
Title: City of Lake Oswego and City of Portland
Wholesale Sewage Treatment
and Disposal Agreement
Date: 1984 Sep 26 Wednesday, Page 20 of 21,
City of Portland Ordinance: 156612
Agreement File: <CR 04.02.02.02.01>

Birdshill CPO / NA
RsIt ID: 2013.02.10.30
Date ...: 2012-Aug-08 Wed 18:30 U
Title ...: Request Maps Plus List TCWP Taxlots
Gist ...: Request of government entities to produce existing and proposed TCWP service maps of area to a resolution of tax lot detail plus an itemized list of taxlots for each map.

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Request TCWP Tech Memo

<CR 04.02.02.03>

Request of City of Portland 2013 – 2014 Portland City Council (PTCC) as a follow on to request of City of Lake Oswego for Tech Memorandum regarding decommissioning of PBES Tryon Creek Wastewater Treatment Plant in converted file format from source documents.
Title: City of Lake Oswego, Oregon Tryon Creek Wastewater Treatment Plant Alternatives Study
Date: 2005 Dec 15 Thursday
Prepared by: David W. Green PE, Principal Project Manager, CH2M HILL
Birdshill CPO / NA
Rst ID: 2013.02.10.15
Date ..: 2012-Aug-08 Wed 18:30 U
Title ..: Request LO Reveal TCWP Tech Memo
Gist: Request City of Lake Oswego reveal and post to PBES website CH2M Hill Technical Memorandum from 2005 Dec 15 Monday titled City of Lake Oswego, Oregon Tryon Creek Wastewater Treatment Plant Alternatives Study in converted PDF format.

Please See Request of City of Lake Oswego:

<https://sites.google.com/site/bhrsrgov/home/05email/20120720fr1528>

For details please see <CR 04.02.02.03.01>

Request discussion of TCWP Berm

<CR 04.02.02.04>

Request of City of Portland 2013 – 2014 PTCC to instruct TCWP_CAC, PBES staff and consultants to discuss a flood diversion berm within the Tryon Creek Wastewater Treatment Plant grounds. This diversion berm in the event of flooding may have impacts on the Willamette River during flood events. Impacts on real property downriver or across the river on homes. This includes the area of Birdshill CPO / NA and residences on both Stampfer Road and Fielding Roads.
Issue arose in Lake Oswego Land Use Case LU-12-0032, Foothills - Amendments To Create New Special District Plan For Foothills Area, in Exhibit F-5
Title: Technical Memorandum, 2011 Sep 15, Foothills District Framework Plan Floodplain Analysis.
For details please see <CR 04.02.02.04.01>

This issue has not been exposed, discussed or validated and vetted to my personal satisfaction and in short represents a cover up of costs and risks in regards to the PBES TCWP facility that are likely be forced upon and carried unfairly by Birdshill CPO / NA homeowners in the event of a Willamette River flood event.

City of Portland needs to be concerned because they have spent substantial yet unknown funds of wastewater treatment rate payers monies restoring the lower portion of the Tryon Creek. From the confluence point with the Willamette River at river mile (WLRM 020.20) and upstream about 1,500 feet to and through a culvert underneath OR Hwy 43 aka State Street (Lake Oswego), aka Riverside Drive (Clackamas County).

Request for Project and Initiative Notice

<CR 04.02.02.05>

Request for Portland City Council (PTCC) 2013 – 2014 to direct meetings with all departments / bureaus to ascertain a list of ALL projects, programs, and initiatives that are to affect area and immediate environs the Birdshill CPO / NA.

History of Actions, Indifference and Inaction

2011 Jan 31 Monday 18:00 U (6:00 PM PT)

Clackamas County CPO Chairs Meeting, Clackamas County Commissioner Paul Savas (2011 – 2014) suggests to Charles Ormsby (Skip), Acting Chair Birdshill CPO / NA to testify in public before government entities requesting assistance in ascertaining a list of projects and initiatives with respect to area and environs of Birdshill CPO / NA as is required in "recognized" Bylaws <CR 04.02.02.05.03>.

2011 Feb 01 Tuesday 18:00 U (6:00 PM PT)

City of Lake Oswego City Council Meeting
2011 Feb 03 Thursday 10:00 U (10:00 AM PT)

Clackamas County Board of Commissioners Meeting

Site: <http://www.co.clackamas.or.us/bcc/business/>

Label: February 3, 2011

Timemark (hh:mm:ss): Begin: 00:20:35, End: 00:22:58

2011 Feb 10 Thursday 09:30 U (9:30 AM PT)

Multnomah County Board of Commissioners Meeting

Site: http://multnomah.granicus.com/ViewPublisher.php?view_id=3

Label: Board of Commissioners February 10, 2011

Timemark (hh:mm:ss): Begin: 00:00:57, End: 00:03:15

2011 Feb 10 Thursday 14:00 U (2:00 PM PT)

Metro Regional Government

[Federal Metro Planning Organization (MPO)]

Site:<http://www.oregonmetro.gov/index.cfm?web/id=21730>

Timemark: Begin: 00:08:06, End: 00:14:17 (Audio Only)

2011 Mar 02 Wednesday 09:30 U (9:30 AM PT)

City of Portland Oregon Item 197 .

Site:

<http://www.portlandonline.com/auditor/index.cfm?c=56674&a=372465>

Timemark: Begin: 00:09:59, End: 00:13:52

Birdshill CPO / NA

Rst ID: 2010.26.08.33

Date ..: 2011-Jun-28 Tue 19:00 U

Title ..: Request List of Projects and Initiatives

Gist: Have list of projects and initiatives per Bylaws convene meetings with leaders and key planners to get and validate info by Labor Day.

For details of 2011 request please see a summary of my testimony / request delivered to meeting recording official <CR 04.02.02.05.01 (Feb) and CR 04.02.02.05.02 (Mar)>.

A list of projects is to be compiled and presented for neighborhood / citizen review by early September as stated in the Bylaws for the Birdshill CPO / NA
<CR 04.02.02.05.03>

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Ascertain Stability of Elk Rock Tunnel

<CR 04.02.02.06>

Request for Portland City Council as member of Willamette Shore Line Consortium (WSLC) to ascertain stability of Elk Rock Tunnel (ERT) along the Willamette Shore Line (WSL) right-of-way (ROW) underneath City of Portland Peter Kerr Park at (GE: 45°26'13.18"N, 122°39'9.07"W)

<CR 06 –Locales Referenced>approximately Willamette River Mile (WLRM 019.0) in Multnomah County.
Birdshill CPO / NA

RsL ID: 2012.08.08.01

Date :: 2012-Jan-18 Wed 19:00 U

Title :: Request Geology of Elk Rock
Gist ...: Request Metro LOPT "Project Partners"

and WSL Consortium to conduct a geological evaluation study of Elk Rock and infrastructure.

Ascertain survivability in event of "Cascadia" subduction earthquake of magnitude 8.5 plus as on 1700 Jan 26 Tuesday.

Please see following:

1. Abstract report of WSL Geology Issues <CR 04.02.02.06.01
2. Complete report WSL Geology Issues <CR 04.02.02.06.02>
3. Email Transmitting Reports < 04.02.02.06.03>
- 4 Willamette Shore Line Intergovernmental Agreement for the Elk Rock Tunnel Improvements
<CR 04.02.02.06.04>

Cross Ref : City of Lake Oswego Council Packet for meeting of 2012 Dec 19 Tuesday
Agenda Item 12-70
Packet Page(s): 387 – 398, Screens 392 – 403

Request to Participate in Fluoridation Vote

<CR 04.02.02.07>

Enable residents of the Birdshill CPO / NA that receive home potable water distributed by the Palatine Hill Water District (PHWD) and sourced by Portland Bureau of Water (PBWT) from Bull Run watershed (NW slopes of Mt Hood) and wells to be granted opportunity to participate in upcoming vote on measure regarding PBWT water fluoridation. I am certain this would be a concern to other water contracted residents including those that live on the City of Portland periphery and in the environs of City of Tigard.

If the response is "no" I desire the rationale for the decision. Please illustrate the derivation of the decision and show its trace to elemental source documents.

Request Status of Portland "Union Station"

<CR 04.02.02.08>

Today in 2013 Union Station, 800 NW 6th Avenue, Portland OR 97209 (GE: 45°31'44.15"N, 122°40'36.00"W)

<CR 06 –Locales Referenced>

provides destination for Amtrak trains.

5.1. Will destination use be continued and today in 2013 and forward in the future till 2050 (Vision USA – HSR)?

5.2. What alternatives are being considered if any?>

Note this contemplated cessation of use impacts

5.3. "Target destination" designated for destinations in Portland OR and Vancouver WA for contemplated HSR – High Speed Rail alternatives in the Pacific Northwest Rail Corridor (PNRC)

(2013 Amtrak – Cascadia Service) between North terminus: Vancouver BC (CAN) and

South terminus: Eugene OR (USA)

5.4 May negate consideration of use of Tillamook Branch Line (TBL) right-of-way between

Willsburg Junction

[UPRR (Union Pacific Railroad) Mainline and TBL]

In City of Portland OR - SE or

City Milwaukie OR – north side

Near: SE 25th Ave / Ochoco St

(GE: 45°27'30.67"N, 122°38'9.23"W)

<CR 06 –Locales Referenced>

and

City of Tualatin OR

At Trestle Crossing Above Grade of TBL and

OE (Oregon Electric)

Near: SW Tualatin Rd / SW Boones Ferry Rd

(GE: 45°23'13.96"N, 122°45'52.21"W)

<CR 06 –Locales Referenced>

Will inquire again at Oregon Passenger Rail Project (OPRP)

Portland Meeting to be held:

Date: 2013 Jan 09 Wed 17:00 U (5:00 PM PT)

Locale: Multnomah County Headquarters, (basement)

501 SE Hawthorn Blvd, Portland OR 97214

(GE: 45°30'44.25"N, 122°39'37.50"W)

For further information on Birdshill CPO / NA evolving opinions with respect to High Speed Rail (HSR), Oregon Passenger Rail Project (OPRP) and Tillamook Branch Line (TBL) operations by current lessee from Union Pacific Railroad (UPRR) – Portland Western Rail Road (PWRR) please see the following websites:
Information as of 2012 Sep

1. <https://sites.google.com/site/am04sep/home/31issuopr>

Note Map files (MPUA), and encapsulation present (PPEP)

Map : Selected Rail Features Portland Metro Region

File: MPUA_BH_ODOT_PT_Rail_2012_08Aug_29w_2300U.pdf

Encap: Presentation Separation – Heavy Rail & Light Rail, ROW(s)

File: PPEP_TMET_ROW_Separation_2012_09Sep_10Mo_0800U.pdf,

Map : ODOT Intercity Passenger Rail Study Map Extracts (Pg 6 and 16)

File: MPUAXODOT_HSR_Rail_TBL_2009_07Jul_07Tu_1100U.pdf

Evolving information as of 2013 Jan

2. <https://sites.google.com/site/am08jan/>

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Request Status for TBGS Connection

<CR 04.02.02.09>

Request (personal at this date) as to the REQUIRED connection status for PBES (Portland Bureau of Environmental Services) Terwilliger Boulevard Gravity Sewer (TBGS) for residences within 300 feet of branch line to be installed circa 2013 March – 2013 October <CR 04.02.02.09.01> (Note large 3mb file, for examination please download from referenced website).

On 2012 Dec 26 Wednesday, received call from Kyin Lok a resident in Multnomah County within City of Portland and a residence on Castle Ridge Lane. Kyin Lok attended our Birdshill CPO / NA Regular Meeting 2013.06 which was held on 2012 Oct 17 Wednesday 19:00 U (7:00 PM PT) at Forrest Hills Elementary School in Lake Oswego. Kyin Lok asked me if I had minutes for that meeting. I replied I had not finished drafting them. He stated he had received notification from PBES his house would be required to connect to the TBGS. I surmised the SDC(s) System Development charges would be in the neighborhood of \$25,000 which he confirmed. I find this act of SDC assessment very disturbing and frankly capricious given all boundary conditions in the area of his residence and the fact several of his neighbors on Castle Ridge Lane will not be required to connect to the TBGS. This call was my impetus to schedule this public testimony before the Portland City Council on 2013 Jan 09 Wednesday. Kyin Lok will likely follow later in 2013 Jan due to business travel schedule.

As a personal note to residences on Castle Ridge Lane the plot plan was approved circa 2000 and home constructed circa 2005. Earliest concept plans for TBGS occurred as far back as 1995 – 1996 during conceptual site evaluations for a proposed location of the Riverdale High School. I am still annotating documents I recently came across in my mother's archives (tame black hole).

Further as a result I desire a letter in writing to memorialize on paper and *.pdf what the connection conditions are with respect mandatory / obligatory policy impositions to the TBGS amongst all jurisdictions from the vicinity of the following:

1. NW project intersection of Terwilliger Blvd / Powers Court (GE: 45°26'26.10"N, 122°40'13.33"W) to;
2. SE project intersection of OR Hwy 43 / Terwilliger Blvd (GE: 45°25'27.58"N, 122°39'38.35"W).

I desire this letter / communication be **comprehensive** with reference to TBGS connection policy and demonstrate by cross **multiple jurisdictional policy impositions** with respect to all LARPA – Laws, Administrative Rules, Resolutions, Policies and Agreements.

Birdshill Statistics and Conclusion

<CR 04.02.02.10>

Many City of Portland projects under the control or direct chain of command influence of the Portland City Council (PTCC) are occurring within area of Birdshill CPO / NA <CR 04.02.02.10.01> that has taxlots and right-of-ways within the jurisdictions of: State of Oregon, Clackamas County, City of Lake Oswego and the defined Dual Interest Area (DIA) within the Lake Oswego Urban Growth Management Area (UGMA) <CR 04.02.02.10.02>

Such projects require

TRUST between Government and Citizens through continuous TWO WAY – Communication by means of TRANSPARENCY at all times and with ALL citizens.

TRANSPARENCY is demonstrated through application of the following actions including but not limited to:

1. **Targeted citizens for inclusion** rather than exclusion.
2. **Timely presentation of subjects** with
3. **Topical materials** that are understandable, complete and
4. **Traceable to source documents** that demonstrate derivation of policy evolution and enable project / program execution.

Thanks and Happy New Year!

Skip

Charles B. Ormsby (Skip)
Birdshill CPO / NA, Chair 2012 - 2013

A Joint
Clackamas County Community Planning Organization (CPO) and

City of Lake Oswego Oregon Neighborhood Association (NA)
Google Earth GPS Coordinates: 45°25'46.48"N, 122°39'40.02"W
Clackamas County
170 SW Birdshill Road
Portland Oregon 97219-8502
Phn: 503.636.4483 Residence
E-mail: birdshillepona@gmail.com
Web: <http://birdshillepona.shutterfly.com/> (Not Open Yet)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Note: Documents are hyperlinked in endnotes.

1. Download attachments to email or documents downloaded from website into one common directory.
2. Have a PDF file reader installed on your computer and open (PC or MAC versions)
3. Navigate through document rapidly by clicking on headers (Bold type at beginning of section) or “Bookmark tab”
4. To access an endnote reference, first record endnote number on a piece of scratch paper. Place cursor over superscript number carefully and left mouse click, once.
5. To access the source site for document referenced in endnote click on the blue or purple text with the label “**De_Source**”. Links may not work due to changes in hyperlinked website URLs / addresses.
6. To access posting site for document referenced in endnote click on the blue or purple text with the label “**De_Access**”. Links may not work due to changes in hyperlinked website URLs / addresses.
7. Rename downloaded file as required to conform to filename in hyperlink in endnote. Strip off characters “[]” at end of filename.
8. To access a document referenced in the endnote left mouse click on the blue or purple text with the label “**Hink_Prd**”. This will open Adobe PDF file reader and you should see the referenced document.
9. To return to point in the document click on one of the previous view buttons (green button with left/right white arrows)
10. Periodically when viewing source documents close out viewed documents in Adobe reader separately.

Report:

Note Outline format is used to succinctly abstract the previous section summary and expose many more documents placed into endnotes. Due to limitations with my computer and software I have problems creating Adobe *.pdf (Portable Document Format) document files that provide full access to endnotes created in MS Word 2003 source files when the number of endnotes in the source document rises above 20 to 25 references. Endnotes in the PDF document can be accessed; however, but before performing a left mouse click you must record the endnote number on a scratch pad. Because in the PDF file you are dropped into the endnote section, and you must manually scroll backwards or forwards to the endnote number to point to document you desire and gain information about.

03- Key Documents

03.01
03.01.01
03.01.01.01

Key Documents by Order of Issues

Lack of Voting Seat on TCWP_CAC

2012 Jun 12 Thu – Complaint (CMPD) wrt Tryon Creek Wastewater Treatment Plant Citizen Advisory Committee
<CR 04.02.02.01.01>

Request Map of TCWP Service Area

1984 Sep 26 Wed – Agreement Portland / Lake Oswego Wastewater
<CR 04.02.02.02.01>

Request TCWP Tech Memo

2005 Dec 15 Tue – CH2M Technical Memo
RE Decommission TCWTP
<CR 04.02.02.03.01>

Request discussion of TCWP Berm

2011 Feb 15 Tue – Report VAIN Floodplain
<CR 04.02.02.04.01>

Request for Project and Initiative Notice

2011 Mar Wed – Request for Projects wrt Birdshill CPO / NA
<CR 04.02.02.05.02>

Ascertain Stability of Elk Rock Tunnel

2011 Apr 04 Mon – Abstract Compilation of WSL Hazards
<CR 04.02.02.06.01>

2012 Dec 12 Wed – Willamette Shore Line IGA for the
Elk Rock Tunnel Improvements
<CR 04.02.02.06.04>

Request to Participate in Fluoridation Vote

2013 Jan 04 Fri – None Annotated Google Sacramento CA

Request Status of Portland “Union Station”

2012 Sep – <https://sites.google.com/site/mt04sep/home/31issuopr>
<CR 04.02.02.08.01>
<https://sites.google.com/site/mt08jan/>
<CR 04.02.02.08.02>

Request Status for TBGS Connection

2012 Jun 21 Thu – PBES TBGS Service Area Overview
Note 3mb file, download from website
specified in endnote.
<CR 04.02.02.09.01>

03.01.09
03.01.09.01

03.01.07
03.01.07.01
03.01.08
03.01.08.01

03.01.06
03.01.06.01
03.01.06.02

03.01.05
03.01.05.01
03.01.04
03.01.04.01

03.01.03
03.01.03.01

03.01.02
03.01.02.01

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

04 – Total Outline of Documents

04.01	References from Abstract – page 1.
04.01.01	2012 Jun 04 Tu 02:02 U email – TCWTP Facilities Plan CAC ⁶
04.01.02	2012 Jun 04 Mo 09:16 U Blog – TCWTP Facilities Plan ⁷
04.01.03	2012 Jun 05 Tu 14:55 U email – TCWTP Facilities Plan CAC ⁸
04.02	Summary and Impact
04.02.01	Overview
04.02.02	Lack of Voting Seat on TCWP_CAC
04.02.02.01	2012 Jun 12 Thu – Complaint (CMPD) wrt Tryon Creek Wastewater Treatment Plant Citizen Advisory Committee ⁹
04.02.02.02	Request Map of TCWP Service Area
04.02.02.03	1984 Sep 26 Wed 17:00 U Agreement Portland / Lake Oswego Wastewater ¹⁰
04.02.02.03.01	Request TCWP Tech Memo
04.02.02.04	2005 Dec 15 Tue 17:00 U CH2M Technical Memo RE Decommission TCWTP ¹¹
04.02.02.04.01	Request discussion of TCWP Bern
04.02.02.04.02	2011 Feb 15 Tue – Report VAIN Floodplan ¹²
04.02.02.04.03	2012 Dec 12 Wed – Item 08.2 –Foothills District Framework Plan (FDFP) Adopt Ordinance 2601 ¹³
04.02.02.04.04	2012 Dec 12 Wed – Item 09.2 –Foothills UR Plan Attachments (FDFP) ORDN 2599 Attachments B – 1 ¹⁵
04.02.02.05	Request for Project and Initiative Notice
04.02.02.05.01	2011 Feb Request for Projects wrt Birdshill CPO / NA ¹⁶
04.02.02.05.02	2011 Mar Request for Projects wrt Birdshill CPO / NA ¹⁷
04.02.02.05.03	2009 Apr Bylaws Ver 06.09 (Rtf) of Birdshill CPO / NA ¹⁸
04.02.02.06	Ascertain Stability of Elk Rock Tunnel
04.02.02.06.01	2011 Apr 04 Mon – Abstract Compilation of WSL Hazards ¹⁹
04.02.02.06.02	2011 Apr 04 Mon – Complete Compilation of WSL Hazards ²⁰
04.02.02.06.03	2011 Apr 05 Tue – BHCN Email Government Distribution ²¹
04.02.02.06.04	2012 Dec 12 Wed – Item 10.2 – IGA for WSL Elk Rock Tunnel Adopt Resolution 12-70 ²² Packet Pages 387 – 398, Screens 392 – 403
04.02.02.07	Request to Participate in Fluoridation Vote
04.02.02.07.01	2013 Jan 04 Fri – Not annotated at this date. See fluoridation costs in Sacramento CA.
04.02.02.08	Request Status of Portland “Union Station”
04.02.02.08.01	2012 Sep – https://sites.google.com/site/mt04sep/home/31issuopr 2013 Jan – https://sites.google.com/site/mt08jan/
04.02.02.08.02	Request Status for TBGS Connection
04.02.02.08.03	2012 Jun 21 Thu – PBES TBGS Service Area Overview ²³ Please note this is a 3 mb file thus for examination please goto endnote and referenced website and download.
04.02.02.09	Birdshill Statistics and Conclusion
04.02.02.09.01	2012 Sep 19 Wed – Birdshill CPO / NA ²⁴ 1997 Dec 18 Thu – CC LO UGMA Agreement ²⁵
04.02.02.10	
04.02.02.10.01	
04.02.02.10.02	

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA
Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

05 – Testimony Contacts

Primary Contacts for Filing Testimony

Michael C. Kron
Assistant Attorney General
Oregon Department of Justice (OR DOJ)
1162 Court Street NE
Salem Oregon 97301
Google Earth: 44°56'16.63"N, 123° 1'38.45"W
Ph: 503.947.4447
Wb: <http://www.doj.state.or.us/>
Em: michael.c.kron@doj.state.or.us

Margie Sollinger
Ombudsman
Office of the Ombudsman
Office of the City Auditor
City of Portland Oregon
Portland City Hall
1221 SW 4th Avenue Room 140
Portland OR 97204-1900
Google Earth: 45°30'53.61"N, 122°40'43.63"W
Ph: 503.823.4503, Fax: Not Specified
Admin: 503.742.4400
Wb: <http://www.portlandoregon.gov/auditor/ombudsman>
Em: Margie.sollinger@portlandoregon.gov

Stephen L. Madkour
County Counsel
Office of the County Counsel
Clackamas County Oregon
Public Services Bldg Rm 460
2051 Kaen Road
Oregon City OR 97045-4035
Google Earth: 45°19'57.47"N, 122°35'55.50"W
Ph: 503.655.8581 Fax: 503.742.5919
Wb: <http://www.co.clackamas.or.us>
Em: smadkour@clackamas.us

David D. Powell
City Attorney
City of Lake Oswego Oregon
City Hall, 380 A Avenue Lev 3
PO Box 369
Lake Oswego OR 97034-0369
Google Earth: 45°25'9.19"N, 122°40'3.87"W
Ph: 503.635.0225 Fax: 503.699.7453
Wb: <http://www.ci.oswego.or.us>
Em: powell@ci.oswego.or.us

Primary Contacts for Filing Complaint

Jennifer Donnelly
LCDC Metro Regional Representative
Oregon Department of Land Conservation and Development
Market Center
1600 SW Fourth Ave Suite 109
Portland OR 97201
Google Earth: 45°30'43.63"N, 122°40'47.43"W
Ph: 503.725.2183 Ph: 503.725.2182
Wb: <http://www.lcd.state.or.us/LCD/>
Em: jennifer.donnelly@state.or.us

Charles Hales
Mayor (2013 – 2014)
City of Portland Oregon
Portland City Hall
1221 SW 4th Avenue Suite 340
Portland OR 97204-1900
Google Earth: 45°30'53.61"N, 122°40'43.63"W
Ph: 503.823.4682, Fax: Not Specified
Wb: <http://www.mayorsamdanus.com>
Em: mayorsam@portlandoregon.gov
Cerro Gonzalez, Executive Assistant to the Mayor
Ph: 503.823.1121
Em: cervero.gonzalez@ci.portland.or.us

Jeff Cogen
Multnomah County Chair
Multnomah County Board of Commissioners
Multnomah County Oregon
Hawthorne Headquarters Bldg
501 SE Hawthorne Blvd Suite 600
Portland OR 97214-3587
Google Earth: 45°30'44.25"N, 122°39'37.50"W
Ph: 503.988.3308, Fax: Not Specified
Wb: <http://www.multco.us/chair>
Em: jeffcogen@co.multnomah.or.us
Barb Guthrie, Scheduler / Staff Assistant
Ph: 503.988.3953, Fax: 503.988.3308
Em: Barbara.guthrie@co.multnomah.or.us

John Ludlow
Clackamas County Chair
Clackamas County Board of Commissioners
Clackamas County Oregon
Public Services Bldg Rm 450
2051 Kaen Road
Oregon City OR 97045-4035
Google Earth: 45°19'57.47"N, 122°35'55.50"W
Ph: 503.655.8581 Fax: 503.742.5919
Wb: <http://www.mayorsamdanus.com>
Em: mayorsam@portlandoregon.gov
Sasha Pollack, Senior Commission Policy Coordinator
Ph: 503.655.8581, Ph: 503.742.5915 Direct
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Ken Studebaker
Mayor
City of Lake Oswego Oregon
City Hall, 380 A Avenue Lev 3
PO Box 369
Lake Oswego OR 97034-0369
Google Earth: 45°25'9.19"N, 122°40'3.87"W
Ph: 503.635.0213 Fax: 503.697.3594 Wk: 503.306.5324
Wb: <http://www.ci.oswego.or.us>
Em: jhoftman@ci.oswego.or.us

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

06- Locales Referenced

Abbreviations

RM = River Mile
CO = Columbia River
TU = Tualatin River
WL = Willamette River
LO = Lake Oswego
UGMA = Urban Growth Management Agreement

Key Public Facilities Relative to Tryon Creek Wastewater Treatment Plant

Common Name

Google Earth Coordinate
[Copy and insert into "Fly to Window"]

Wastewater Treatment Plants

Tryon Creek WTP [PBES (PT)]	45°25'18.06"N, 122°39'31.22"W
Durham Treatment Facility [CWS (WC)]	45°24'3.60"N, 122°45'44.93"W
Columbia Blvd WTP [PBES (PT)]	45°35'49.48"N, 122°43'9.61"W
Kellog Creek WTP [WES (CC)]	45°26'25.23"N, 122°38'34.20"W
Tri-City WTP [WES (CC)]	45°22'33.29"N, 122°35'29.58"W

Government Headquarters

Clackamas County Development Services Bldg	45°20'2.23"N, 122°35'56.43"W
Clackamas County Public Services Bldg	45°19'57.47"N, 122°35'55.50"W
Lake Oswego City Hall	45°25'9.19"N, 122°40'3.87"W
Metro Headquarters	45°31'38.95"N, 122°39'36.91"W
Multnomah County Headquarters	45°30'44.25"N, 122°39'37.50"W
Portland City Hall	45°30'53.61"N, 122°40'43.63"W
West Linn City Hall	45°21'45.73"N, 122°38'51.39"W

Locales in vicinity of Tryon Creek WTP

Foothills Area	45°25'13.12"N, 122°39'32.30"W
Iron Mt Trail Bridge	45°25'52.46"N, 122°40'22.78"W
Kaady Carwash So Entry	45°25'23.47"N, 122°39'42.35"W
Public Storage LKOS Entry	45°25'22.67"N, 122°39'39.30"W

Locales in Portland wrt Rail Infrastructure

Union Station	45°31'44.15"N, 122°40'36.00"W
TBL - Wilsburg Junction (UPRR Main / TBL)	45°27'30.67"N, 122°38'9.23"W
TBL – Tualatin Trestle above OE Line	45°23'13.96"N, 122°45'52.21"W
TBL – Willamette River Bridge (Lake Oswego)	45°25'30.35"N, 122°39'17.01"W
Steel Bridge (Portland)	45°31'39.07"N, 122°40'9.15"W
WSL – Center of Elk Rock Tunnel (Mult Co)	45°26'13.18"N, 122°39'9.07"W

Locales wrt PBES TBGS (NW to SE)

Terwilliger Bv / Powers Court (NW TBGS)	45°26'26.10"N, 122°40'13.33"W
Terwilliger Bv / DLC 37 and 45	45°26'13.30"N, 122°39'40.72"W
Terwilliger Bv / Iron Mt Bv	45°26'3.68"N, 122°40'1.12"W
Terwilliger Bv / Castle Ridge Lane	45°25'59.34"N, 122°39'59.45"W
Terwilliger Bv / Mult-Clack Line	45°25'57.73"N, 122°39'58.73"W
Terwilliger Bv / Iron Mt Trail Head East	45°26'33.42"N, 122°40'22.53"W
Terwilliger Bv / Underhill Rd	45°25'48.47"N, 122°39'53.34"W
Terwilliger Bv / So Bike Forest	45°25'33.99"N, 122°39'45.71"W
OR 43 / Terwilliger Bv	45°25'27.58"N, 122°39'38.35"W

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Primary Sewer Plants Locales wrt LO UGMA

Tryon Creek Wastewater Treatment Plant
Portland Bureau of Environmental Services
NA(s): Foothills District and Birdshill CPO / NA
195 SW Foothills Road
Lake Oswego OR 97034
Phone: 503.
Google Earth: 45°25'18.06"N, 122°39'31.22"W
Outfall: WLRM_020.3 [Willamette River]
Wb: <http://www.portlandonline.com/bes/index.cfm?e=344979&c=31031>

Durham Treatment Facility
Clean Water Services
NA(s): Unknown
16060 SW 85th Ave
Tigard OR 97224
Phone: 503.547.8150
Google Earth: 45°24'3.60"N, 122°45'44.93"W
Outfall: TURM_009.5 [Tualatin River]
Wb: <http://www.cleanwaterservices.org/AboutUs/WastewaterAndStormwater/TreatmentFacilities/DurhamFacility.aspx>

Sewer Plants of Interest wrt LO UGMA

Oak Lodge Sanitary District
NA(s): Oak Grove CPO (Clackamas County)
13750 SE Renton Avenue
Milwaukie OR
Google Earth: 45°25'25.63"N, 122°39'8.36"W
Outfall: WLRM_020.1 [Willamette River]
Wb: <http://www.oaklodgesanitary.com/>

Tri-Cities Water Pollution Control Plant
NA(s):
15941 S Agnes Av
Oregon City OR
Google Earth: 45°22'33.29"N, 122°35'29.58"W
Outfall: WLRM_0???.? [Willamette River]
Ph: 503.557.2823 Fx: 503.557.2809
Wb: <http://www.co.clackamas.or.us/wes/>

Kellogg Creek Water Pollution Control Plant
NA(s):
11525 SE McLoughlin Blvd
Milwaukie OR
Google Earth: 45°26'25.23"N, 122°38'34.20"W
Outfall: WLRM_0???.? [Willamette River]
Ph:
Wb: <http://www.co.clackamas.or.us/wes/>

Columbia Blvd WTP
NA(s):
5001 N Columbia Blvd
Portland OR
Google Earth: 45°35'49.48"N, 122°43'9.61"W
Outfall: CORM_0???.? [Columbia River]
Wb: <http://www.portlandonline.com/bes/index.cfm?e=29323>

Primary Operator Entities

Portland Bureau of Environmental Services
City of Portland
Portland Building
1120 SW 5th Avenue, Room 1000
Portland OR 97204-3713
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.823.7740
Fx: 503.823.6995
Em: beswebmaster@portlandoregon.gov
Wb: <http://www.portlandonline.com/bes/index.cfm?e=29323>

Clean Water Services
Washington County
Administration Building Complex
2550 Southwest Hillsboro Highway
Hillsboro OR 97123
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.681.3600
Fx: 503.681.3603
Em: jockersm@cleanwaterservices.org
Wb: <http://www.cleanwaterservices.org/default.aspx>

Operator Entities

Oak Lodge Sanitary District
14611 SE River Road
Oak Grove, OR 97267-1198
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.653.1653 Fx: 503.653.0586
Em: mmmead@olsd.net
Wb: <http://www.oaklodgesanitary.com/>

Water Environmental Services
Clackamas County
Development Services Building
<Library Court>
150 Beavercreak Road
Oregon City OR 97045
Google Earth: 45°20'2.23"N, 122°35'56.43"W
Ph: 503.653.1653 Fx: 503.653.0586
Em: akyle@co.clackamas.or.us
Wb: <http://www.co.clackamas.or.us/wes/>

Clackamas County Service District 1
aka Water Environmental Services
Clackamas County
Development Services Building
<Library Court>
150 Beavercreak Road
Oregon City OR 97045
Google Earth: 45°20'2.23"N, 122°35'56.43"W
Ph: 503.653.1653 Fx: 503.653.0586
Em: akyle@co.clackamas.or.us
Wb: <http://www.co.clackamas.or.us/wes/>

Portland Bureau of Environmental Services
City of Portland
Portland Building
1120 SW 5th Avenue, Room 1000
Portland OR 97204-3713
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.823.7740 Fx: 503.823.6995
Em: beswebmaster@portlandoregon.gov
Wb: <http://www.portlandonline.com/bes/index.cfm?e=29323>

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

07 – Endnotes and Access Hyperlinks

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

¹ Title: Generic

Edition: L1 – Abstract

Date: YYYY Mon dd DOW 24:00 U (12:00 PM PT)

Desc: None and Not Applicable

Type: None – No document at this level

Auth: None and Not Applicable

File: None and Not Applicable. Size: n,nnn kb, Page(s): nn.

Dc_Source: Archives Birdshill

Dc_Access: None and Not Applicable

Hlink_Prd: None and Not Applicable

² Title: Generic

Edition: L2 – Summary

Date: YYYY Mon dd DOW 24:00 U (12:00 PM PT)

Desc: None and Not Applicable

Type: None – No document at this level

Auth: None and Not Applicable

File: None and Not Applicable. Size: n,nnn kb, Page(s): nn.

Dc_Source: Archives Birdshill

Dc_Access: None and Not Applicable

Hlink_Prd: None and Not Applicable

³ Title: Generic

Edition: L3 – Key Document Outline Access

Date: YYYY Mon dd DOW 24:00 U (12:00 PM PT)

Desc: None and Not Applicable

Type: None – No document at this level

Auth: None and Not Applicable

File: None and Not Applicable. Size: n,nnn kb, Page(s): nn.

Dc_Source: Archives Birdshill

Dc_Access: None and Not Applicable

Hlink_Prd: None and Not Applicable

⁴ Title: TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Edition: L4 – Total Outline for Document Access

Date: 2013 Jan 04 Friday 13:00 U (1:00 PM PT)

Desc: Testimony to PTCC on 2013 Jan 09 Wed 09:30 U wrt issues of Birdshill CPO / NA include seat on TCWP_CAC

Type: TSTM – Testimony; BHCH – Birdshill CPO / NA Chair

Auth: Charles B. Ormsby (Skip), Birdshill CPO / NA Chair 2012 – 2013

File: TSTM_BHCH_PTCC_Issues_L4T_2013_01Jan_04Fr_1300U.pdf. Size: 300 kb, Page(s): 18.

Dc_Source: Archives Birdshill

Dc_Access: <https://sites.google.com/site/bhcmcwp/home/05em20130103>

Hlink_Prd: [TSTM_BHCH_PTCC_Issues_L4T_2013_01Jan_04Fr_1300U.pdf](https://sites.google.com/site/bhcmcwp/home/05em20130103)

⁵ Title: Document List Universal

Date: 2012 Feb 21 Tuesday 15:00 U (3:00 PM PT)

Desc: Document List Supporting Reports produced by Birdshill CPO / NA

Type: SPSH – Spreadsheet, SNSK – Charles Ormsby (Skip) aka Sentinel Skip

Auth: Charles B. Ormsby (Skip), Sentinel Skip

File: SPSH_SNSK_UvDelist_2012_02Feb_21Tu_1500U.xls. Size: 1,600 kb, Page(s) 40.

Dc_Source: Archives Birdshill

Dc_Access: Not Posted

Hlink_Prd: Not Posted

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

⁶Title: Formation of TCWTP Facilities Plan Committee without Neighborhood involvement
Date: 2012 Jun 04 Monday 02:05 U (2:05 AM PT)
Desc: Email 01 to LO City Manager and LO Director of Economic Development RE TCWTP
Type: EMAIL – Email; BHCH – Birdshill CPO / NA Chair; LOCM – LO City Manager
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
File: EMAL_2012_06Jun_04Mo_0202U_BHCH_LOCM_TCWTP_Exclusion.pdf. Size 25 kb, Page(s): 2.
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmicwp/home/03pnmref>
Hlink_Prd: <https://sites.google.com/site/bhcmicwp/home/03pnmref>
[Hlink_Prd: EMAL_2012_06Jun_04Mo_0202U_BHCH_LOCM_TCWTP_Exclusion.pdf](https://sites.google.com/site/bhcmicwp/home/03pnmref)

⁷Title: Lake Oswego pump station move has familiar smell
Date: 2012 Jun 04 Monday 09:16 U (9:16 AM PT)
Desc: Article / Blog entry on Bolack regarding Tryon Creek Wastewater Treatment Plant Facility Upgrade
Type: BLOG – Blog Entry, BOJK – Jack Bogdanski Blog akaJack Bog's Blog, MS4TCW – Municiple Sewer & Surface Water Tryon Creek
Auth: Jack Bogdanski Blog akaJack Bog's Blog
File: MS4TCW_BLOG_BOJK_TCWP_Fac_Plan_2012_06Jun_04Mo_0916U.pdf. Size 743 kb, Page(s): 5.
Dc_Source: <http://bolack.org/2012/06/lake-oswego-pump-station-move.html>
Dc_Access: <https://sites.google.com/site/bhcmicwp/home/03pnmref>
Hlink_Prd: <https://sites.google.com/site/bhcmicwp/home/03pnmref>
[Hlink_Prd: MS4TCW_BLOG_BOJK_TCWP_Fac_Plan_2012_06Jun_04Mo_0916U.pdf](https://sites.google.com/site/bhcmicwp/home/03pnmref)

⁸Title: Formation of TCWTP Facilities Plan Committee without Neighborhood involvement02
Date: 2012 Jun 05 Tuesday 14:55 U (2:55 PM PT)
Desc: Email 02 to LO City Manager and LO Director of Economic Development RE TCWTP
Type: EMAIL – Email; BHCH – Birdshill CPO / NA Chair; LOCM – LO City Manager
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
File: EMAL_2012_06Jun_05Tu_1455U_BHCH_LOCM_TCWTP_Exclusion02.pdf. Size 162 kb, Page(s): 4.
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmicwp/home/03pnmref>
Hlink_Prd: <https://sites.google.com/site/bhcmicwp/home/03pnmref>
[Hlink_Prd: EMAL_2012_06Jun_05Tu_1455U_BHCH_LOCM_TCWTP_Exclusion02.pdf](https://sites.google.com/site/bhcmicwp/home/03pnmref)

⁹Title: COMPLAINT Tryon Creek Facilities Plan Update Process and Committees
Edition: L4 – Total Outline for Document Access
Date: 2012 Jun 12 Tuesday 17:00 U (5:00 PM PT)
Desc: Complaint wrt Tryon Creek Wastewater Treatment Plant (TCWTP or TCWP) Facilities Plan (2012 – 2022)
Type: CMPT – Complaint; BHCH – Birdshill CPO / NA Chair
Auth: Charles B. Ormsby (Skip), Birdshill CPO / NA Chair 2011 – 2012
File: CMPT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf. Size: 300 kb, Page(s): 15.
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\...ZZ_Act 2012x02\Z2012_06Jun_08Fr_1345U_CMPT_TCWP_CAC_Formation\Z02Sum
File: CMPT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf.

Dc_Access:
Homepage : <https://sites.google.com/site/bhcmicwp/home>
00selfapt : <https://sites.google.com/site/bhcmicwp/home/00selfapt>
01websites : <https://sites.google.com/site/bhcmicwp/home/01websites>
02calendar : <https://sites.google.com/site/bhcmicwp/home/02calendar>
02reports : <https://sites.google.com/site/bhcmicwp/home/02reports>
File : : <https://sites.google.com/site/bhcmicwp/home/02reports>
03pnmref : : <https://sites.google.com/site/bhcmicwp/home/03pnmref>
04articles : : <https://sites.google.com/site/bhcmicwp/home/04articles>
05em20120619 : <https://sites.google.com/site/bhcmicwp/home/05em20120619>
05em20120712 : <https://sites.google.com/site/bhcmicwp/home/05em20120712>
05em20120712 : <https://sites.google.com/site/bhcmicwp/home/05em20120712>
05em20130103 : <https://sites.google.com/site/bhcmicwp/home/05em20130103>
Hlink_Prd: <https://sites.google.com/site/bhcmicwp/home/05em20130103>
[Hlink_Prd: CMPT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf](https://sites.google.com/site/bhcmicwp/home/05em20130103)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ¹⁰ Title: City of Lake Oswego and City of Portland Wholesale Sewage Treatment and Disposal Agreement
Date: 1984 Sep 26 Wednesday 17:00 U (5:00 PM PT)
Desc: Agreement between Portland and Lake Oswego for sewage treatment
NOTE(s): 1. Title Page Added
2. Numbering from first page of Agreement
3. Key Term: EDU - Equivalent Dwelling Unit Defined Page 03/21, Item: H
4. Map of service Boundary Page 20/21.
Type: AGRM – Agreement, PTLN– City of Portland, LKOS– City of Lake Oswego
TCWP – Tryon Creek Wastewater Treatment Plant or TCWTP
Auth: Unknown
FILE BHCH: AGRM_PTLN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf. Size 1,000kb, Page(s): 21
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\... \Reports\050_MmPD_TCWP\1984_TCWP_LOPT_Agreement
File: AGRM_PTLN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf
Dc_Access: <http://sites.google.com/site/semtneskip/home/mtpenst103>
Hlink_Prd: [AGRM_PTLN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf](http://sites.google.com/site/semtneskip/home/mtpenst103)
- ¹¹ Title: City of Lake Oswego Oregon, Tryon Creek Wastewater Treatment Plant Alternatives Study <Extract Pages 1 - 3>
Date: 2005 Dec 15 Thursday 17:00 U (5:00 PM PT)
Desc: Example pages from Technical Memo regarding potential decommissioning of Tryon Creek Wastewater Treatment Plant for benefit of Foothills Plan.
Type: REPT – Report (In this instance a Technical Memorandum).
X – Extract from: EXTR_REPT_CH2M_LOCG_TCWWTW_2005_12Dec_15Th_1700U.pdf scan source
BH – Birdshill CPO / NA, CH2M – CH2M Hill (Engineering Firm),
LOGG – Lake Oswego City Government office of City Manager (Doug Schmitz <left circa 2009>)
Edit: Charles B. Ormsby (Skip), Chair Birdshill CPO / NA 2012 – 2013 (Extract)
Auth: Michel Burkhardt (CH2M Hill), David Green (CH2M Hill) (CH2M Hill Report)
File BHCH: REPTXCH2M_LOCG_TCWP_Decom_2005_12Dec_15Th_1700U.pdf,
Size 1,105 Kb, Page(s): 3
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\... \Reports\050_MmPD_TCWP\2005_TCWP_TC2M_Src_BH
File: EXTR_REPT_CH2M_LOCG_TCWWTW_2005_12Dec_15Th_1700U.pdf
Hlink_Prd: <https://sites.google.com/site/bhrstgov/home/05email/20120720ft1528>
Hlink_Prd: [REPTXCH2M_LOCG_TCWP_Decom_2005_12Dec_15Th_1700U.pdf](https://sites.google.com/site/bhrstgov/home/05email/20120720ft1528)
- ¹² Title: Appendix B-7, Foothills District Framework Plan: Floodplain <EXHIBIT F-2, LU 12-0032>
Date: 2011 Feb 15 Tuesday 17:00 U (5:00 PM PT)
Desc: Technical Memorandum / Report on Foothills District Floodplain (Willamette Rv + Tryon Cr + Oswego Lk)
Type: REPT – REPT, VAIN – Vigil-Agrimis Inc (Engineering, Landscape Architecture, Environmental Science)
FDRP – Foothills District Refinement Plan
Auth: Erik Schultz, PE; Ken Vigil, PE; Vigil-Agrimis Inc; 503.274.2010
File BHCH: REPT_VAIN_F-2_FDRP_Floodplain_2011_02Feb_15Tu_1700U.pdf,
Size 1,668 kb, Page(s): 12
File LOPC: exhibit_f-2_foothills_appendix-b-7_floodplain.pdf, Size 1,688 kb, Page(s): 12
Dc_Source: <https://www.ci.oswego.or.us/planning/lu-12-0032-foothills-amendments-create-new-special-district-plan-foothills-area>
Lake Oswego Planning
Web Page File ...: WBPg_LOPL_LU_12-0032_Foothills_2012_10Oct_07Su_0700U.pdf
Web Page Sect ...: LU 12-0032; Foothills - Amendments to Create New Special District Plan for Foothills Area
Web Page Hdr .: Exhibits
Web Page Item: Exhibit F-2; Foothills Framework Plan - Floodplain Analysis (Hyperlink)
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\Documents and Settings\OwrenMy_Documents\BH_CPONAV050_LOCG\LOPC_Case_files\LU_12-0032_Dist_Plan_Spc_Foothills\03_WBPg_Files
File: REPT_VAIN_F-2_FDRP_Floodplain_2011_02Feb_15Tu_1700U.pdf
Dc_Access: <https://sites.google.com/site/bhcmicw/home/05em20130102>
Hlink_Prd: [REPT_VAIN_F-2_FDRP_Floodplain_2011_02Feb_15Tu_1700U.pdf](https://sites.google.com/site/bhcmicw/home/05em20130102)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

¹³ Title: Foothills Urban Renewal Plan Adoption
Date: 2012 Dec 12 Wednesday 17:00 U (5:00 PM PT)
2012 Dec 14 Friday 14:00 U (2:00 PM PT) Release
2012 Dec 18 Tuesday 17:00 U (5:00 PM PT) Hearing Item 08.2, Ordn: 2601
Desc: Council Report on Foothills Urban Renewal Plan (FURP) map of UR District included Figure 1
Type: CNRP – Council Report
X – Extract (No Comments and Highlights)
C – Extract (Comments and Highlights)
LOCC – Lake Oswego City Council 2011 – 2012
082 – Foothill Urban Renewal Plan Adoption Ordinance 2601 Continuation
Source File AGPK_LOCC_Items_01-13_2012_12Dec_18Tu_1700U.pdf, Size 12,262 kb, Page(s): 487
File LOCC: 1218112_cpaccket.pdf, Size 12,262 kb, Page(s): 487
Packet Page(s): 195 – 309, Screens 200 – 313
ORDN – Ordinance, 2601, Item 08.2 Council Report on Foothills Urban Renewal Plan (FURP) Adoption
Auth: Brant Williams, Director Economic Development (LOED) PH: 503.635.6138, EM: bwilliams@ci.oswego.or.us
Jane Blackstone, Economic Development Manager, PH: 503.534.4225
File BHCN: CNRPXLOCC_082_ORDN_2601_FURP_2012_12Dec_12We_1700U.pdf, Size 3,017 kb, Page(s): 114
File LOCC: 1218112_cpaccket.pdf, Size 12,262 kb, Page(s): 487
Dc_Source: <http://www.ci.oswego.or.us/citycouncil/city-council-44>
Web Page Title ...: Lake Oswego City Council
Web Page File ...: WBPg_LOCC_Ming_Dec_18_2012_12Dec_14Fr_1400U.pdf
Web Page Sect ...: City Council
Web Page Hdr ...: Other Attachments
Web Page Item 02: Agenda Packet (Hyperlink)
Attachments B – 1 Item 04: Item 9.2 - Ordinance 2599: Attachments B – 1 (Hyperlink)
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\...\.050_LOCGLOCC_Ming\2012\2012_12Dec_18Tu_1800U_Reg_Foothills_Hrng
File: CNRPXLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf (Extract no comments / highlights)
CNRPLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf (Extract with comments / highlights)
Appendices: CNRPXLOCC_092_ORDN_2599_ATBI_2012_12Dec_12We_1700U.pdf
Dc_Access: Download from LOCC source website and rename.
Hlink_Prd: [CNRPXLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf](http://www.ci.oswego.or.us/citycouncil/city-council-44)

¹⁴ Title: Foothills District Framework Plan (FDFFP) Implementation
Date: 2012 Dec 12 Wednesday 17:00 U (5:00 PM PT)
2012 Dec 14 Friday 14:00 U (2:00 PM PT) Release
2012 Dec 18 Tuesday 17:00 U (5:00 PM PT) Hearing Item 09.2, Ordn: 2599
Desc: Council Report on Foothills District Framework Plan (FDFFP) Implementation Ordinance 2599
Type: CNRP – Council Report
X – Extract (No Comments and Highlights)
C – Extract (Comments and Highlights)
LOCC – Lake Oswego City Council 2011 – 2012
092 – Foothill District Framework Plan (FDFFP) Adoption Ordinance 2599
Source File AGPK_LOCC_Items_01-13_2012_12Dec_18Tu_1700U.pdf, Size 12,262 kb, Page(s): 487
File LOCC: 1218112_cpaccket.pdf, Size 12,262 kb, Page(s): 487
Packet Page(s): 319 – 330, Screens 324 – 335
ORDN – Ordinance, 2599, Item 09.2 Council Report on Foothill District Framework Plan (FDFFP) Implementation
Auth: David Powell, City Attorney, PH: 503.635.0255, EM: powell@ci.oswego.or.us
Brant Williams, Director Economic Development (LOED) PH: 503.635.6138, EM: bwilliams@ci.oswego.or.us
Jane Blackstone, Economic Development Manager, PH: 503.534.4225
File BHCN: CNRPXLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf, Size 947 kb, Page(s): 12
File LOCC: 1218112_cpaccket.pdf, Size 12,262 kb, Page(s): 487
Dc_Source: <http://www.ci.oswego.or.us/citycouncil/city-council-44>
Web Page Title ...: Lake Oswego City Council
Web Page File ...: WBPg_LOCC_Ming_Dec_18_2012_12Dec_14Fr_1400U.pdf
Web Page Sect ...: City Council
Web Page Hdr ...: Other Attachments
Web Page Item 02: Agenda Packet (Hyperlink)
Attachments B – 1 Item 04: Item 9.2 - Ordinance 2599: Attachments B – 1 (Hyperlink)
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\...\.050_LOCGLOCC_Ming\2012\2012_12Dec_18Tu_1800U_Reg_Foothills_Hrng
File: CNRPXLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf (Extract no comments / highlights)
CNRPLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf (Extract with comments / highlights)
Appendices: CNRPXLOCC_092_ORDN_2599_ATBI_2012_12Dec_12We_1700U.pdf
Dc_Access: Download from LOCC source website and rename.
Hlink_Prd: [CNRPXLOCC_092_ORDN_2599_FDFFP_2012_12Dec_12We_1700U.pdf](http://www.ci.oswego.or.us/citycouncil/city-council-44)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

¹⁵ Title: Foothills District Framework Plan (FDFP) Attachments B I for Implementation
Date: 2012 Dec 12 Wednesday 17:00 U (5:00 PM PT)
2012 Dec 14 Friday 14:00 U (2:00 PM PT) Release
2012 Dec 18 Tuesday 17:00 U (5:00 PM PT) Hearing Item 09.2. Ordn: 2599
Desc: Attachments B – I for Foothills District Framework Plan (FDFP) Implementation Ordinance 2599
Type: CNRP – Council Report
X – Extract (No Comments and Highlights)
C – Extract (Comments and Highlights)
LOCC – Lake Oswego City Council 2011 – 2012
092 – Foothill District Framework Plan (FDFP) Adoption Ordinance 2599
ORDN – Ordinance, 2599, Item 09.2 Council Report on Foothill District Framework Plan (FDFP) Implementation
ZABI – Attachments B through I
Source File AGPK_LOCC_Items_01-13_2012_12Dec_18Tu_1700U.pdf, Size 12,262 kb, Page(s): 487
File LOCC: 1218112_cepacket.pdf, Size 12,262 kb, Page(s): 487
Packet Page(s): 319 – 330, Screens 324 – 335
Auth: David Powell, City Attorney, PH: 503.635.0255, EM: powell@ci.oswego.or.us
Brant Williams, Director Economic Development (LOED) PH: 503.635.6138, EM: bwilliams@ci.oswego.or.us
Jane Blackstone, Economic Development Manager, PH: 503.534.4225
File BHCN: CNRPXLOCC_092_ORDN_2599_ZABI_2012_12Dec_12We_1700U.pdf, Size 7,375 kb, Page(s): 115
File LOCC: foothillscombined_attachmentsb-1.pdf, Size 7,375 kb, Page(s): 115
Dc_Source: <http://www.ci.oswego.or.us/citycouncil/city-council-44>
Web Page Title : Lake Oswego City Council
Web Page File : ... WBPg_LOCC_Ming_Dec_18_2012_12Dec_14Fr_1400U.pdf
Web Page Sect : City Council
Web Page Hdr : Other Attachments
Web Page Item 04: Item 9.2 - Ordinance 2599: Attachments B - I (Hyperlink)
Page Item 02: Agenda Packet (Hyperlink)
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\...050_LOCCLOCC_Ming\2012\2012_12Dec_18Tu_1800U_Reg_Foothills_Hmg
File: CNRPXLOCC_092_ORDN_2599_ZABI_2012_12Dec_12We_1700U.pdf, (Extract no comments / highlights)
Source: AGPK_LOCC_Items_01-13_2012_12Dec_18Tu_1700U.pdf.pdf
Dc_Access: Download from LOCC source website and rename.
Hlink_Prd: [CNRPXLOCC_092_ORDN_2599_ZABI_2012_12Dec_12We_1700U.pdf](#)

¹⁶ Title: Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locate
Date: 2011 Feb 02 Wednesday 13:00 U (1:00 PM PT)
Desc: Request of government entities with jurisdiction in the area of the Birdshill CPO / NA to develop a list of projects and initiatives wrt Birdshill CPO / NA as required
BYLW Artic II, Sect 04
Type: ROST – Request, BHCN – Birdshill CPO / NA
Auth: Charles B. Ormsby (Skip), Birdshill CPO / NA Acting Chair 2011 – 2012
FILE BHCN: ROST_BHCN_GovProj_LIA_2011_02Feb_02We_1300U.pdf, Size: 222 kb, Page(s): 2
Dc_Source: Archives Birdshill CPO / NA
Dc_Access: <https://sites.google.com/site/bhcmicwp/home/03prmrref>
Hlink_Prd: [ROST_BHCN_GovProj_LIA_2011_02Feb_02We_1300U.pdf](#)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

- ¹⁷ Title: Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locale
Date: 2011 Mar 02 Wednesday 01:00 U (1:00 AM PT)
Desc: Request of government entities with jurisdiction in the area of the Birdshill CPO / NA to develop a list of projects and initiatives wrt Birdshill CPO / NA as required
BYLW Artic II, Sect 04
Note: Cross Referenced to Foothills URA – Foothills Urban Renewal Area. See Also LU_12-0032
From Meeting minutes 2011 April 20 Wednesday Meeting 2010.23 presentations made and document delivered to:
2011 Feb 01 Tu 18:00 U – City of Lake Oswego Regular Meeting (Video DVD from Library)
2011 Feb 03 Th 10:00 U – County of Clackamas (CCBC) Business Meeting: Begin: 00:20:35, End: 00:22:58 (Video)
2011 Feb 10 Th 09:30 U – County of Multnomah (MTBC) Regular Meeting: Begin: 00:00:57, End: 00:03:15 (Video)
2011 Feb 10 Th 14:00 U – Metro Regional Government Regular Meeting: Begin: 00:08:06, End: 00:14:17 (Audio)
2011 Feb 10 Th 15:00 U – Drop in to ODOT Region 1 Headquarters left message with Shell Romero
2011 Feb 21 Mo 17:00 U – Discussion at Clackamas CPO Chair coffee County Sheriff's Office in Clackamas Town Center area
2011 Feb 23 We 10:00 U – Public Testimony before TriMet Board of Directors
2011 Mar 02 We 09:30 U – Public Testimony before Portland City Council Item 197
Type: ROST – Request, BHCN – Birdshill CPO / NA
BHCN – Birdshill CPO / NA
LIA – Level I Abstract
Auth: Charles B. Ormsby (Skip), Birdshill CPO / NA Acting Chair 2011 – 2012
FILE BHCN: [ROST_BHCN_GovProj_LIA_2011_03Mar_02We_0100U.pdf](#) Size: 222 kb, Page(s): 2
Dc_Source: <http://www.portlandonline.com/auditor/index.cfm?c=56674&a=372465>
Web Page Title ...: POL Government Elected Officials Auditor Griffin-Valade Divisions Council Clerk/Contracts Council Records
Web Page File ...: None
Web Page Sect ...: 2011 Council Meeting Records
Web Page Hdr.: Column Week, Row: 3/2/2011
Web Page Item: Column Meeting Documents, Row 3/2/2011, Cell: other
Hyperlink: http://cities.portlandoregon.gov/webdrtw/er/search/re?sm_class=uri_345&sm_created=3/1/2011%203/4/2011&bool=and
Link Item: City Auditor - City Recorder - Council Documents - 197-2011 Charles Ormsby communication
HLink: <http://efiles.portlandoregon.gov/webdrtw/er/rec/4835369/>
Dc_Source: Archives Birdshill CPO / NA
Folder: C:\... \BH_CPONAVZZ_Act_2011x01VZ2011_02Feb_01Tu_0900U_Projects_wrt_BHAProDDocs
Dc_Access: <https://sites.google.com/site/bhrstgov/home/07rsgwmsr>
Hlink_Prd: [ROST_BHCN_GovProj_LIA_2011_03Mar_02We_0100U.pdf](#)
- ¹⁸ Title: Birdshill CPO / NA Bylaws
Date: 2009 Apr 30 Thursday 09:00 U (9:00 AM PT)
Desc: Ratified and Approved Ver 6.09 Bylaws
Type: BYLW – Bylaws
Auth: Charles B. Ormsby (Skip) Sentinel Birdshill
FILE: BYLW_BHCN_RTFD_0609_2009_04Apr_30Th_0900U.pdf, Size 653 kb, Page(s): 13
Note: Bylaws on LO – Lake Oswego and CL – Clackamas County will have different File Names
Dc_Source: Birdshill CPO / NA Archives
Dc_Access LO: <http://www.ci.oswego.or.us/plan/Neighborhoods/default.htm>
Dc_Access CL: http://web12.clackamas.us/alfresco/download/direct/workspace/SpacesStore/23c19c9a-7b98-11de-bc2e-c7da9cd98f5/Birdshill_Bylaws_06_09_2009_Apr30_09.pdf
Hlink_Prd: [BYLW_BHCN_RTFD_0609_2009_04Apr_30Th_0900U.pdf](#)
- ¹⁹ Title: Primary Earthquake Hazard Locales Along Oregon Highway 43 (OR 43) & Willamette Shore Line right-of-way (WSL) (ROW) for LOPT <ABSTRACT>
Date: 2011 Apr 04 Monday 20:00 U (8:00 PM PT)
Desc: Abstract of Compilation of documents related to Willamette Shore Line hazard areas
Type: CMUA – Compilation Size "A", WXH (1 in x 8.5 in) Landscape
Auth: Charles B. Ormsby (Skip) Birdshill CPO / NA Acting Chair 2010 – 2011
FILE BHCN: CMUA_BHCN_WSL_Earthquake_2011_04Apr_04Mo_2003U.pdf, Size 868 kb, Page(s): 3
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/lophazard/home/02reports>
Folder: C:\... \ZZ_Act_2011x01VZ2011_03Mar_15Tu_1200U_Create_WSL_Hazard_Map_Z02Sum
Hlink_Prd: [CMUA_BHCN_WSL_Earthquake_2011_04Apr_04Mo_2003U.pdf](#)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

- ²⁰ Title: Primary Earthquake Hazard Locales Along Oregon Highway 43 (OR 43)
& Willamette Shore Line right-of-way (WVSL) (ROW) for LOPT
Date: 2011 Apr 04 Monday 20:00 U (8:00 PM PT)
Desc: Compilation of documents related to Willamette Shore Line hazard areas
Type: CMUA - Compilation Size "A", WxH (11 in x 8.5 in) Landscape
Auth: Charles B. Omsby (Skip) Birdshill CPO / NA Acting Chair 2010 - 2011
FILE BHCN: CMUA BHCN WSL Earthquake_2011_04Apr_04Mo_2000U.pdf, Size 2,638 kb, Page(s): 24
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/lophazard/home/02reports>
Folder: C:\...ZZ_Act_2011x01Z2011_03Mar_15Tu_1200U_Create_WSL_Hazard_MapZ02Sum
Hlink_Prd: [CMUA BHCN WSL Earthquake 2011_04Apr_04Mo_2000U.pdf](#)
- ²¹ Title: Earthquake Hazards n LOPT via WSL
Date: 2011 Apr 05 Tuesday 16:18 U (4:18 PM PT)
Desc: Email for Government Distribution of WSL Hazards
Type: EMAIL - Email, BHCN - Birdshill CPO / NA
WSL - Willamette Shore Line, ERT - Elk Rock Tunnel
Auth: Charles B. Omsby (Skip) Birdshill CPO / NA Acting Chair 2010 - 2011
FILE BHCN: EMAIL_2011_04Apr_05Tu_1618U_BHVC_GV_Dstr_EQAK_n_WSL.pdf, Size 61 kb, Page(s): 2
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\...ZZ_Act_2011x01Z2011_03Mar_15Tu_1200U_Create_WSL_Hazard_MapCrspdnc\03Gov_Dist
Dc_Access: <https://sites.google.com/site/bhcnw/home/05em20130102>
Hlink_Prd: [EMAL_2011_04Apr_05Tu_1618U_BHVC_GV_Dstr_EQAK_n_WSL.pdf](#)
- ²² Title: Willamette Shore Line Intergovernmental Agreement for the Elk Rock Tunnel Improvements
Date: 2012 Dec 18 Tuesday 17:00 U (5:00 PM PT)
2012 Dec 14 Friday 14:00 U (2:00 PM PT) Release
2012 Dec 18 Tuesday 17:00 U (5:00 PM PT) Hearing Item 10.2, Rslt: 12-70
Desc: Council Report on Willamette Shore Line (WSL) right-of-way Elk Rock Tunnel (ERT) IGA Resolution 12-70
Type: CNRP - Council Report
X - Extract (No Comments and Highlights)
C - Extract (Comments and Highlights)
LOCC - Lake Oswego City Council 2011 - 2012
102 - Agenda Item 10.2 - Council Report on Willamette Shore Line (WSL)
Source File BHCN: AGPK_LOCC_Items_01-13_2012_12Dec_18Tu_1700U.pdf, Size 12,262 kb, Page(s): 487
File LOCC: 1218112_cpackage.pdf, Size 12,262 kb, Page(s): 487
Packet Page(s): 387 - 398, Screens 392 - 403
RSLT - Resolution,
1270 - Resolution, Item 10.2 Council Report on Willamette Shore Line (WSL),
Intergovernmental Agreement (IGA) for Elk Rock Tunnel (ERT) Improvements
ERT - Elk Rock Tunnel on Willamette Shore Line (WSL),
Assessor Map (Multnomah County) [Twn_Rng_Sec_QtrSec_QQSec_Taxlot] 01S_01E_35_X_X_00300
Thomas Guide: PDXM1/Pg 0656/ Grid H3, Landmark: Peter Kerr Park
North Portal, Aprx Riverwood Rd / WSL right-of-way 0.25 mile south, GE: 45°26'16.88"N, 122°39'4.64"W
Center Point, Aprx OR 43 / Donation Land Claim (DLC) No. 37 (S.H. Tryon) Line GE: 45°26'13.18"N, 122°39'9.07"W
South Portal, Aprx OR 43 MP 04.9 (OR 43 / Breyman Ave) 180 ft below, GE: 45°26'5.66"N, 122°39'9.48"W
Auth: Brant Williams, Director Economic Development (LOED) PH: 503.635.6138, EM: bwilliams@ci.laoswego.or.us
File BHCN: CNRPXLOCC_102_RSLT_1270_ERT_2012_12Dec_18Tu_1700U.pdf, Size 893 kb, Page(s): 12
File LOCC: 1218112_cpackage.pdf, Size 12,262 kb, Page(s): 487
Dc_Source: <http://www.ci.oswego.or.us/citycouncil/city-council-44>
Web Page Title ...: Lake Oswego City Council
Web Page File ...: WBPg_LOCC_Ming_Dec_18_2012_12Dec_14Fr_1400U.pdf
Web Page Sect ...: City Council
Web Page Hdr ...: Other Attachments
Web Page Item 02: Agenda Packet (Hyperlink)
Dc_Source: Birdshill CPO / NA Archives
Folder: C:\...050_LOCCLOCC_Ming2012\2012_12Dec_18Tu_1800U_Reg_Foothills_Hrng
File: CNRPXLOCC_102_RSLT_1270_ERT_2012_12Dec_18Tu_1700U.pdf (Extract no comments / highlights)
CNRPLOCC_102_RSLT_1270_ERT_2012_12Dec_18Tu_1700U.pdf (Extract with comments / highlights)
Dc_Access: Download from LOCC source website and rename.
Hlink_Prd: [CNRPXLOCC_102_RSLT_1270_ERT_2012_12Dec_18Tu_1700U.pdf](#)

TESTIMONY Portland City Council (PTCC) Projects and Issues wrt Birdshill CPO / NA

Documents and Indifference with respect to City of Portland Projects that Impact the area of the Birdshill CPO / NA

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

²³ Title: Terwilliger Blvd Gravity Sewer (TBGS) Service Area Overview

Date: 2012 Jun 21 Thursday 17:00 U (5:00 PM PT)

Desc: TBGS Service Area Overview, MAP – US B= 11x17 inch, NE Lake Oswego UGMA, Riverdale NA in Multnomah Co

Type: Type: MPUB – Map US Size “B”, WxH (11 in x 17 in) Portrait,

PBES – Portland Bureau of Environmental Services, TBGS - Terwilliger Blvd Gravity Sewer

Auth: Portland Bureau of Environmental Services

Project of: PBES: Debbie Castleton Ph: 503.823.2831, Em: debbie.castleton@portlandoregon.gov

File BHCN: MPUA_BH_PBES_TBGS_Dvrsn_2012_09Sep_19Wc_1400U.pdf, Size 3,276 kb, Page(s): 1

File PBES: SWTerwilliger_Gravity_Sewer_Service_Area_with_pdx_bndry.pdf, Size: 3,274 kb, Page(s) 1

Dc_Source: Birdshill CPO / NA Archives

Folder: C:\Documents and Settings\Owner\My Documents\BH_CPONNA\10_Tracking\PT_TBGS\03_Maps

Dc_Access: <https://sites.google.com/site/pbestgs/home/03maps>

Hlink_Prd: [MPUB_PBES_TBGS_Service_Area_2012_06Jun_21Th_1700U.pdf](#)

²⁴ Title: Factsheet and Maps - Birdshill CPO / NA

Date: 2012 Sep 19 Wednesday, 21:00U (9:00 PM PT)

Desc: Maps and fact sheet summarizing Birdshill CPO / NA

Type: SHPK – Factsheet Packet, LOPL - Lake Oswego Planning

BH or BHCN – Birdshill CPO / NA

Editor: Charles B. Ormsby (Skip), Chair Birdshill CPO / NA 2012 - 2013

File BHCN: SHPK_LOPL_BH_Birdshill_2012_09Sep_19Mo_2200U.pdf, Size 1,127 kb, Page(s): 5

Dc_Source: Birdshill CPO / NA Archives

File 01: MPUA_BH1401_Lockel_2009_03Mar_20Fr_2100U.pdf

File 02: SHFT_LOPL_Birdshill_2011_01Jan_13Th_1510U.pdf

File 03: MPUA_BH3301_LOAT_BHCN_2012_09Sep_19Mo_2100U.pdf

File 04: MPUA_BH2106_Areas_2009_03Mar_20Fr_2100U.pdf

File 05: MPUA_BHCN_Dunthorpe_02_2012_09Sep_19Wc_1400U.pdf

Folder: C:\Documents and Settings\Owner\My Documents\BH_CPONNA\Reports\050_MinLO\2011_NhdPrks

Dc_Access: <https://sites.google.com/site/bhcmicwv/home/05em20130102>

Hlink_Prd: [SHPK_LOPL_BH_Birdshill_2012_09Sep_19Mo_2200U.pdf](#)

²⁵ Title: Urban Growth Management Agreement (UGMA)

for the City of Lake Oswego and Clackamas County Dual Interest Area (DIA)

Date: 1997 Dec 18 Thursday 17:00 U (5:00 PM PT)

Desc: Agreement between Clackamas County and City of Lake Oswego for LO to perform

planning in LO UGMA DIA (Dual Interest Area)

Type: AGRM – Agreement, CCLLO – Clackamas County Lake Oswego

Auth: Clackamas County Legal Department and City of Lake Oswego Office of City Attorney

File BHCN: AGRM_CCLLO_UGMA_1997_12Dec_18Th_1700U.pdf, Size 1,204 kb, Page(s): 10

File LOCD: UGMA.pdf

Dc_Source: Birdshill CPO / NA Archives

Folder: C:\Documents and Settings\Owner\My Documents\BH_CPONNA\Maps_Actv\060_CnCL\UGMA

Dc_Source: <https://www.ci.oswego.or.us/planning/urban-growth-management-agreement>

Web Page Title ..: Lake Oswego City – Planning

Web Page File ..: None

Web Page Sect ..: Urban Growth Management Agreement

Web Page Hdr ..: Supporting Documents

Web Page Item: Urban Growth Management Agreement (Hyperlink)

<https://www.ci.oswego.or.us/sites/default/files/fileattachments/planning/webpage/12097/ugma.pdf>

Dc_Access: <http://sites.google.com/site/bhloanx01/home/annxdoc03>

Hlink_Prd: [AGRM_CCLLO_UGMA_1997_12Dec_18Th_1700U.pdf](#)

City of Lake Oswego and City of Portland Wholesale Sewage Treatment and Disposal Agreement

**Approved Portland City Council:
1984 Sep 26 We 17:00 U (5:00 PM PT)**

**File Received Lake Oswego
1984 Oct 08 Mo 17:00 U (5:00 PM PT)**

**Birdshill CPO
Tag Number 022_0402**

**Extract of Attachment A to
CH2M Hill Technical Memorandum of
2005 Dec 15 Th 17:00 U
City of Lake Oswego Oregon, Tryon Creek Wastewater
Treatment Plant Alternatives Study
In File:
EXTR_REPT_CH2M_LOCG_TCWWTP_2005_12Dec_15Th_1700U.pdf**

OCT 8 - 1984

DUPLICATE

21764XHL.F A

APPROVED
PORTLAND
CITY COUNCIL

1984 SEP 26 WE

CITY OF LAKE OSWEGO AND CITY OF PORTLAND
WHOLESALE SEWAGE TREATMENT AND DISPOSAL AGREEMENT

This Agreement is entered into pursuant to ORS 190.010 and ORS 454.165 between the City of Lake Oswego, hereinafter called Oswego, and the City of Portland, hereinafter called Portland, both municipal corporations of the State of Oregon, under the authority of the charters and laws applicable to each municipality, hereinafter called city, for the purposes set forth hereinbelow.

I.0 PURPOSE AND INTENT OF AGREEMENT

- A. To provide for continued treatment and disposal of sewage discharged by Oswego from property within the drainage basin of the Tryon Creek Wastewater Treatment plant, hereinafter the TCWTP.
- B. To provide for transport of sewage from either city through sewers of the other to avoid duplication of sewer construction.
- C. To provide for fair and equitable recovery of the costs of providing facilities, and treating and disposing of sewage.
- D. To provide for compliance with federal, state, and local requirements which are now applicable and binding on both cities, and which may apply in the future.

II.0 DEFINITIONS

- A. BIOCHEMICAL OXYGEN DEMAND, hereinafter BOD: The quantity of oxygen utilized in the oxidation of organic matter in sewage over a period of 5 days at a temperature of 20C, using the test described in STANDARD METHODS.
- B. CITY BOUNDARY: The line defining the corporate limits of each respective city, as now existing, or as may be revised in the future.
- C. CODE: The Code of the City of Portland, and as may be amended from time to time, the original of which is on file with the Auditor of the City of Portland.
- D. COLLECTOR SEWER: The sewer in a street or easement intended for direct connections from properties, as opposed to a transporting sewer (either trunk sewer or interceptor sewer) which is intended to accept and transport sewage from several collector sewers.

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E. DRAINAGE BASIN: The geographical area used in the design of the TCWTP expansion, as shown on the map attached as Exhibit A.

F. DRY WEATHER FLOW: Flow of sewage as measured at the TCWTP on days without rainfall on that and the preceding day, during the months of June through September. Average daily dry weather flow shall be based on the sewage received during the five consecutive dry weather flow days with the highest flow for each month of these four summer months. If any month does not have five consecutive days of dry weather flow, then the four periods of five consecutive days with the highest dry weather flow shall be used.

G. ENGINEER: For Oswego, its City Manager or designee; for Portland, its Sewerage System Administrator or designee.

H. EQUIVALENT DWELLING UNITS, hereinafter EDU or Units: An expression used to equate the actual sewer discharge of any sewer user with the sewer discharge of an average single family dwelling. For the purposes of this agreement, sewer users and their associated EDU's shall be as defined in the following table:

OCCUPANCY	MEASURE	EQUIVALENT DWELLING UNITS
Single family home	1	1
Multiple family dwellings	3 living units	2
Motels & transient hotels	3 rental units	1
Trailer & mobile home parks	1 rental space	1
Schools--high	12 students	1
Schools--elementary	15 students	1
Restaurants (full service)	6 seats	1
Hospitals and institutions	2 beds	1
Laundromats	2 washers	1
Other commercial buildings	2 toilet fixtures	1
Buildings with industrial wastes in addition to units covered above (average monthly volume)	1,000 cu. ft.	1

I. Federal and state regulations referenced and specifically incorporated herein by that reference: U.S. GOVERNMENT-40 CFR 35 (P 35.929); STATE OF OREGON - ORS 454.020, 454.030, 454.040, and 454.225.

J. INDUSTRIAL WASTES: Any non-domestic sewage discharged by industry.

K. INDUSTRY: For the purposes of this Agreement, industry shall be defined as any nongovernment user of the sewerage treatment system and identified in the U.S "Standard Industrial Classification Manual, 1972," by reference incorporated herein, under one or more of the following divisions:

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Division A--Agriculture, Forestry, and Fishing;
Division B--Mining;
Division D--Manufacturing;
Division E--Transportation, Communications, Electric, Gas,
and Sanitary Services;
Division I--Services

Commercial activities that discharge primarily domestic wastes shall be excluded from this definition of industry.

L. INFILTRATION AND INFLOW, hereinafter I/I: The total quantity of water entering the sewer system from the ground and from stormwater discharges to the sewer. Infiltration is water from the ground, entering through various means such as defective pipes, pipe joints, sewer service connections, or manhole walls. Inflow is storm water or other clean water discharged to the sewer system from roof drains and leaders; cellar, yard, and area drains; foundation drains; cooling devices; springs and swampy areas; and storm or surface water entering through manhole covers, catch basins, and cross connections from storm sewers.

M. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM permit, hereinafter NPDES permit: the permit required of all dischargers to public water ways, setting forth the requirements and limitations on discharge, issued by, and on file with, the State Department of Environmental Quality, hereinafter DEQ.

N. STANDARD METHODS: The edition in effect at the time of any prescribed test, of the American Public Health Association publication, STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATERS, by reference incorporated herein.

O. SUSPENDED SOLIDS, hereinafter SS: A filterable component of wastewater that passes through coarse screens, that is not removed in a grit or scum system, and that is larger than one micron. The quantity of SS in sewage shall be determined using the procedure described in STANDARD METHODS.

P. TRUNK SEWER: Any sewer over 8 inches in diameter.

III.0 LIMITATIONS ON SEWAGE DISCHARGE:

III.A Initial Allocation Of Treatment Plant Capacity

Initially, until there is an expansion of the plant, by mutual agreement each city's allocated share of the treatment plant's 8.3 million gallons per day design capacity shall be limited to 4.15 mgd, based on average dry weather flow.

1. If either city's average dry weather flow exceeds its allocated share of design capacity by more than one percent for two consecutive summers (calendar months of June through

September), and the TCWTP is not at design capacity, a new usage ratio shall be established to determine the added charges for the use of more than its allocated share of design capacity. The added charges shall be in the form of reduced or additional charges to Oswego for Depreciation Expense and Return on Investment. This new usage ratio for the city exceeding its previous allocated share during those two consecutive summers, expressed as a percentage, shall be the ratio of the highest average dry weather flow received from that city compared to the total design flow, rounded up to the next full percentage point. The added charges shall be calculated as the new usage ratio minus the initial allocated share, expressed as a percent of design capacity (initially 50%), times the sum of the Depreciation Expense and the Return on Investment for the billing period. Future increases in average dry weather flow shall initiate additional recalculations of the usage ratio.

2. Retroactive added charges shall be calculated from the first month of recorded excess dry weather flow. The additional amount due, or credit, for both the past year and the current fiscal year, shall be added to or subtracted from the total charges for depreciation and return on investment to be collected in the following fiscal year.

III.R Limitations On Discharge

1. Neither city shall allow discharge of sewage (including sanitary sewage and I/I) to the TCWTP that will cause the plant to exceed the limitations in the TCWTP NPDES permit, nor shall such sewage discharge be detrimental to efficient operations, interfere with the economical disposal of sewage sludge, or cause the plant to be inoperable.
2. Oswego shall not allow sewage into its sewer system from properties not within the TCWTP drainage basin, without specific written permission from Portland's Engineer.
3. Oswego shall require that property outside its boundary and connected to its system conform to all the conditions imposed on property within the city of Lake Oswego for connection and use of the sewer system.

IV.O PROTECTION OF SYSTEM AND ENVIRONMENT

Pursuant to ORS 454.020, it is recognized and agreed that during the term of this Agreement, the parties hereto are subject to and bound by, changes and additional requirements of governmental agencies having jurisdiction over the subject matter of this

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Agreement, including Portland's NPDES permit, affecting the terms herein. Portland, as operator of the Tryon Creek Wastewater Treatment plant and holder of the NPDES permit, is required by the DEQ, and the U.S. Environmental Protection Agency, hereinafter EPA, to provide for an industrial waste pretreatment program. In compliance thereto, the Industrial Waste Code (Chapter 17.34 of the Code, incorporated herein by this reference), has been adopted, and is intended to protect the environment and the operations of Portland's sewerage system. Portland's program has been approved as meeting the requirements of the federal Clean Water Act (PL 95-217), and the General Pretreatment Regulations for Existing and New Sources (40 CFR 403).

- A. Oswego shall insure that industrial sewage discharges from industries under its jurisdiction comply with Portland's Industrial Waste Code, and all Federal and State requirements for industrial discharges into the TCWTP. Therefore Oswego shall:
 1. Adopt rules and regulations consistent with Portland's Industrial Waste Code, Chapter 17.34 of the Code, and as may be amended from time to time.
 2. Survey all industries connected to its system to determine if any fall within the federal definition of Industrial User subject to Pretreatment Regulations, or that would be required to obtain an Industrial Waste Discharge Permit as specified in Section 17.34.070(a) of the Code;
 3. Notify and require those industries identified above to submit a report to Oswego, giving the information specified in Section 17.34.060 of the Code within 90 days of notice of such requirement. Oswego shall forward a copy of all such reports received to Portland's Engineer.
 4. Require pretreatment by industries identified as having discharges exceeding the permissible limits as specified in Chapter 17.34 of the Code.
- B. If Oswego has not completed the survey required under IV.A.2, above, within 180 days after the signing of this Agreement, or at the request of Oswego, Portland shall conduct the survey within Oswego's service area, shall advise Oswego of any industries identified as being within a category subject to pretreatment or that may require an Industrial Waste Discharge Permit.
- C. Oswego shall not allow sewer connection to any industry required to have an Industrial Waste Discharge Permit as specified in Section 17.34.070 of the Code, without specific authorization by Portland's Engineer.
- D. If Oswego fails to diligently enforce the Pretreatment Regulations with or without notification by Portland of an industry in non-compliance with those Regulations, Oswego

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agrees to defend and hold harmless Portland against each and all claims, fines, and penalties caused by such non-compliance. If Oswego allows connection from an industry needing an industrial waste discharge permit without requiring the permit be obtained, or fails to prevent an industrial user subject to the permit requirements of Section 17.34.070 of the Code from commencing or continuing to discharge to its system in violation of such section, Oswego shall be liable for any damages to Portland's sewerage system caused by discharges from that industry, and any additional treatment and disposal costs incurred because of that discharge.

E. Inasmuch as Portland is ultimately responsible for operation of the TCWTP and must comply with the terms of its NPDES permit and state and federal regulations, after informing Oswego of its intent and in conjunction with Oswego, Portland shall have the right to contact industries connected to and/or discharging to Oswego's sewerage system, to determine (by questioning, internal inspection, and/or sampling) if they are subject to, and are complying with, the Pretreatment Regulations.

F. Portland shall bill Oswego for the direct and indirect costs of any surveying or investigating of industries connected to Oswego's system.

V.0 INFILTRATION AND INFLOW

A. Within six months after approval of this Agreement, each city shall have enacted, and will maintain and enforce ordinances and regulations prohibiting direct connections of roof drains, footing drains, and all other stormwater and groundwater connections to the sanitary sewer system tributary to the TCWTP.

B. Portland and Oswego shall work toward reduction in infiltration and inflow, in their respective systems to allow maximum utilization of the design capacity of the TCWTP; and to this end, shall conduct I/I studies in their respective areas, and based on those studies and the federal EPA guidelines, will initiate appropriate projects to reduce excessive I/I.

C. Portland and Oswego shall adopt, and enforce through vigorous inspection, specifications on sewer construction standards to reduce future excessive I/I.

VI.0 USE OF SEWER SYSTEM OF OTHER CITY

A. To avoid duplication of sewer construction, upon approval by its Engineer (based on his finding of sufficient present and future excess capacity), each city shall allow the other to

make direct connections or to connect public collector sewers into its sewer systems for transportation of sewage to the TCWTP. The city owning the collector or transporting system shall have the right to inspect the connection and to require that the work be done to its normal standards. Connections will be allowed under the following conditions:

1. The city wherein the property is located may require a sewer connection permit, and shall collect all connection charges, and/or assessments, according to its laws and regulations, as if the sewer system were under its full jurisdiction.

2. When connection is to be made directly to a collector sewer, the city owning the collector sewer also may require a sewer connection permit, however it shall not require payment of connection charges by the property owner beyond the fees necessary for permit handling, inspection, and where appropriate installing a wye or tapping the sewer main.

3. When the city owning the collector sewer or the transporting sewer system has an adopted financial plan that includes collection of sewer construction, oversizing, or extension costs from properties connecting to a sewer or sewer system for which the property has not paid its share, the city wherein the property is located shall reimburse the city owning the sewer or sewer system for an appropriate share of the charges that would have been collected if the property were located in the city owning the sewer or sewer system. However the appropriate share of charges shall not include any portion that would be collected for pump station construction unless the property is served by a pump station, nor shall it include any portion of the charge that would be collected for treatment plant construction. Connections made before this agreement is approved by both parties shall not be subject to the connection charges specified in this paragraph.

8. To facilitate calculation of the quantity of sewage from units of either city discharging to the collection system of the other, each city shall keep records of the number, address, and other equivalent dwelling units of connections to the other city's sewer system, and will forward such information quarterly, or upon request, to the other city. In addition, Oswego shall maintain adequate records of connections and equivalent dwelling units for all buildings connected to its sewer system.

C. The formula for calculation of the volume of sewage received from cross connections as authorized above shall be:
VOLUME = (OSWEGO EDU - PORTLAND EDU)
X (METERED FLOW / (OSWEGO METERED EDU + PORTLAND EDU))
where:

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1. VOLUME = Quantity of sewage to be added to metered flow for billing purposes.
2. OSWEGO EDU = Oswego Units connected to Portland's system
3. PORTLAND EDU = Portland Units connected to Oswego's system
4. METERED FLOW = Oswego's metered flow as measured at TCWTP
5. OSWEGO METERED EDU = Oswego Units connected to Oswego's system and with sewage metered at the TCWTP.

When the billing for the period is prepared, the net volume of sewage from cross connections (as calculated above) shall be added to or deducted from the volume of Oswego's sewage metered at the TCWTP.

VII.0 CHARGES FOR TREATMENT AND DISPOSAL OF SEWAGE

Pursuant to ORS 454.030 through 454.040, and 40 CFR 35 (P 35.929), the charges to Oswego for treatment and disposal of its sewage shall be determined annually using projected operation and maintenance costs, hereinafter O&M, depreciation expense, and a return on investment to Portland for providing facilities to serve Oswego.

VII.A Operation And Maintenance (O&M)

The monthly charge to Oswego for projected O&M shall be calculated using the following formula:

$$\begin{aligned} & \text{VII.A.1 Formula For O\&M -} \\ & \text{CHARGE} = (\text{PROJECTED O\&M X 1/12}) \text{ X} \\ & \quad (\text{ADJUSTED OSWEGO SEWAGE} / \text{TOTAL SEWAGE}) \end{aligned}$$

Where:

- a. SEWAGE = quantity of sewage, in terms of monthly volume; or monthly volume, BOD, SS, and other parameters used to distribute O&M.
- b. ADJUSTED OSWEGO SEWAGE = metered sewage from Oswego plus added sewage from cross connections as calculated in Section VI, above.
- c. PROJECTED O&M shall be determined using the formula given below and shall include costs from the adopted Portland budget for wastewater treatment operations, for the next fiscal year. O&M shall include all costs incurred at the TCWTP, a proportional share of off-site sludge processing costs, a proportional share

of wastewater treatment operations administrative costs, and a share of general fund overhead costs. All the following projected costs include budgeted costs plus an estimated amount for wage and benefit increases not included in the adopted budget.

$$\begin{aligned} \text{PROJECTED O\&M} &= \text{TC COST} + \text{SLUDGE COST} \times \text{SLUDGE RATIO} \\ &+ \text{ADM COST} \times (\text{TCPER COST/ALLPER COST}) \\ &+ (\text{PER COST} \times \text{OHPR}) + (\text{M\&S COST} \times \text{OHMR}) \end{aligned}$$

Where:

- (1) TC COST = All projected costs to be incurred at the TCWTP, less any revenue received from the sale of by-products generated at the TCWTP.
- (2) SLUDGE COST = All projected off-site sludge processing and disposal costs, less revenue received from the sale of sludge compost, or other by-products of the sludge processing and disposal operations.
- (3) SLUDGE RATIO = the ratio of the quantity of sludge from TCWTP received at the off-site sludge processing facility, compared to the total sludge received at the facility.
- (4) ADM COST = The projected costs of administration of wastewater treatment operations.
- (5) TCPER COST = Projected personnel costs chargeable to TCWTP, including personnel at TCWTP and a proportional share of personnel at the off-site sludge processing facility.
- (6) ALLPER COST = Total wastewater treatment operations personnel costs, (not including administrative personnel costs).
- (7) PER COST = Total projected personnel costs, including administrative, chargeable to TCWTP.
- (8) M&S COST = Total budgeted materials and services costs, including administrative, chargeable to TCWTP.
- (9) OHPR = TCWTP'S share of general city government overhead costs charged against all Portland enterprize operations personnel costs. For the purposes of this contract, the rate shall be fixed at 3.12 percent during the life of the agreement.
- (10) OHMR = TCWTP'S share of general city government overhead costs charged against all Portland enterprize operations materials and services costs. For the purposes of this contract, the rate shall be fixed at 3.33 percent during the life of the agreement.

VII.A.2 Annual Adjustment For Actual Costs -
See Section VII.F, below.

VII.A.3 Costs Not Charged To O&M -
The following costs will not be included in the charges for O&M.

- a. No charge shall be made for transportation of either city's sewage through the collection system of the other.
- b. O&M shall not include purchases for machinery or equipment that, under the then existing policy of Portland, would be capitalized as fixed assets. The policy currently is to capitalize items that cost over \$5,000 and that have an expected life of over one year.

VII.B Depreciation Expense

The monthly charge to Oswego for Depreciation expense shall be one-twelfth of Oswego's share of the annual Depreciation expense chargeable to operations at TCWTP. Oswego's share shall be based on its allocated share of design capacity, as adjusted from time to time as provided in Section III. The charge to Oswego shall be calculated using the formula:

$$\text{DEPRECIATION CHARGE} = \text{DEPRECIATION EXPENSE} \times \frac{1}{12} \\ \times \text{OSWEGO'S ALLOCATED SHARE}$$

Where OSWEGO'S ALLOCATED SHARE is currently 50% of design capacity, but is subject to adjustment as provided in Sections III and IX.

VII.B.1 Calculation Of Depreciation Expense - The annual depreciation expense for TCWTP shall be calculated using the straight line method and generally accepted accounting principles. Depreciation expense shall be based on all facilities used to treat and dispose of TCWTP's sewage, including a proportional share of the costs of off-site sludge disposal facilities, and shall be found using the following formula:

$$\text{DEPRECIATION EXPENSE} = \sum (\text{TCWTP FACILITY COST} / \text{FACILITY LIFE}) \\ + \sum (\text{SLUDGE FACILITY COST} / \text{FACILITY LIFE}) \times \text{SLUDGE RATIO}$$

Where:

- a. TCWTP FACILITY COST = original cost of all facilities or components of facilities at the TCWTP, as shown on the Depreciation Expense Schedule as of the previous June 30th. Original cost shall include engineering, interest expense during construction and other appropriate indirect costs, according to Portland's capitalization policy.
- b. SLUDGE FACILITY COST = the original cost of off-site facilities used to process and dispose of Tryon sludge at other locations (also shown on the Depreciation Expense Schedule as of the previous June 30th).

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c. FACILITY LIFE = the estimated useful life of those facilities, or facility components, as listed on the Depreciation Expense Schedule.

VII.B.2 Depreciation Expense Schedule - The Depreciation Expense Schedule shall contain the original cost (showing eligible project costs as of the previous June 30th) and the estimated life of each facility or component that serves Oswego. Portland shall prepare the Schedule according to generally accepted accounting principles. The Schedule shall be adjusted yearly to reflect the addition and/or replacement of facilities, and a copy shall be sent to Oswego after each adjustment. The Schedule shall not include purchases for machinery or equipment that, under the then existing policy of Portland, would not be capitalized as fixed assets, but would be included in O&M.

VII.C Return On Investment

The monthly charge to Oswego to compensate Portland for its investment in facilities to serve Oswego shall be one-twelfth of the annual Return on Investment charge and shall be based on the net remaining value of Portland's investment in facilities used to treat and dispose of sewage from TCWTP, as of the previous June 30th, Oswego's allocated share of the design capacity of the TCWTP, as adjusted from time to time as provided in Section III, and the Rate of Return, and will be calculated using the formula:
RETURN ON INVESTMENT CHARGE = REMAINING NET VALUE X RATE OF RETURN

X OSWEGO'S ALLOCATED SHARE X 1/12

Where:

1. RATE OF RETURN = the average yield on U.S. Treasury Bonds which are fully taxable with respect to Federal Income Taxes and Inheritance Taxes maturing in twenty years, as reported in the Wall Street Journal on February 23, 1983, plus one-half percent to reflect the added risk of providing facilities for Oswego. At the end of each twenty year period, the Rate of Return shall be adjusted to the new average yield for the same type of Bonds, as reported on February 23rd of that year, or on the first working day thereafter.

2. REMAINING NET VALUE shall be calculated using the following formula:

REMAINING NET VALUE = \sum (TCWTP FACILITY NET COST - ACCUMULATED NET DEPR.) + (\sum (SLUDGE FACILITY NET COST - ACCUMULATED NET DEPR.) X SLUDGE RA TIO) Where:

11/28

a. TCWTP FACILITY NET COST = TCWTP FACILITY COST less federal and state grants, and any direct contributions received.

b. SLUDGE FACILITY NET COST = SLUDGE FACILITY COST less federal and state grants, and any direct contributions received.

c. ACCUMULATED NET DEPRECIATION = total accumulated depreciation of net costs for that facility, where annual NET DEPRECIATION is found using the formula:

$$\text{NET DEPRECIATION} = \text{FACILITY NET COST} / \text{FACILITY LIFE}$$

VII.D Addition Or Replacement Of Facilities

When equipment or major components listed on the Depreciation Expense Schedule are replaced, or new facilities, or components are installed, the REMAINING NET VALUE shall be adjusted to reflect the added or replaced cost, less the remaining net value of the facility or component being replaced, in accordance with Portland's capitalization policy.

VII.E Charge Parameters

The sewage from both Oswego and Portland treated at the TCWTP is essentially domestic sewage. Therefore the quantity of sewage (either received during the billing period, or on a design basis) shall be the only parameter used to apportion projected O&M, depreciation expense, and return on investment. However, if at some time in the future, Portland finds that the average characteristics of either city's sewage has changed substantially and the new characteristics have continued for two consecutive years, the apportionment of O&M, depreciation expense, and return on investment to quantity of sewage received only, shall be renegotiated with the intent of charging each city its appropriate proportion of costs based on the characteristics of its sewage, in conformance with state and federal regulations. Until a new method of apportioning costs has been agreed upon, the method then in effect shall continue to be used.

VII.F Yearly Computation

Each year Portland shall recompute the projected charges for O&M, depreciation expense, and return on investment, as provided herein. In addition, Portland shall compute and add to or subtract from the next year's charges, any adjustments for prior year O&M based on the actual costs for that year (when those figures are available), and prior and current year depreciation and return on investment, based on adjustment for excessive sewage discharges, or recomputation for expansion/replacement as provided in Sections III and IX.

LR/24

Portland will inform Oswego of the estimated costs and charges (based on Portland's requested budget), plus or minus any adjustments to prior billings, at least 120 days prior to the beginning of the next fiscal year. Also, when the first billing for the new fiscal year is submitted, Portland shall inform Oswego of any changes in the budget as adopted, compared to the requested budget, that affect the charges to Oswego.

VIII.0 BILLING AND PAYMENT OF CHARGES

VIII.A Billing

Portland will bill Oswego monthly for O&M, depreciation, and return on investment, plus any adjustments for prior year O&M, depreciation, and return on investment.

VIII.B Payments Due, Delinquent

Payments to Portland under this Agreement shall be due and payable within 30 days of the date billed. Payments shall be considered delinquent if not paid within 30 days of the date billed. Delinquent payments shall be subject to interest calculated from the date due to the date the payment is received. The interest rate shall be the rate received by Portland on investments in the State Investment Pool during the previous month.

VIII.C State And Federal Regulations

To comply with federal and state requirements, and to provide for payments required herein, Oswego shall adopt sewer charges as authorized by ORS 454.030 through 454.040, ORS 454.225, and 40 CRF Part 35 (P 35.929) as may be amended from time to time.

IX.0 PROJECTION OF FUTURE NEEDS, AND EXPANSION OF TREATMENT CAPACITY

IX.A Projection Of Flows

Portland will periodically review the quantity of sewage received at the plant, for both volume and strength, and will project when the annual increases in these parameters indicate that an expansion may be required to allow continued construction in the design drainage basin, or due to either city exceeding its allocated share

of design capacity. Also, if the federal EPA or state DEO require that the TCWTP be upgraded to provide enhanced treatment capability, a review of possible expansion needs could be appropriate. Portland shall notify Oswego when a projection of future sewage treatment capacity requirements is necessary due to a perceived need for expansion or enhancement at TCWTP. Oswego also may request that a projection of future capacity requirements be made by each city.

1. Within one year of receiving such notice, each city shall advise the other of its projected needs, with projections by year, for at least 20 years, based on a review of probable population and industrial sewage capacity requirements in its service area. Oswego, by furnishing a report on population and industrial sewage capacity needs, shall be counted as in favor of any expansion of the TCWTP that Portland may find necessary, and acknowledges that, upon completion of the expansion, its allocated share of design capacity will be revised to reflect the newly defined needs of Oswego and Portland.

2. If for any reason, Oswego or Portland does not provide the other with a projection of future sewage requirements within the time specified above, the capacity needs of the city failing to provide a projection shall be assumed to remain unchanged and shall be limited to the initial allocation of 4.15 million gallons per day, or the allocation established after a prior future expansion.

a. If Oswego, having failed to advise Portland of future expansion needs when requested or having stated that no increase in capacity would be required, increases its discharge beyond its initial allocated share of 4.15 mgd (or the allocation established after a future expansion) for two consecutive summers, Oswego shall institute a moratorium on new sewer connections to its system until such time as Oswego has furnished a new projection of future capacity needs, and agreed to pay the cost of any necessary expansion, and Portland has designed and constructed an additional expansion to the TCWTP to serve Oswego's needs. Or, with the permission of Portland, provided there is sufficient excess capacity, as an alternative to a moratorium, Oswego may pay, as a penalty, 5% of the cost of the expansion most recently completed by Portland, in addition to the depreciation and return on investment required because of its expanded use of the TCWTP.

IX.B Expansion Of Treatment Plant

If the capacity requirement projections indicate the need for an expansion of the plant, Portland shall advise Oswego of the proposed expansion, and Oswego's future allocated share of design capacity of the existing plant at that time and of the expansion facility.

Portland also shall advise Oswego of each city's share of the costs of Depreciation and Return On Investment of the expansion, which shall be based on the required increase in capacity beyond the existing capacity at that time derived from the stated population and flow projections furnished by each city. Portland shall then proceed with design and construction of the expansion.

IX.C Release Of Claim

Although Portland will provide sewage treatment capacity as needed, Portland shall not be liable for, and Oswego shall release Portland from any claims for not providing any future capacity and/or any delay in providing such added capacity should such event be the result of:

1. The inability of Portland to acquire the necessary financing for the project under terms and conditions acceptable to Portland. Such acceptable terms and conditions shall be construed as any term and condition which will not unreasonably encumber Portland's sewage system's financial operations and/or any term or condition which is unreasonable considering those comparable terms and conditions which have been offered and accepted by comparable sewerage agencies in their acquisition of financing at the time at which Portland is required to provide the additional capacity.
2. Any labor dispute or strike.
3. Any act of God or other force majeure.
4. Any change in any law other than Portland's Charter, Code, or City ordinance which may hinder or prevent Portland's provision of any future capacity.
5. Any other occurrence which may prohibit Portland from providing future capacity, which is the result of any action beyond the control of Portland and which Portland could not have reasonably anticipated prior to or at the time at which this agreement was accepted.

IX.D Revision Of Depreciation Expense Schedule, Remaining Net Values

Upon completion of the expansion, Portland shall add the costs of the project to the Depreciation Expense Schedule and the Return on Investment Remaining Net Value. Portland will calculate future charges for Depreciation Expense and Return on Investment using Oswego's allocated shares of the design capacity of the previously existing facility and of any new expansion facility.

X.0 CONSULTATION BETWEEN PORTLAND AND OSWEGO

X.A Oswego To Be Informed Of Changes

Portland agrees to inform Oswego of any changes in its Industrial Waste Code that may affect Oswego, and to inform Oswego of any changes in operational procedures, or major capital improvements, that would lead to a substantial change in the billings to be made to Oswego; and to participate in any meetings requested by Oswego to discuss such changes. However Portland retains the rights and obligations inherent in ownership of the TCWTP, and the responsibility to operate the plant as a part of Portland's total wastewater treatment system, and in conformance with the NPDES permit issued to Portland.

X.B Meetings Required

Upon 30 days notice in writing by either party, both cities agree to meet to discuss any problems of concern arising out of and related to this Agreement.

XI.0 TERM, EFFECTIVE DATE, MODIFYING AGREEMENT

XI.A Effective Date

The effective date of this agreement shall be January 23, 1983. All billings made between that date and the date this agreement is signed shall be adjusted to conform to the terms of this agreement.

XI.B Term Of Agreement

Portland has made a sizeable investment in facilities to serve Oswego. For Portland to recover its investment, this Agreement will have to continue in force for at least 50 years. Therefore the term of this Agreement shall be perpetual, until either party has expressed its desire to terminate as given below.

XI.C Termination Of Agreement

At the end of 50 years and at any time thereafter, this Agreement may be terminated provided that the city desiring termination shall have given written notice to the other city five (5) years prior to the termination date. However, if Oswego desires to terminate the Agreement, Oswego shall pay its share of the remaining depreciation expense to Portland, for any facility not yet fully depreciated.

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XI.D Modifying Agreement

Any of the provisions of this Agreement may be modified by mutual consent of both cities.

XII.0 SEVERABILITY

In the event any provisions of this Agreement shall be held to be impossible, invalid or unenforceable, the remaining provisions shall be valid and binding upon the parties hereto. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of subsequent breach of the same by the other party. Both parties have fully participated in negotiating and rewriting this Agreement, therefore it shall not be construed against the party preparing it, but shall be construed as if both parties had prepared it.

XIII.0 HEIRS AND ASSIGNEES

This Agreement is to be binding on the heirs, successors, and assigns of the parties hereto and is not to be assigned by either party without first obtaining the written consent of the other. No assignment of this Agreement shall be effective until the Assignee assumes in writing the obligations of the assigning party, and delivers such written assumption to the other original party to this Agreement.

IN WITNESS WHEREOF, the CITY OF PORTLAND, acting by and through its Auditor and Commissioner of Public Works, pursuant to Ordinance No. _____ and the CITY OF LAKE OSWEGO, acting by and through its Mayor and Recorder, pursuant to Resolution No. _____, have caused this Agreement to be executed.

Approved as to form:
APPROVED AS TO FORM


City Attorney ~~CHRISTOPHER P. THOMAS~~ 


CITY OF PORTLAND


By: 
Commissioner of Public Works

By: 
Auditor

CITY OF LAKE OSWEGO


City Attorney

By: 
Mayor

By: 
Recorder

18/24

156612

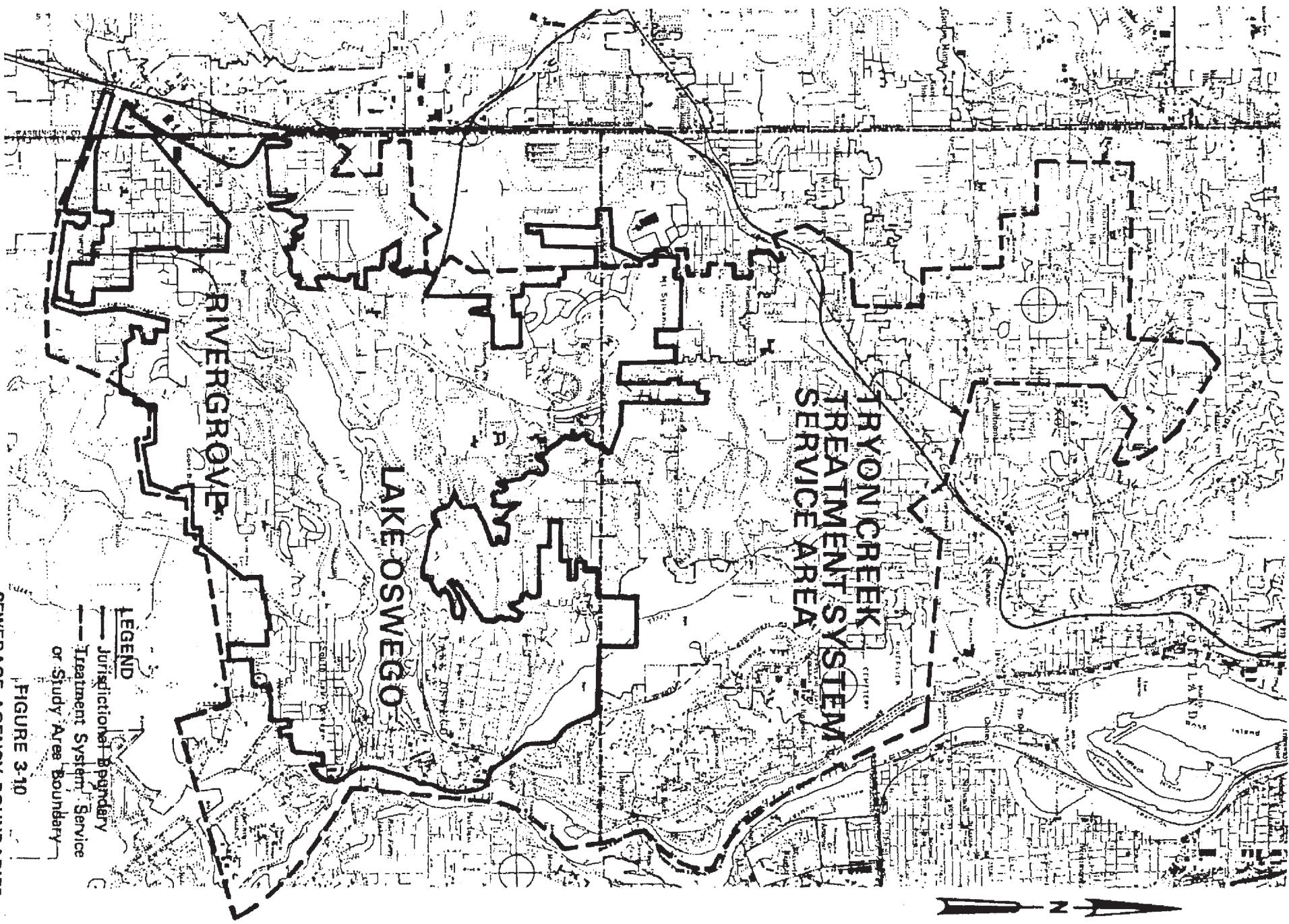


EXHIBIT A

FIGURE 3-10
SEWERAGE AGENCY BOUNDARIES
LAKE OSWEGO/RIVERGROVE

ORDINANCE No. 156612

An Ordinance authorizing the Auditor and the Commissioner of Public Works to enter into a Wholesale Sewage Treatment and Disposal Agreement with the City of Lake Oswego, and declaring an emergency.

The City of Portland ordains:

1. The previous agreement with the City of Lake Oswego has expired and a new agreement is necessary to define the conditions and terms under which Portland will continue to treat and dispose of Lake Oswego's sewage.
2. The attached agreement (Exhibit A) provides for full payment by Lake Oswego for its share of the costs of operation and maintenance. In addition, the contract requires Lake Oswego to pay its share of the costs of depreciation, and a return on investment for Portland's investment in facilities that serve Lake Oswego.
3. The agreement provides for protection of the environment and Portland's sewerage system, by requiring Lake Oswego to adopt sewage discharge regulations comparable to Portland's that apply to all properties served by Lake Oswego's sewer system. Portland's regulations have been approved by the federal Environmental Protection Agency.
4. The attached agreement between the City of Portland and the City of Lake Oswego is in the best interests of both cities, and should be approved.

NOW, THEREFORE, the Council directs:

- a. The Auditor and the Commissioner of Public Works are hereby authorized and directed to execute an agreement for sewage treatment and disposal on behalf of the City of Portland and with the City of Lake Oswego. Said agreement to be substantially in accord with Exhibit A attached herewith.

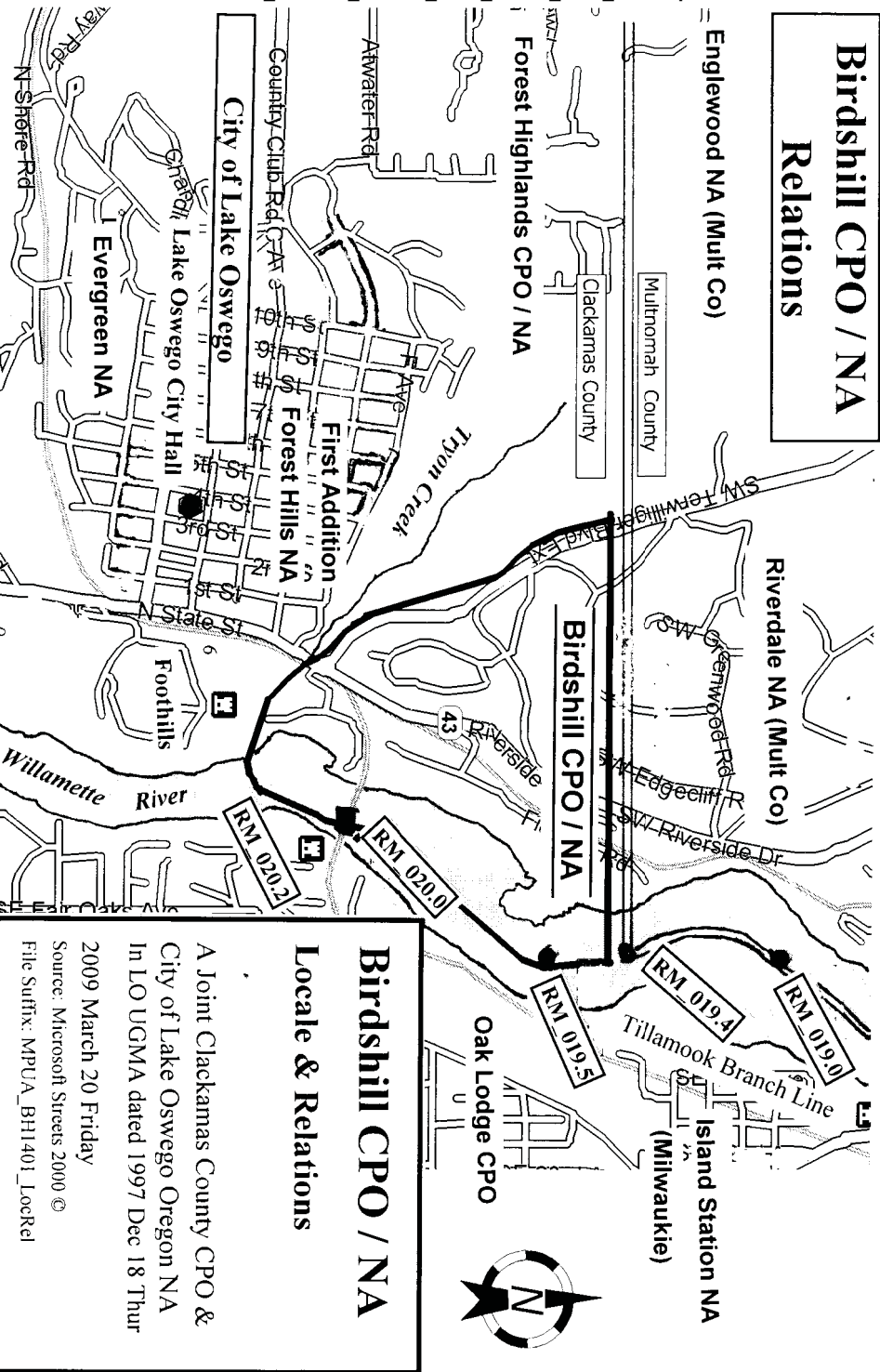
Section 2. The Council declares that an emergency exists, in that Portland is treating sewage from properties in Lake Oswego without a formal agreement, and such an agreement is necessary to avoid conflicts between the two parties; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **SEP 26 1984**

Jewel Lansing
Auditor of the City of Portland

By  Deputy

20/20



**Birdshill CPO / NA
Relations**

Englewood NA (Mult Co)

Forest Highlands CPO / NA

City of Lake Oswego

Riverdale NA (Mult Co)

Birdshill CPO / NA

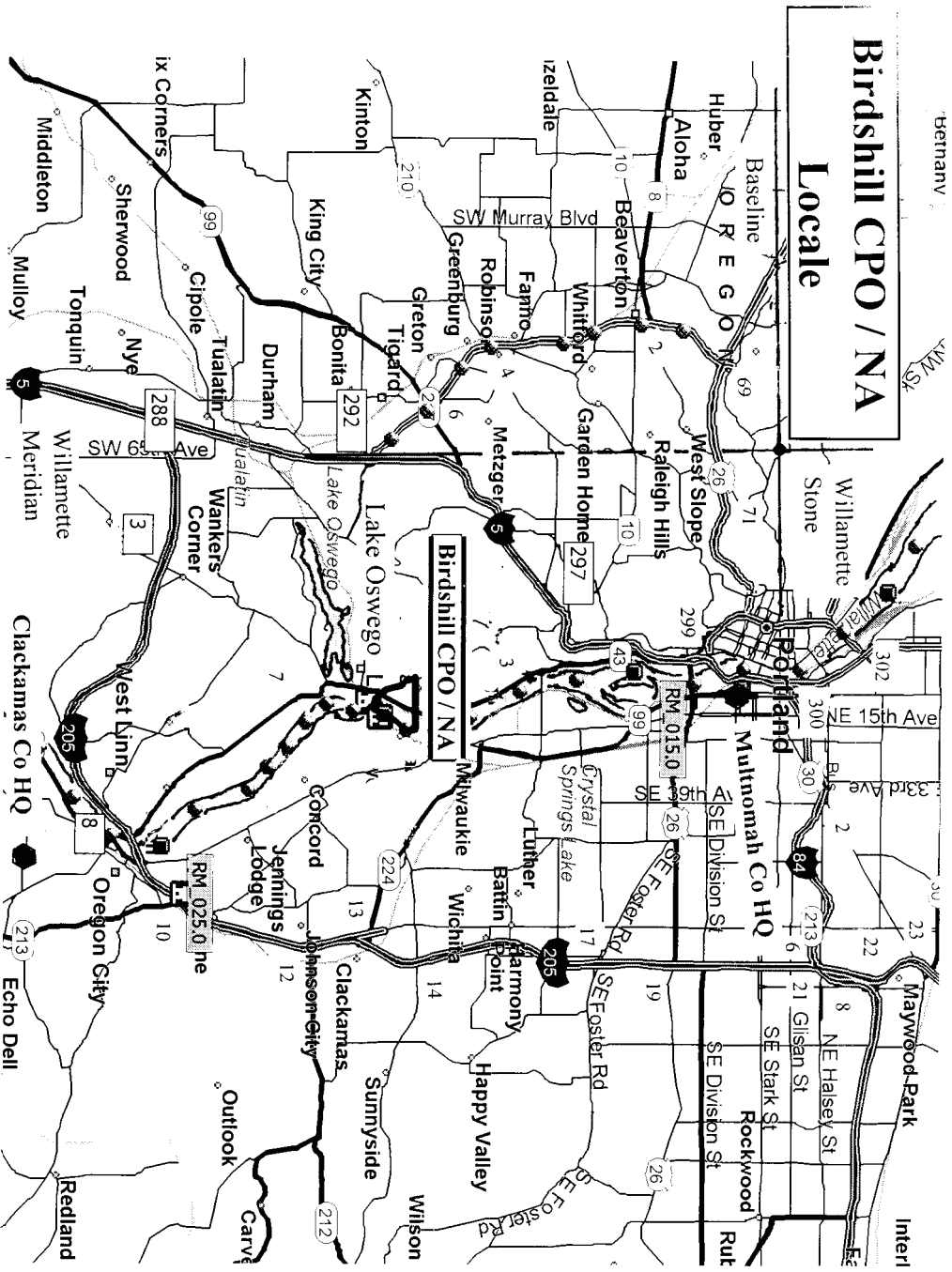
Island Station NA
(Milwaukie)

Oak Lodge CPO

**Birdshill CPO / NA
Locale & Relations**

A Joint Clackamas County CPO &
City of Lake Oswego Oregon NA
In LO UGMA dated 1997 Dec 18 Thur

2009 March 20 Friday
Source: Microsoft Streets 2000 ©
File Suffix: MPUA_BH1401_LocRel



**Birdshill CPO / NA
Locale**

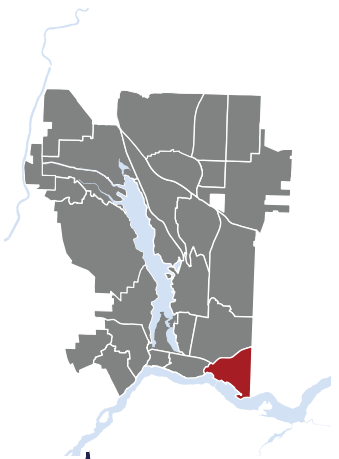
Bernany

Williamette
Stone

Multnomah Co HQ

Rockwood
Rut





BIRDSHILL BY THE NUMBERS

WE LOVE LAKE OSWEGO - PLANNING FOR PEOPLE, PLACES AND PROSPERITY



Prepared by the **City of Lake Oswego, Long Range Planning Department, 503.635.0290**

UNLESS OTHERWISE NOTED, ALL FIGURES REFLECT USB CALCULATIONS.

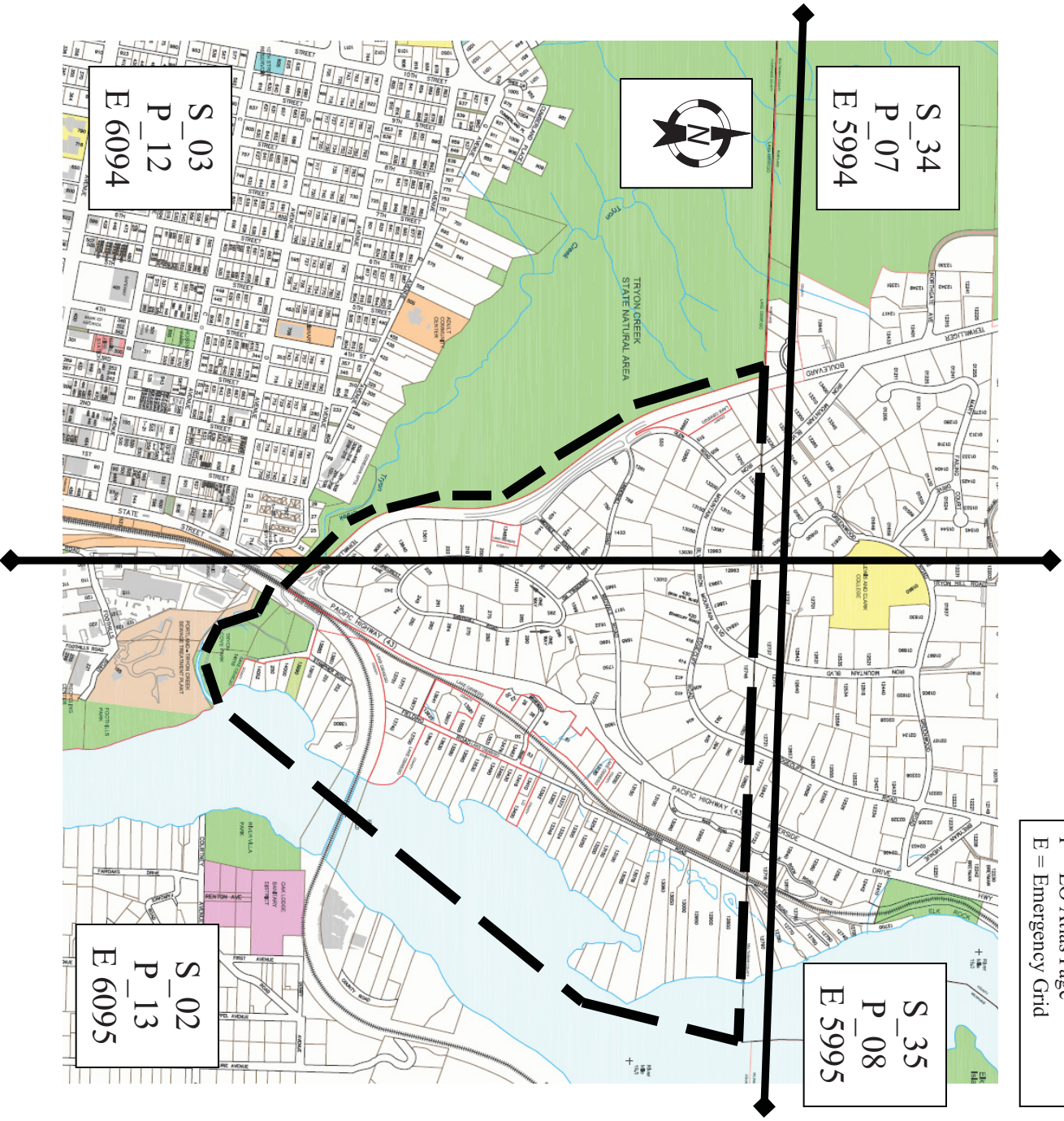
- 391** RESIDENTS IN THE USB (ABOUT 1% OF THE CITY'S POPULATION)
- 50** RESIDENTS IN THE CITY
- 194** ACRES IN THE USB (ABOUT 3% OF THE CITY'S TOTAL ACREAGE)
- 26** ACRES IN THE CITY
- 74** PERCENT OF LAND ZONED RESIDENTIAL (COMPARED TO 75% CITY-WIDE)
- 163** DWELLING UNITS IN THE USB (ABOUT 1% OF THE CITY'S DWELLING UNITS)
- 21** DWELLING UNITS IN THE CITY
- 0** PERCENT OF DWELLING UNITS ARE MULTI FAMILY RESIDENTIAL IN THE USB AND CITY (COMPARED TO 24% CITY-WIDE)
- 96** PERCENT OF DWELLING UNITS ARE SINGLE FAMILY RESIDENTIAL IN THE USB (COMPARED TO 68% CITY-WIDE)
- 100** PERCENT OF DWELLING UNITS ARE SINGLE FAMILY RESIDENTIAL IN THE CITY
- 19** PERCENT OF DWELLING UNITS THAT ARE RENTALS (COMPARED TO 25% CITY-WIDE)
- 81** PERCENT OF DWELLING UNITS THAT ARE OWNED (COMPARED TO 75% CITY-WIDE)
- \$1,276,667** AVERAGE HOME SALE PRICE AS OF JULY 1, 2010 INCLUDING SINGLE- AND MULTI-FAMILY (COMPARED TO \$429,600 CITY-WIDE)
- 1965** AVERAGE YEAR BUILT OF SINGLE FAMILY RESIDENCES (COMPARED TO 1973 CITY-WIDE)
- 0** PUBLIC SCHOOLS (13 TOTAL CITY-WIDE)
- 47** STUDENTS ENROLLED (17 ELEMENTARY, 10 JUNIOR HIGH, AND 20 HIGH SCHOOL STUDENTS; 5,951 TOTAL STUDENTS ENROLLED CITY-WIDE)
- 26** PERCENT OF LAND ZONED PARKS AND OPEN SPACE (COMPARED TO 11% CITY-WIDE)
- 64.02** PERCENT TREE COVERAGE (COMPARED TO 44% CITY-WIDE)
- 1** WATERSHED - WILLAMETTE RIVER (COMPARED TO 3 WATERSHEDS CITY-WIDE)
- <1** PERCENT OF LAND ZONED COMMERCIAL (COMPARED TO 10% CITY-WIDE)
- 2** BUS LINES SERVE BIRDSHILL - #35 AND #36 (COMPARED TO 5 BUS LINES CITY-WIDE)
- 0** PERCENT OF LAND ZONED INDUSTRIAL (COMPARED TO 2% CITY-WIDE)
- 87** PERCENT OF BIRDSHILL IS OUTSIDE CITY JURISDICTION

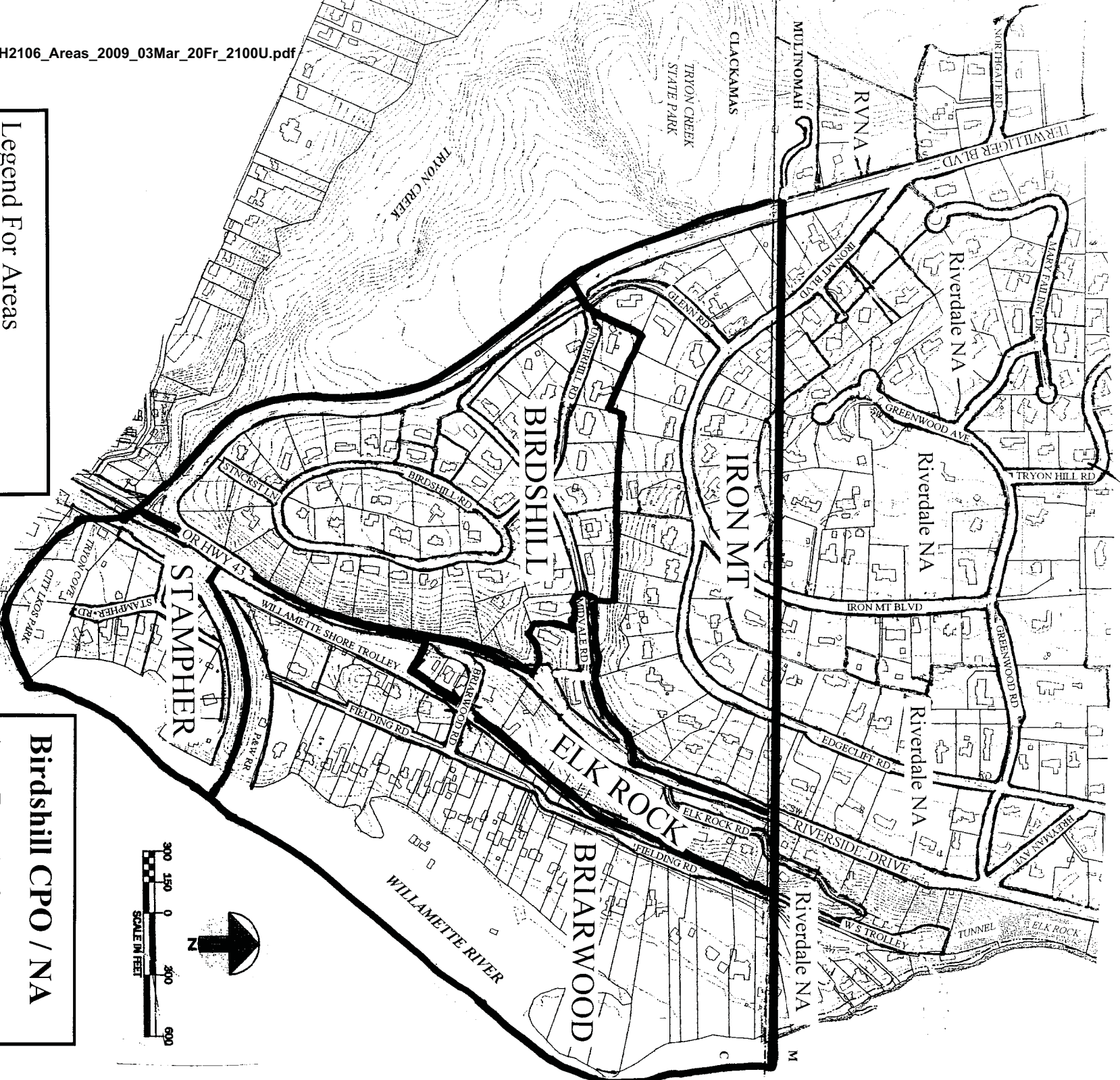
01.00.00 = BHCN – Birdhill CPO / NA

<i>Ri:</i>		1 : 7 200		250%		OR Map		Precinct Information			Neighborhood Information	
<i>Sc:</i>	1 in = 500 ft	E010	<i>Map ID</i>	<i>M1</i>	<i>M2</i>	<i>ZIP</i>	<i>County:</i>	Clackamas	<i>Nghbd:</i>	BIRDSHILL CPO / NA	<i>Nhhd Abv:</i>	BHCN
<i>Ev:</i>			<i>Twn:</i>	02S	02S	SPLIT	<i>City:</i>	Lake Oswego	<i>Block/Area:</i>		<i>Block/Area:</i>	01
Thomas Guide			<i>Ring:</i>	01E	01E		<i>Name</i>		<i>Area Abv:</i>		<i>Map Name:</i>	
			<i>Sec:</i>	03	02	<i>Precinct:</i>			<i>Map Abv/No:</i>		<i>Map Abv/No:</i>	BHCN
<i>Book:</i>	PDXC	PDXC	<i>LO Atlas</i>			<i>Split:</i>						01.00.00
<i>Pages:</i>	0656	0656	<i>Page</i>	12	13	<i>Date Out:</i>						
<i>Grid:</i>	F4	G5	<i>Egrid</i>	6094	6095	<i>Date Return:</i>						

Source LOCM: 100%, Paste: 70%
 Ht [in] LOCM: 9.33, Ht: 6.5

S = Tax Assessor Section
 P = LO Atlas Page
 E = Emergency Grid



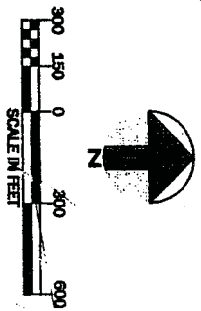


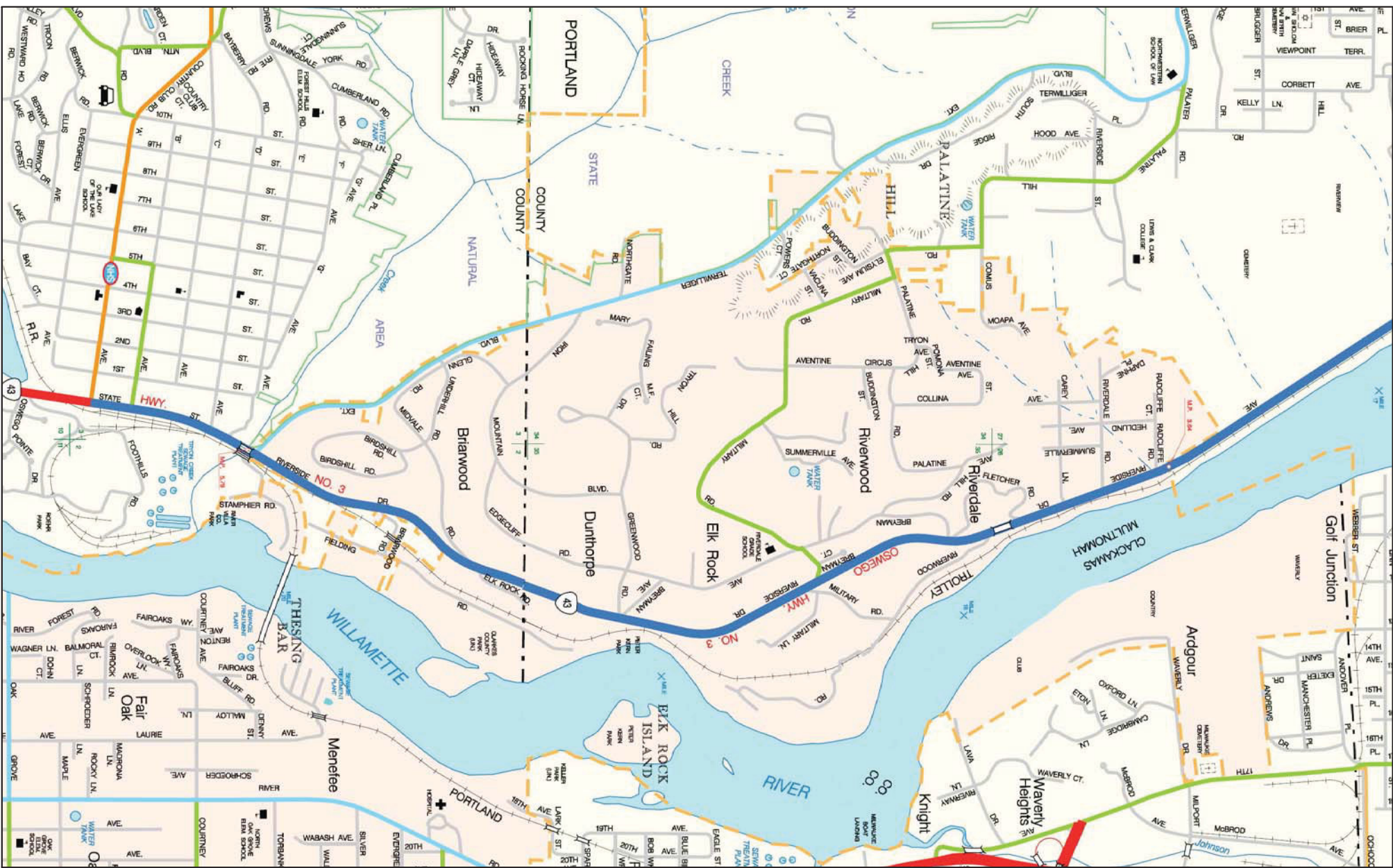
Legend For Areas

B	BRD	BIRDSHILL Area
E	ELK	ELK ROCK Area
F	BRW	BRIARWOOD Area
I	IRN	IRON MT Area
S	STM	STAMPHER HOA

Birdshill CPO / NA
Area Boundaries

A Joint Clackamas County CPO & City of Lake Oswego Oregon NA
 In LO UGMA dated 1997 Dec 18 Thur
 2009 March 20 Friday
 Source: Palatine Hill WD / OR Metro ©
 File Suffix: MPUA_BH2106_Areas





Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locale

2011 Mar 02 Wednesday 01:00 U [1:00 AM PT]

Edition: L1 – Abstract (Only Edition)

Edition Access: L1 – Abstract, L2 – Summary,

L3 – Key Documents, and L4 – Total Outline

Website for editions: <https://sites.google.com/site/or43data01/home/bhdocsalt>

Note: Navigate between most headers by Ctrl + mouse click, to follow most links.

Note: CR = Cross Reference – Linked Jump to Outline Section & then to endnotes.

Affected Parties(s):

Government Levels wrt Birdshill CPO / NA Locale

1. Lev 100 = Federal – Army Core of Engineers and undetermined entities.
2. Lev 080 = State of Oregon – ODOT, TriMet and undetermined entities.
3. Lev 070 = Regional – Metro (Oregon Metro)
4. Lev 060 = County – County of Clackamas and County of Multnomah.
5. Lev 050 = Municipal – City of Lake Oswego and City of Portland.
6. Lev mnn = Service Providers – PGE, NW Natural, Quest, Service Districts.



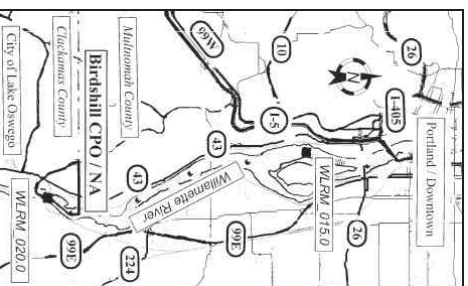
Initiated By: **Acing Chair of the Birdshill CPO / NA**

Birdshill CPO / NA
of Clackamas County (CPO –
Community Planning Organization)
and City of Lake Oswego Oregon
(NA – Neighborhood Association)

2009 – 2010 Officers
Acting Chair: Charles Ormsby
Sec / Treas: John Hedlund

Location:

The Birdshill CPO / NA (area)
is a joint county and city
community located on the west
bank of the Willamette River
between river miles 019.4
south to 020.2. This is about
seven miles south of central
Portland Oregon and
immediately north of the City
of Lake Oswego Oregon in
Clackamas County.



Google Earth Coordinates
Intersect: Underhill / Midvale Rds
045° 25' 46.65" N,
122° 39' 39.90" W

Contact Information Birdshill CPO/NA Acting Chair:

Phone: 503.636.4483 Residence
Mail: Clackamas County – Birdshill Area
170 SW Birdshill Road
Portland OR 97219-8052

Internet Presence – Birdshill CPO / NA

Email: sentinelskip@gmail.com (Please Use)
Email: birdshillcpona@gmail.com
Website: <http://sites.google.com/site/birdshillcpona>
Group: <http://group.google.com/group/birdshillcpona>
You Tube: <http://www.youtube.com/birdshillcpona>

Attached Files / Cross Referenced Files:

05 – World of Documents Referred to & Hyperlinked

Detail levels, pages, document files and disk space:

Detail Level	No Pages	No Files	Cum Disk Spc [Kb-kilobytes]
L1 – Abstract:	2	1	300 kb
L2 – Summary:	0	0	0 kb
L3 – Key Docs:	14	2	700 kb
L4 – Total Outline:	0	0	0 kb
L6 – World of Docs:	16	3	1,000 kb

Notes on referenced documents:

1. Files referenced have been posted to above website for download.
2. **Downloaded files require name change to enable hyperlinks.**

3. Files available for at least 30 days from date at top of column.

4. Files also available upon request by email to above address(es).

GLOSSARY & Terms – See spreadsheet: Edition Access

Website: <https://sites.google.com/site/or43data01/home/bhdocsalt>

Abstract of Request

01 –
Birdshill CPO / NA Bylaws require the annual compilation of a list of projects and initiatives that affect the locale of our community. This request initiates this compilation and process of annual review along with requests of government entities with jurisdiction in and around the area of the Birdshill CPO / NA. That the government entities identify, label, delineate, and describe ALL projects and initiatives that may affect the area of the Birdshill CPO / NA and immediate locale along with residents. Two items in this process are most important: First is a contact, with phone, and email services that have both current and historical knowledge of the project or initiative. Second are methods to trace the project or initiative to source documents that can be monitored over time. The attached maps on the next page identify the locale and regional context.

02 – Summary of Documents & Impact

Birdshill CPO / NA Bylaws Ver 6.09,
Ratified by Membership: 2009 Mar 18 Wednesday
Approved by Clackamas County: 2009 Jun 16 Tuesday
Approved by City of Lake Oswego: 2009 Jul 21 Tuesday
**Article II – Principles of Operation

Section 4 – Issues and Consultation With Members

In order to assure early and continued public involvement. With adequate time for citizen notification, study, and formulation of actions in all aspects of participation in governance that may affect both the area and residents of the Birdshill CPO / NA. The Board shall:

1. *Communicate with leaders at multiple levels of governance, community groups, and area service providers and ascertain what issues that may consist of projects, programs, and initiatives that will affect the area of the Birdshill CPO / NA and members within the coming year.*
2. *Develop an Annual Report itemizing, identifying, labeling, delineating, and describing in summary form items ascertained in item 1 above.*
3. *Deliver or make available the Annual Report developed in item 2 above to the membership of the Birdshill CPO / NA, no later than the Monday following Labor Day each year.*
4. *Consult with the membership before making recommendations about neighborhood improvements."*

03 – Key Documents

03.01 Birdshill CPO / NA Bylaws
Site: <http://www.ci.oswego.or.us/plan/Neighborhoods/default.htm>
File: [BYLW_BHCN RTFD 0609_2009_04Apr_30Th_0900U.pdf](http://www.ci.oswego.or.us/plan/Neighborhoods/default.htm)
03.02 Birdshill CPO / NA Schema of Government Levels
Site: <https://sites.google.com/site/or43data01/home/bhdocsalt>
File: [LIST_BHCN Scheme Gov Lev 2011_02Feb_01Tu_1500U.pdf](https://sites.google.com/site/or43data01/home/bhdocsalt)

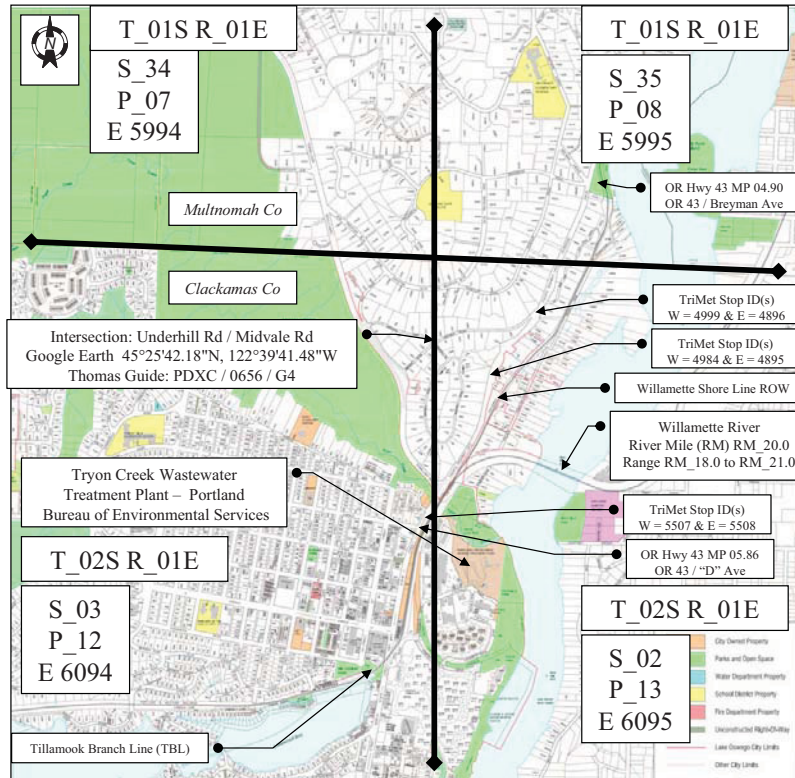
04 – Total Outline of Documents

No documents outlined.

05 – World of Documents Referred to & Hyperlinked

See Section 03 – Key Documents above.

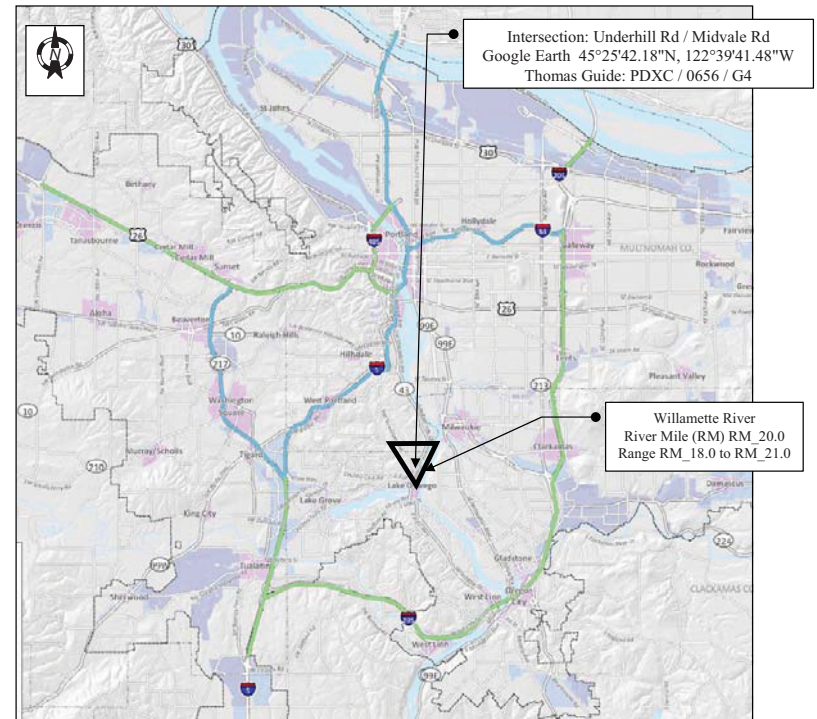
Birdshill CPO / NA Locale



Area of Project / Initiatives wrt Birdshill CPO / NA

Date: 2011 Mar 02 Wednesday 01:00 U (1:00 AM PT)
 Author: Charles Ormsby (Skip)
 Email: birdshillcpona@gmail.com or sentinelkip@gmail.com
 Source: [MPUE_LOCG_CityAds_2006_06.tms_01.tms_17001.PDF](#)
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Birdshill CPO / NA and Regional Context



Regional Context of Project / Initiatives wrt Birdshill CPO / NA

Township 01S, Range: 01E, Sections 34 and 35
 Township 02S, Range: 01E, Sections 02 and 03
 Date: 2011 Feb 02 Wednesday 13:00 U (1:00 PM PT)
 Author: Charles Ormsby (Skip)

Email: birdshillcpona@gmail.com or sentinelkip@gmail.com
 Source: [03_22_10tismo_refinement_plan_final.pdf](#), Metro 2035 RTP (Regional Transportation Plan)
 page 41 of 141, Figure 5: Map of the Portland region and TSM (Transportation System Management) investments in 2000
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City of Lake Oswego, Oregon

Tryon Creek Wastewater Treatment Plant

Alternatives Study

PREPARED FOR: Doug Schmitz/City of Lake Oswego
Jane Heisler/City of Lake Oswego

PREPARED BY: Michelle Burkhardt/CH2M HILL
Dave Green/CH2M HILL

COPIES: Joel Komarek/City of Lake Oswego

DATE: December 15, 2005

PROJECT NUMBER: 331441.TR.50

A. Summary

The objective of this evaluation is to define and evaluate potential options for conveyance and treatment of wastewater flows from the Tryon Creek basin, allowing for expanded use of the existing Tryon Creek Wastewater Treatment Plant (TCWTP) site, in alignment with the Foothills Development planning. The intent is to identify fatal flaws associated with a given alternative, develop relative costs in order to compare a series of alternatives, and identify the most reasonable alternatives for further consideration and development. At this stage of analysis, cost estimates are based on limited engineering data and are developed not to provide budgetary estimates, but to allow for comparison of alternatives and to provide Lake Oswego with a general understanding of the costs associated with relocation of the treatment plant capacity. Final project costs will depend on a variety of factors, such as land acquisition costs, the final project scope and market conditions at the time of project bidding.

The alternatives developed and described on Figure 3 consider elimination of the plant by providing conveyance and treatment capacity as part of a regional system. In addition, the alternatives consider and modification of the existing facility allowing for a reduced footprint of the facility in its current location. Each alternative is considered in light of the additional land which would be available for development as part of the proposed Foothills Development. Table 1 summarizes each alternative, including costs, acreage gained as compared to the existing facility, and the main benefits and disadvantages of each.

The 1983 agreement currently in place between Lake Oswego and Portland provides Lake Oswego with a significant amount of rate stability relative to wastewater service. Maintenance of that arrangement, leaving the City of Portland in charge of modifications at the existing Tryon Creek treatment facility, is clearly the path of least resistance, and certainly an acceptable one relative to wastewater treatment. The downside is that it leaves a treatment facility on Lake Oswego's riverfront, occupying valuable space and impacting development of that area.

TABLE 1
Summary of Alternatives

	Site Area Gained (acres)	Project Costs	PW of Differential Annual Costs	Benefits	Disadvantages
Alternative 1 – Continued Use of TCWTP as planned	0.0	\$14.36	-	Short and long term rate stability	Does not support goals of Foothills development Sensitive to future regulatory changes No equity stake in wastewater service
Alternative 2A – Convey to Portland	9.3	\$91.64	\$2.82	Increased reliability	Short and long term rate impacts High dependency on Portland No equity stake in wastewater service
Alternative 2B – Convey to Clearwater	9.3	\$66.34	\$2.61	Increased reliability More financing options Long term rate stability Equity stake in wastewater service	Short term rate impacts High dependency on Portland, WES
Alternative 3 – Reduce Footprint					
Step 1 – Reduce Buffer	2.3	\$18.84	-	Optimizes site requirements Implements good neighbor practices	Sensitive to future regulatory changes No equity stake in wastewater service
Step 1 – Reduce Buffer Step 2 – Replace Chlorine with UV	3.5	\$21.61	-	Optimizes site requirements Implements good neighbor practices Eliminates chemical delivery Enhanced water quality	Sensitive to future regulatory changes No equity stake in wastewater service
Step 1 – Reduce Buffer Step 2 – Replace Chlorine with UV Step 3 – Eliminate Digesters at TCWTP	4.0	\$26.60	(\$1.43)	Optimizes site requirements Implements good neighbor practices Eliminates chemical delivery Enhanced water quality Reduced solids hauling (truck traffic)	Sensitive to future regulatory changes No equity stake in wastewater service
Step 1 – Reduce Buffer Step 2 – Replace Chlorine with UV Step 3 – Eliminate Digesters at TCWTP Step 4 – Convert to MBRs	5.4	\$49.69	(\$0.49)	Optimizes site requirements Implements good neighbor practices Eliminates chemical delivery Reduced solids hauling (truck traffic) High water quality Reuse potential	No equity stake in wastewater service

All costs are presented in millions of dollars and represent total costs for the Tryon Creek service area (Portland, Lake Oswego and unincorporated areas), including construction, engineering, legal and administrative costs.

Project costs associated with relocating the entire facility are significant, although in the case of the Clearwater alternative, that larger program provides a means of financing some of those costs without Lake Oswego bearing the entire burden. The cost allocation and financing options for each alternative are complex and varied because of the number of agencies and cities involved. Additional discussions with these other entities, as well as detailed rate studies are necessary to better define opportunities and impacts to ratepayers.

The analysis of the three overall alternatives is best described as follows:

- Conveying all Tryon Creek flows to Portland's wastewater system is fraught with hurdles, both technical and economic in nature. The cost of this alternative is significantly higher than others considered. Few available routes exist for the large pipelines necessary to convey the flow, and the Westside CSO facilities, which are nearing completion, were not sized to accommodate this flow from the Tryon Creek basins.
- A decision to participate in the Clearwater Project holds the promise of stable long-term rates (due to the inherent economies of scale). It also results in a governance arrangement that could provide Lake Oswego with the benefits of political representation and equity ownership. The value of these benefits requires further evaluation and discussion while realizing that the opportunity to participate in the Clearwater project needs to be addressed relatively soon.
- The opportunity to reduce the footprint of the existing Tryon Creek treatment facility, while maintaining treatment capacity on that site also holds promise, albeit with significant capital costs. This alternative with its sequence of steps, represents a middle ground between the status quo and complete elimination of the facility.

The pursuit of any of these alternatives would rest almost entirely with the City of Lake Oswego, both financially and politically.

B. Introduction and Regional Background

The successful redevelopment of downtown Lake Oswego and the development of open space and parkland along the Willamette River have spurred interest in developing the city's remaining riverfront area, east of Highway 43 and south of Tryon Creek, defined as the Foothills District. A number of development options have been considered for this area, comprising open space, commercial development, and residential facilities. Development goals include integrated land use and transportation, with an emphasis on public space and improved connections from downtown to the river. The Foothills District is generally considered to be prime redevelopment land, adjacent to a downtown area with strong real estate demand. The City of Lake Oswego has developed a Refinement Plan with extensive input from affected agencies such as Tri-Met, the Oregon Department of Transportation (ODOT), Portland General Electric (PGE), the City of Portland Bureau of Environmental Services (BES), as well as neighborhoods and members of the public.

During the course of this brainstorming effort, several development options were generated that considered the removal and relocation of the Tryon Creek Wastewater Treatment Plant (TCWTP) and the development of the property where the treatment plant is now sited. This

**APPENDIX B-7
FOOTHILLS DISTRICT FRAMEWORK PLAN:
FLOODPLAIN**



TECHNICAL MEMORANDUM

TO: Matt Brown and Christe White
Williams/Dame & White – Lake Oswego LLC

FROM: Eirik Schulz, P.E.
Ken Vigil, P.E.
Vigil-Agrimis, Inc.

DATE: February 15, 2011

SUBJECT: Foothills District Framework Plan
Preliminary Floodplain Development Feasibility Analysis



EXPIRES: 6/30/2012

PURPOSE

On June 15, 2010, the Lake Oswego City Council approved a Pre-Development Agreement (PDA) with Foothills Road Redevelopment LLC and Williams/Dame & White – Lake Oswego LLC (WDW). The PDA calls for the establishment of a Framework Plan for the Foothills District and assigns responsibility for the delivery of a final Framework Plan document from WDW to the City.

Approximately 40% of the area identified for redevelopment within the Foothills district lies within the Lake Oswego Flood Management area and the 100-yr floodplain of the Willamette River. Vigil-Agrimis, Inc. (VAI) was tasked with conducting a preliminary assessment of impacts to the Willamette River floodplain as a result of the proposed Foothills development. One of the key issues in moving forward with this project is the feasibility of filling, or protecting by levee, the proposed development area. VAI conducted a screening level analysis to determine the potential rise, or no-rise, in 100-yr water surface elevations as a result of filling the proposed development area. The purpose of this preliminary assessment was to determine if the project appears feasible from a floodplain analysis perspective.

This course screening level analysis was conducted using readily available topographic and hydraulic modeling information. A more detailed analysis will be conducted in the following months using improved topographic data.

ANALYSIS APPROACH

The 100-year flood event documented in the current Clackamas County Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) was used as the baseline condition for the floodplain analysis. VAI used the following procedure to estimate the change in water surface elevations due to future development of the Foothills area.

1. VAI reviewed the current Flood Insurance Study, maps, workmaps, and background information available from the Army Corps of Engineers (Corps) and FEMA.

2. The original hydraulic model developed by the Corps used the outdated HEC-2 hydraulic modeling software. The original HEC-2 model data was imported into the current HEC-RAS hydraulic modeling software to create an existing conditions model.
3. VAI added three new cross sections to the model in the vicinity of the Foothills Development area. These cross sections were created using existing aerial topographic survey and National Oceanic and Atmospheric Administration (NOAA)/National Oceanic Service (NOS) smooth sheet bathymetry data. The NOAA charts were developed in 1946 and do not provide current or detailed bathymetry data, but they are suitable for this preliminary analysis. Improved bathymetry data will be required for future modeling efforts.
4. Hydrology data from the original HEC-2 model was used to calculate 100-yr Base Flood Elevations in the new HEC-RAS model. This new HEC-RAS model was used as the existing conditions baseline model in the comparative water surface elevation analysis.
5. VAI modified the three new cross sections to reflect proposed grading within the Foothills district and ran the new proposed conditions model. For this analysis, we conservatively assumed the entire Foothills district development area was filled above the 100-year flood elevation.
6. The water surface elevations from the existing conditions and proposed conditions models were compared.

FINDINGS

- Preliminary modeling of the 100-year flood event indicates a small rise (less than 2 inches) in local and upstream water surface elevations as a result of fill placement within the Foothills District.
- A small rise in water surface elevation could still be considered “no-rise” depending on the reporting requirements of the local jurisdiction. For FEMA Flood Insurance Studies water surface elevations are reported to the nearest 1/10th of a foot. If the rise in water surface elevation is a few 1/100ths of a foot and the value rounds off to the same value as the regulatory 100-yr flood elevation (base flood elevation) then it could still be considered “no-rise”.
- Likewise, some jurisdictions define no-rise as less than 1/10th of foot (1.2 inches) increase in water surface elevation.
- It is likely that using a more detailed model with improved topographic information would result in a similar conclusion.
- Therefore, based on this preliminary analysis, it seems feasible that development of the Foothills District could be accomplished with only a minimal rise, or no-rise in water surface elevation.

LIMITATIONS

This preliminary analysis focuses only on the impacts to the regulatory base flood elevation (100-year) as a result of placing fill within the Foothills District development area. Flooding in

this area could still occur during larger storm events or as a result of surface water runoff from adjacent areas. During the future phases of the project, other sources of flooding will need to be investigated. These other flooding sources include, but are not limited to, the following:

- Flooding from Tryon Creek and the Willamette River through the existing stormwater outfall to Tryon Creek.
- Flooding from the stormwater system that discharges to the detention pond located within the Foothills district development area.
- Overland flow resulting from overtopping of the Lake Oswego banks in the vicinity of Lakewood Bay. It is our understanding that modifications to the Lake Oswego dam are underway to address this potential flooding source.

The preliminary model developed for this analysis is based on dated and somewhat course topographic information. During the next phase of analysis, more detailed and accurate topographic data will be required for determining impacts to local water surface elevations.

This review does not address affects from larger flood events, such as those experienced during the 1996 flood or the regulatory 500-year flood. With larger storm events we would expect a more significant change in water surface elevation between the existing and post development conditions.

NEXT STEPS

The following steps are needed to further complete the floodplain analysis tasks associated with the project.

- Obtain more detailed, current, site-specific topographic information for the District and bathymetry data for the Willamette River.
- Work with the project team to develop reasonable site development concepts for the District.
- Using the updated topographic data, and new site development concepts, complete additional hydraulic modeling analysis to compare existing conditions with future development scenarios.
- Review regulatory requirements with the various regulators that have authority for floodplain and riparian development including the City of Lake Oswego, FEMA, Metro, Clackamas County, NOAA Fisheries, etc.
- Develop strategies for addressing all regulatory requirements as part of the District development plan.
- One regulatory requirement that appears particularly challenging at this time would be the requirement by Lake Oswego floodplain ordinance and Metro Title 3 to balance cut and fill within the regulatory floodplain.
- The loss of regulatory floodplain storage volume (through fill or use of levees to protect the District) would result in the need for an equal amount of floodplain excavation, which may be a difficult requirement to meet.

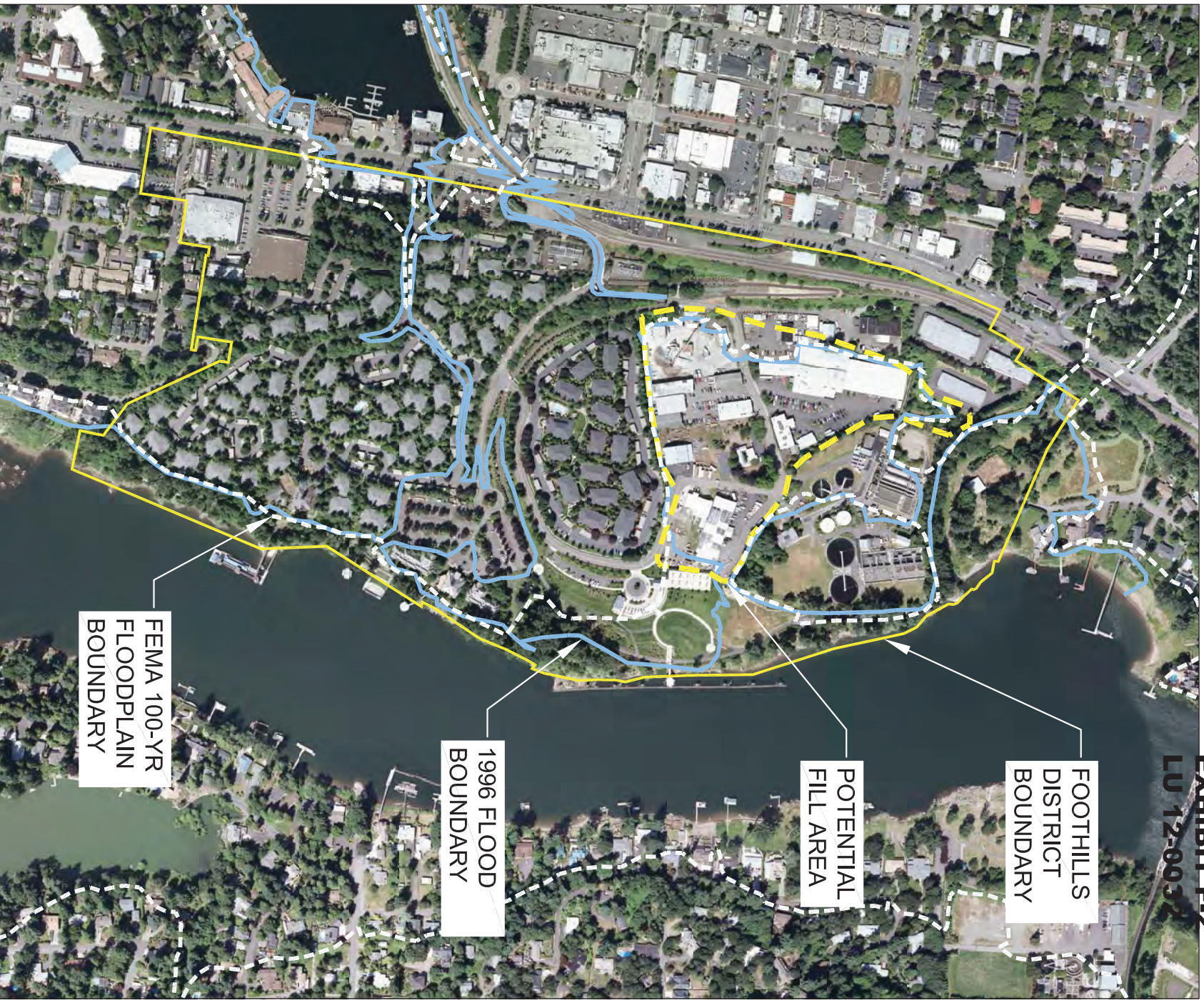
EXHIBIT F-2 LU 12-0032

- Develop Strategies for addressing this cut and fill balancing requirement.

EXHIBITS

Attached at the end of this memorandum are exhibits that provide documentation for this preliminary screening analysis as itemized below.

- Figure 1 - Plan view aerial photograph showing the Foothill District Boundary and potential fill placement or levee area, with 100-year floodplain and 1996 flood boundaries shown.
- Figure 2 – Plan view showing the location of HEC-RAS model cross sections.
- Example HEC-RAS hydraulic model output tables, cross sections and river profile. Elevations listed in the attached tables reference NAVD88 datum.



FEMA 100-YR
FLOODPLAIN
BOUNDARY

1996 FLOOD
BOUNDARY

POTENTIAL
FILL AREA

FOOTHILLS
DISTRICT
BOUNDARY

FIGURE 1
FLOODPLAIN BASE MAP

Foothills District Framework Plan
Lake Oswego, Oregon

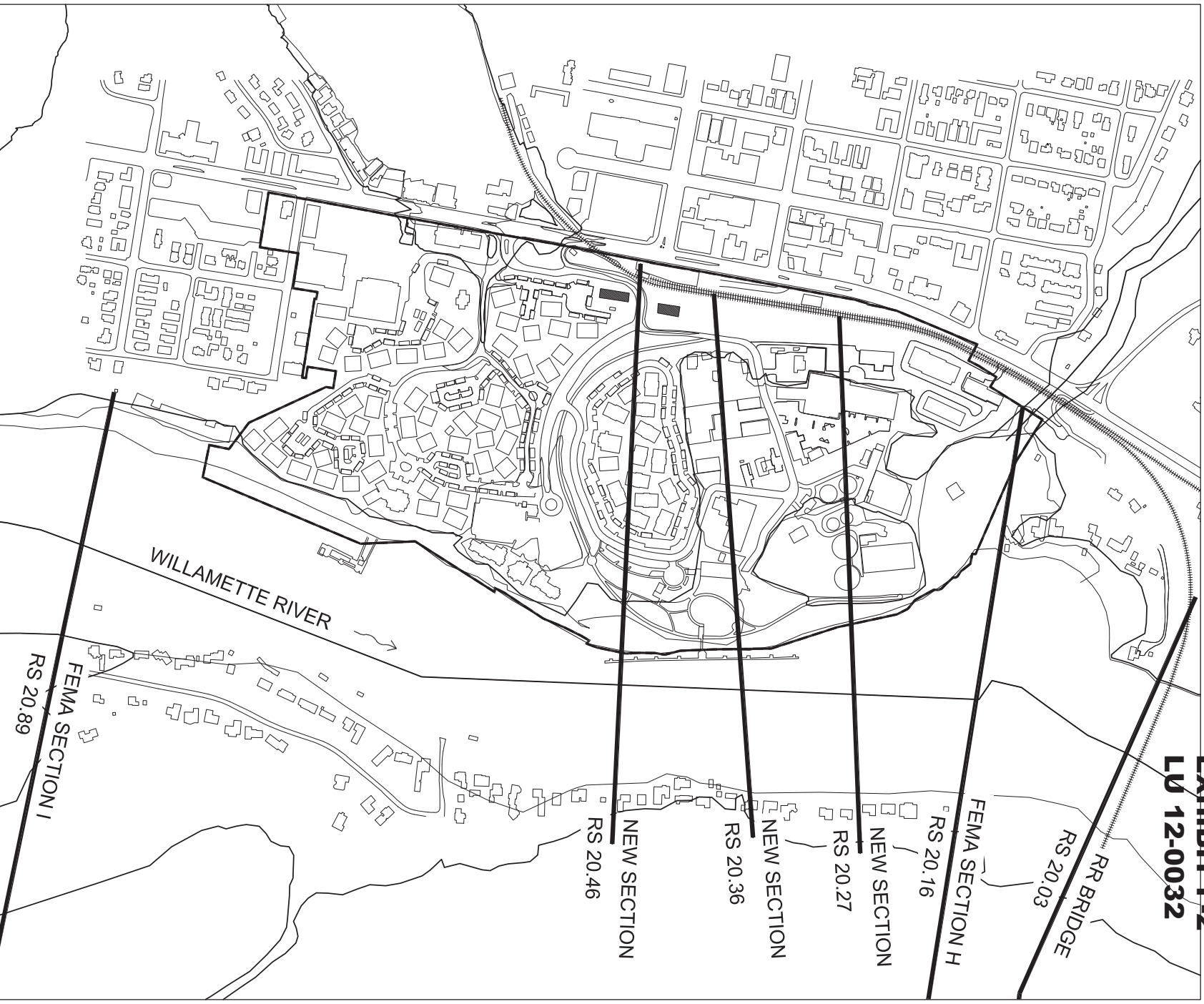
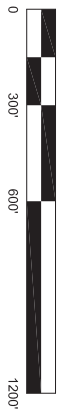


EXHIBIT F-2
LV 12-0032

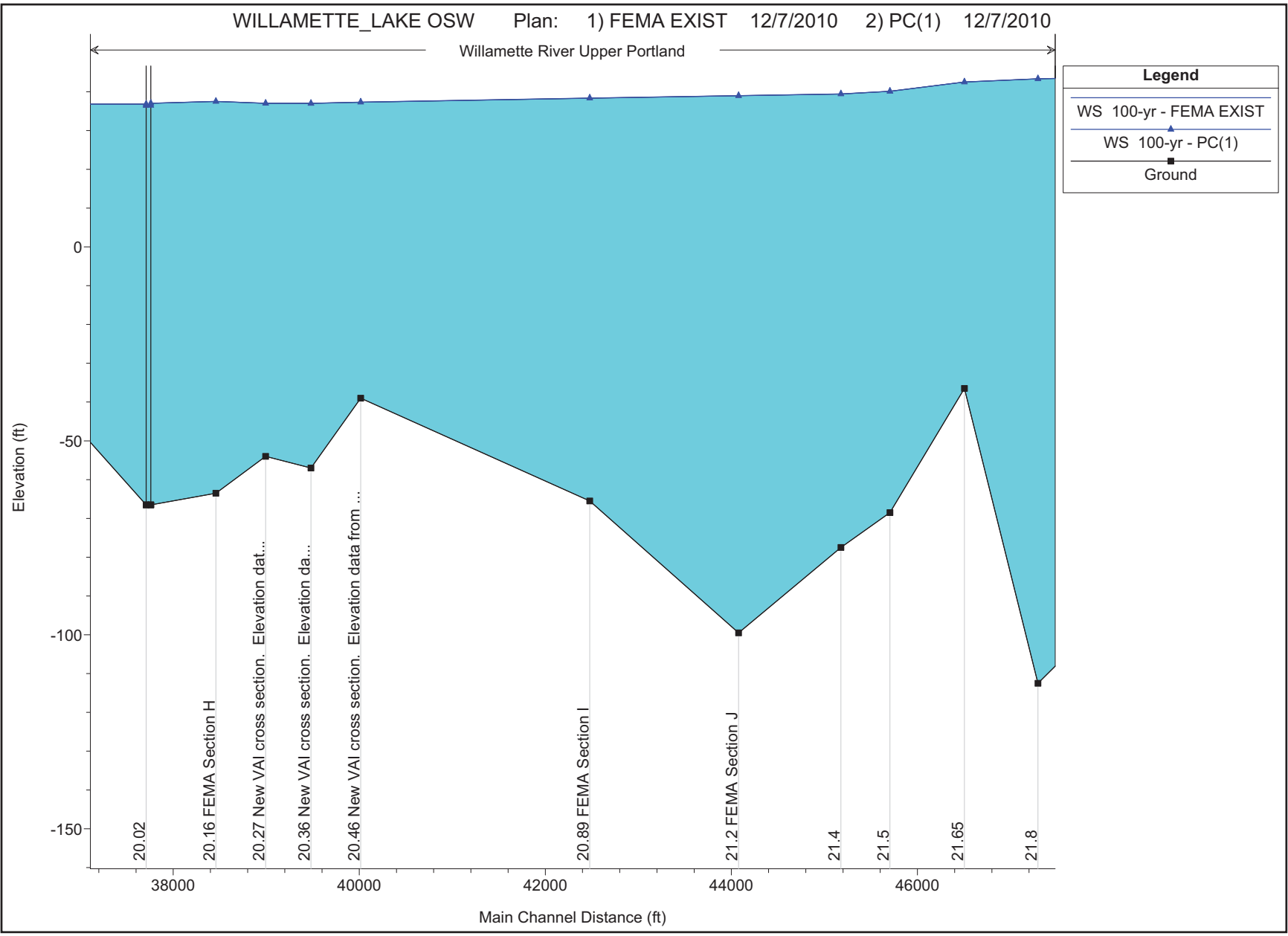
FIGURE 2
HEC-RAS MODEL
CROSS SECTIONS

Foothills District Framework Plan
Lake Oswego, Oregon

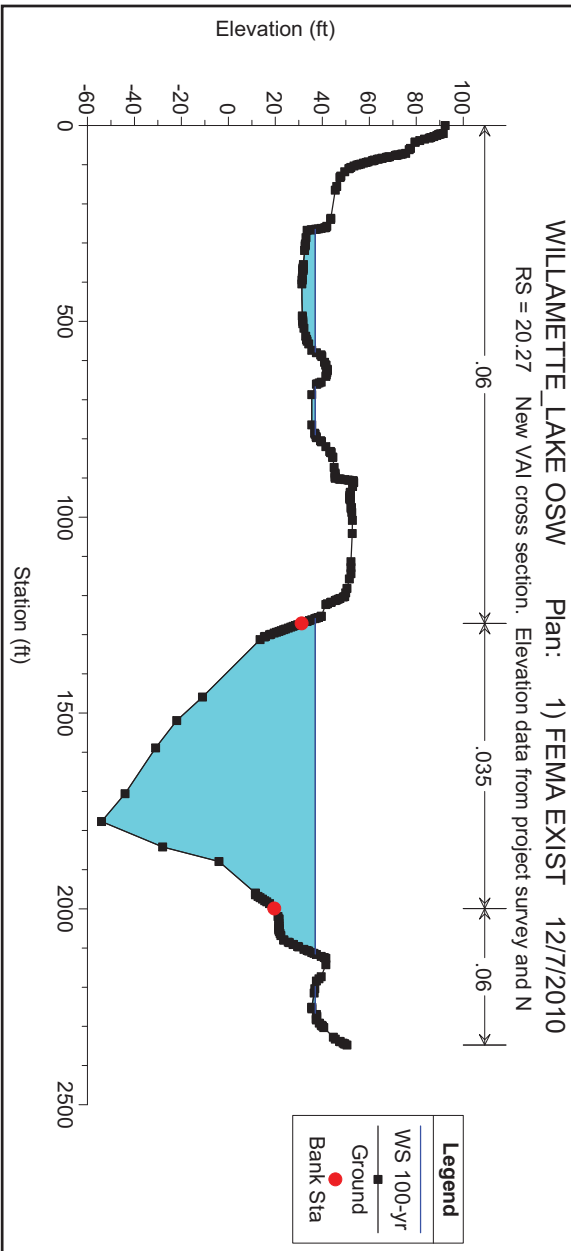
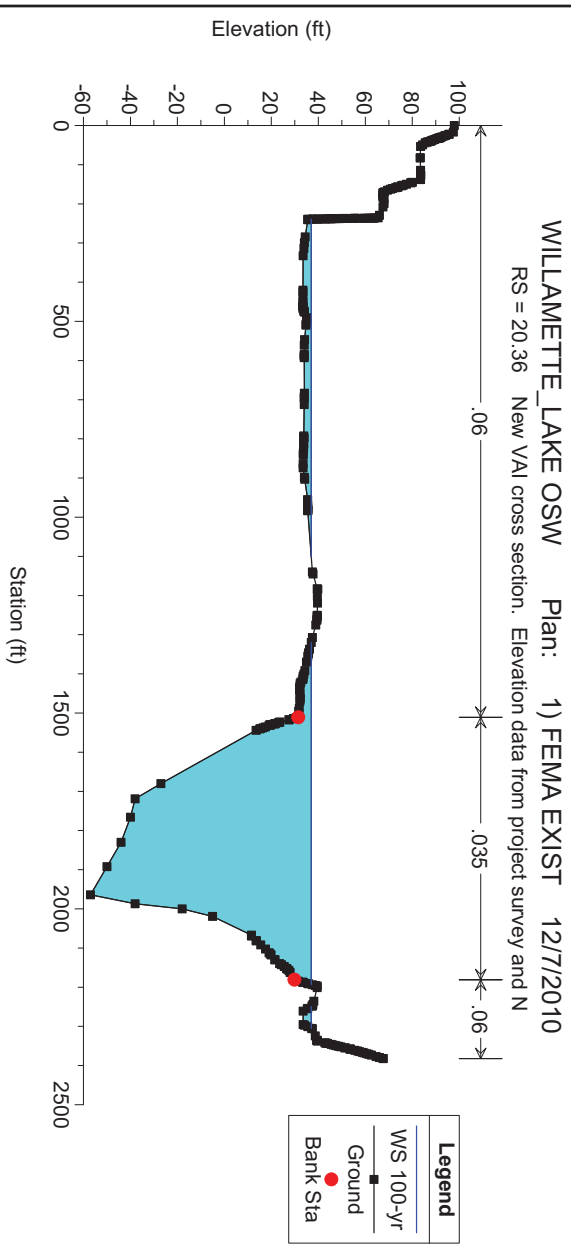
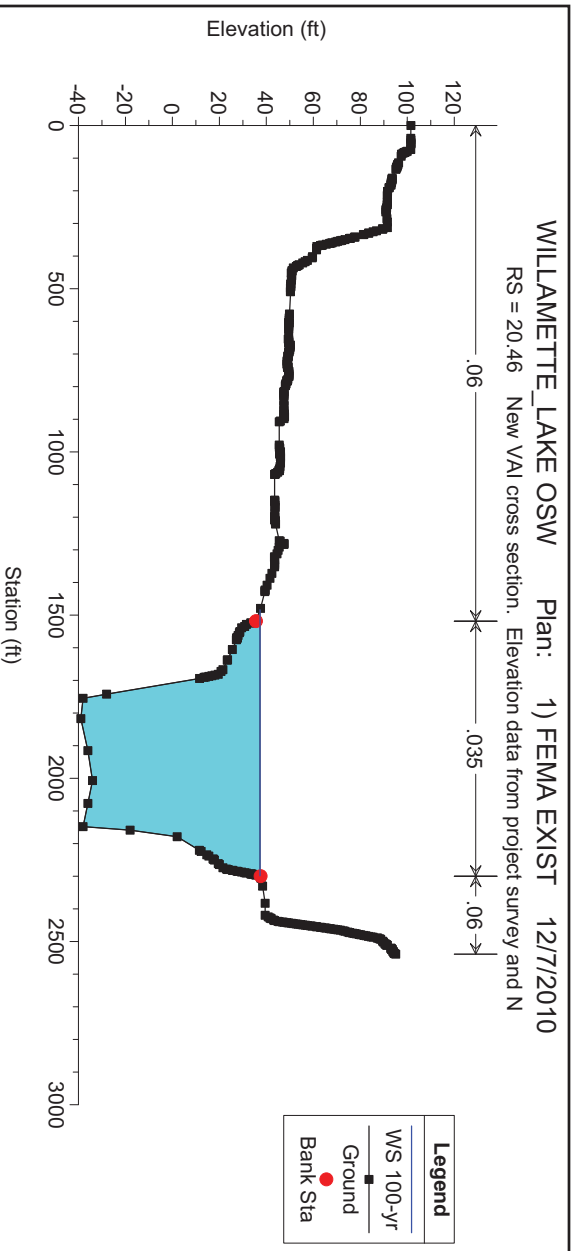
HEC-RAS Locations: User Defined Profile: 100-yr

River	Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Willamette River	Upper Portland	21.8	100-yr	FEMA EXIST	375000.00	-112.50	43.32		44.03	0.000380	6.81	57456.36	1096.35	0.15
Willamette River	Upper Portland	21.8	100-yr	PC(1)	375000.00	-112.50	43.33		44.04	0.000379	6.81	57466.46	1096.44	0.15
Willamette River	Upper Portland	21.65	100-yr	FEMA EXIST	375000.00	-36.50	42.50		43.51	0.000690	8.10	46936.35	994.91	0.20
Willamette River	Upper Portland	21.65	100-yr	PC(1)	375000.00	-36.50	42.51		43.52	0.000690	8.10	46945.96	994.96	0.20
Willamette River	Upper Portland	21.5	100-yr	FEMA EXIST	375000.00	-68.50	40.11		42.30	0.001310	11.95	33174.12	851.11	0.27
Willamette River	Upper Portland	21.5	100-yr	PC(1)	375000.00	-68.50	40.12		42.31	0.001310	11.95	33183.43	851.16	0.27
Willamette River	Upper Portland	21.4	100-yr	FEMA EXIST	375000.00	-77.50	39.41		41.47	0.001543	11.52	32556.89	636.83	0.28
Willamette River	Upper Portland	21.4	100-yr	PC(1)	375000.00	-77.50	39.42		41.48	0.001542	11.52	32564.15	636.89	0.28
Willamette River	Upper Portland	21.2	100-yr	FEMA EXIST	375000.00	-99.50	38.97		40.04	0.000452	8.34	45248.98	611.26	0.16
Willamette River	Upper Portland	21.2	100-yr	PC(1)	375000.00	-99.50	38.98		40.06	0.000452	8.34	45256.07	611.34	0.16
Willamette River	Upper Portland	20.89	100-yr	FEMA EXIST	375000.00	-65.50	38.34	-5.97	39.49	0.000247	8.63	44116.83	1543.38	0.22
Willamette River	Upper Portland	20.89	100-yr	PC(1)	375000.00	-65.50	38.35	-5.97	39.50	0.000247	8.63	44129.46	1543.60	0.22
Willamette River	Upper Portland	20.46	100-yr	FEMA EXIST	375000.00	-39.00	37.29		38.77	0.000317	9.76	38451.36	815.03	0.25
Willamette River	Upper Portland	20.46	100-yr	PC(1)	375000.00	-39.00	37.31		38.79	0.000317	9.76	38462.09	815.32	0.24
Willamette River	Upper Portland	20.36	100-yr	FEMA EXIST	375000.00	-57.00	37.01		38.60	0.000297	10.15	39809.64	1790.43	0.24
Willamette River	Upper Portland	20.36	100-yr	PC(1)	375000.00	-57.00	36.99		38.61	0.000300	10.21	37523.13	928.08	0.24
Willamette River	Upper Portland	20.27	100-yr	FEMA EXIST	375000.00	-54.00	37.02		38.40	0.000259	9.51	42146.89	1360.87	0.23
Willamette River	Upper Portland	20.27	100-yr	PC(1)	375000.00	-54.00	37.00		38.41	0.000262	9.55	40501.84	924.06	0.23
Willamette River	Upper Portland	20.16	100-yr	FEMA EXIST	375000.00	-63.50	37.50		38.09	0.000080	6.17	61737.45	1990.09	0.13
Willamette River	Upper Portland	20.16	100-yr	PC(1)	375000.00	-63.50	37.50		38.09	0.000080	6.17	61737.45	1990.09	0.13
Willamette River	Upper Portland	20.03	100-yr	FEMA EXIST	375000.00	-66.50	37.01	-20.47	37.98	0.000158	7.91	47427.79	898.47	0.18
Willamette River	Upper Portland	20.03	100-yr	PC(1)	375000.00	-66.50	37.01	-20.47	37.98	0.000158	7.91	47427.79	898.47	0.18
Willamette River	Upper Portland	20.025			Bridge									
Willamette River	Upper Portland	20.02	100-yr	FEMA EXIST	375000.00	-66.50	36.79	-20.47	37.77	0.000159	7.93	47261.16	890.93	0.18
Willamette River	Upper Portland	20.02	100-yr	PC(1)	375000.00	-66.50	36.79	-20.47	37.77	0.000159	7.93	47261.16	890.93	0.18
Willamette River	Upper Portland	19.88	100-yr	FEMA EXIST	375000.00	-46.60	36.81		37.60	0.000142	7.17	54223.14	1476.02	0.17
Willamette River	Upper Portland	19.88	100-yr	PC(1)	375000.00	-46.60	36.81		37.60	0.000142	7.17	54223.14	1476.02	0.17

* Elevations reference NAVD88 datum

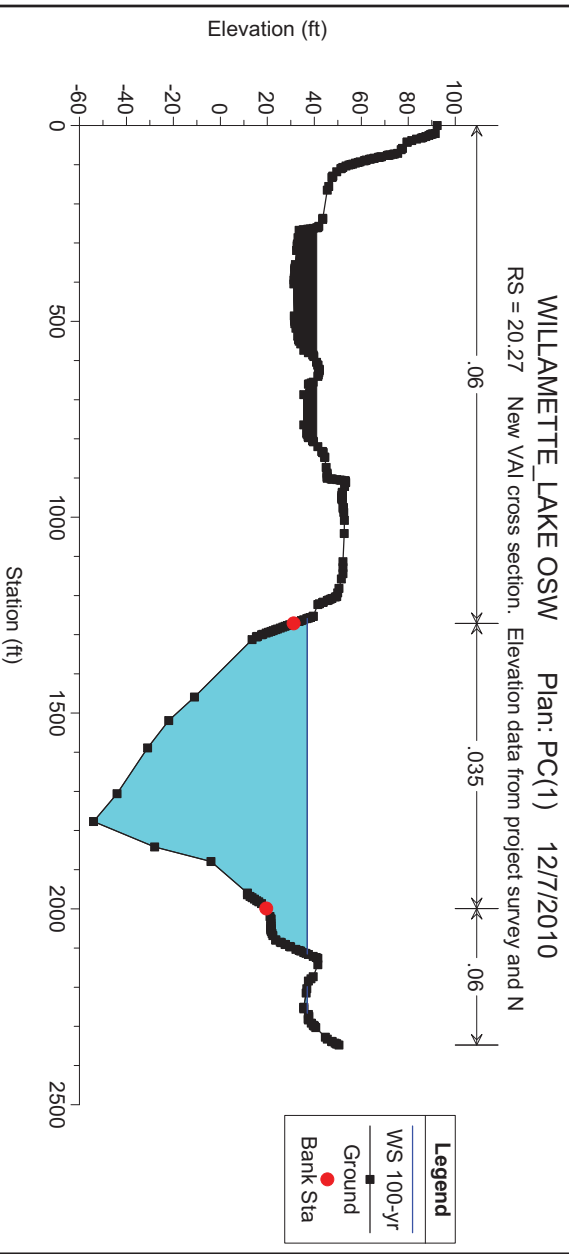
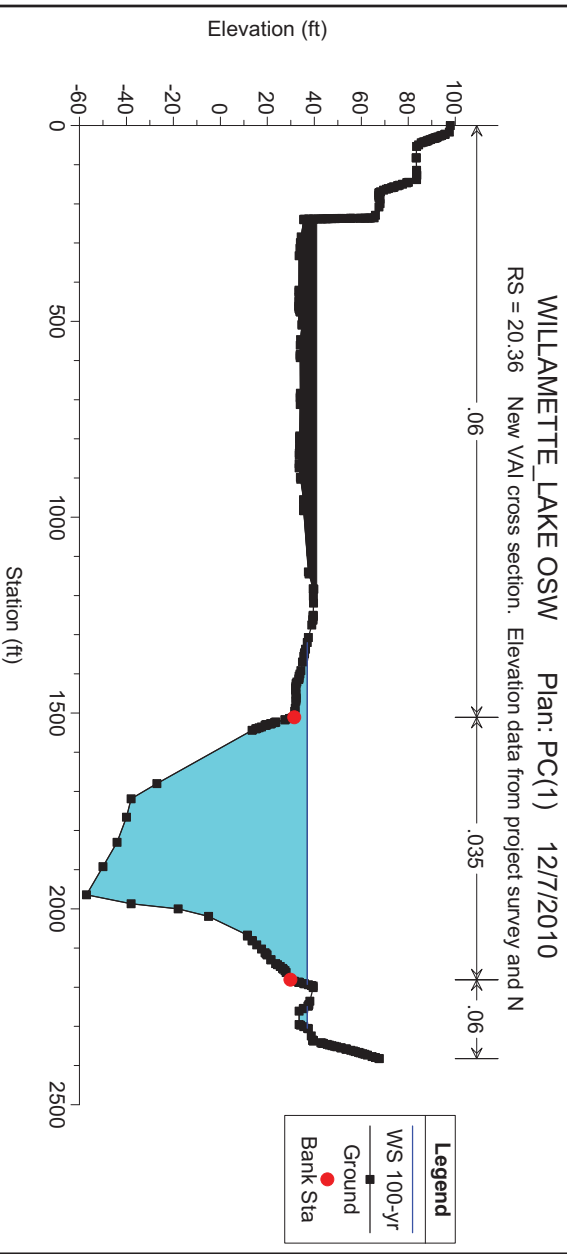
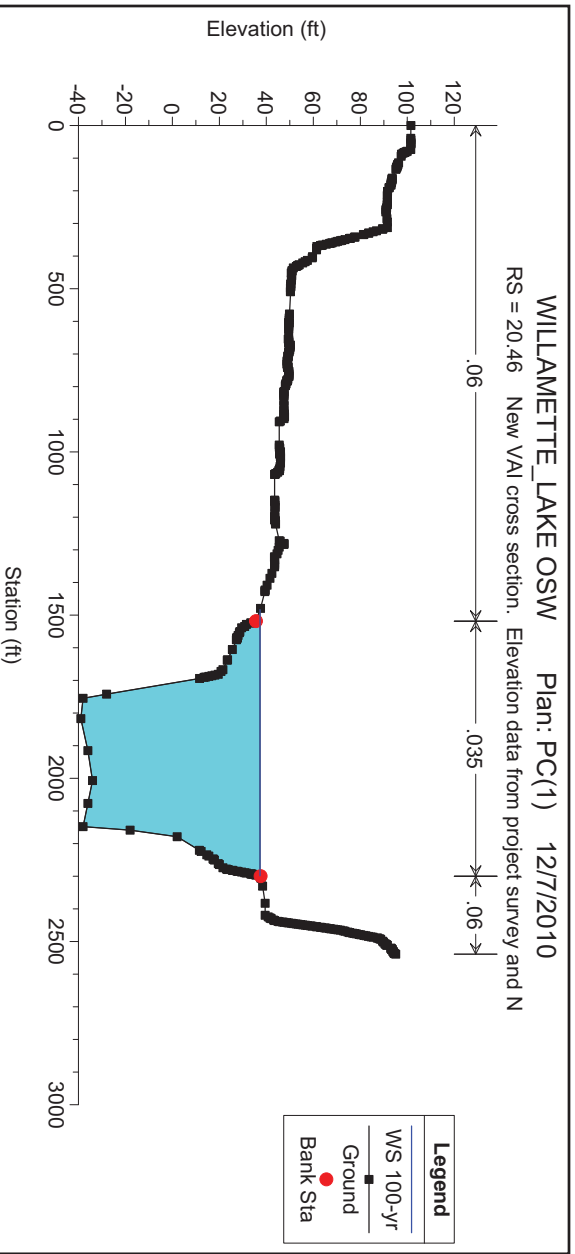


HEC-RAS Existing Conditions Cross Sections
EXHIBIT F-2
LU 12-0032



* Elevations reference NAVD88 datum

HEC-RAS Proposed **Conditions F-2** Cross Sections
EXHIBIT F-2
LU 12-0032



* Elevations reference NAVD88 datum

CONCEPT MEMORANDUM

DATE: September 26, 2012

TO: Don Henry P.E., City of Portland Bureau of Environmental Services

CC: John Houle, P.E., City of Portland Bureau of Environmental Services
Craig Goodroad, City of Portland Bureau of Transportation
Read Stapleton, AICP, BergerABAM
Debbie Caselton, City of Portland Bureau of Environmental Services
Fahim Rahman, P.E., City of Portland Bureau of Environmental Services
Greg Kirby, P.E., Multnomah County
Rick Nys, P.E., Clackamas County
Nancy Flye, City of Lake Oswego

FROM: Peter Coffey, P.E.
Jeremy Wheeler, E.I.T

SUBJECT: *SW Terwilliger Boulevard and Powers Court Sanitary Sewer Extension - Preferred Temporary Traffic Control Concept Memorandum*

P#12080-001

This memorandum summarizes the current preferred temporary traffic control concept for the SW Terwilliger Boulevard and Powers Court Sanitary Sewer Extension project. The purpose of the project is to design and construct a new 8-inch gravity sewer along SW Terwilliger Boulevard from SW Powers Court to Highway 43 (approximately 6,800 feet in length). The project also includes pavement preservation for the southbound lane on SW Terwilliger Boulevard and restriping of the centerline and fog line. The City of Portland Bureau of Environmental Services (BES) is leading the design, although construction will occur within additional local jurisdictions, including Multnomah and Clackamas Counties and the City of Lake Oswego. Work zone traffic control will be required along the entire project on SW Terwilliger Boulevard including the southern terminus of the project at Highway 43 (N State Street), an ODOT facility.

The information in this memorandum will focus on the current preferred temporary traffic control concept, which was developed by the project team with a thorough consideration of alternatives and the constructability constraints unique to this project.

TEMPORARY TRAFFIC CONTROL CONCEPT

The current design places the proposed sewer extension down the center of the southbound lane on SW Terwilliger Boulevard. Keeping the trenching mostly centered in this lane will allow for at least one lane to be open to local traffic during construction, and will also keep the proposed manhole covers out of motor vehicle wheel paths when the project is complete. One of the preliminary traffic control concepts was to close the southbound lane and keep the northbound lane open to two-way traffic during working hours, and then fully open the road to two-way through traffic during non-working hours. After further investigation it became clear that this concept would present a number of challenges. Allowing two-way through traffic in one lane for the entire length and duration of the project will slow the construction process.



Also, fully opening the roadway during non-working hours would require the contractor to remove all construction equipment and materials from the site at the end of each working day, and then transport them back to the site to continue work. Securing a construction storage area has been another challenge on this project. The current preferred traffic control concept would utilize a portion of the southbound lane between the Iron Mountain trailhead and Highway 43 for equipment and materials storage for the duration of the project.

The current preferred traffic control concept addresses constructability constraints and supports expediting the construction schedule, thus minimizing the duration of traffic impacts to the public and reducing construction costs. The current concept includes breaking the project into an upper and lower construction zone. The proposed upper zone would be between SW Powers Court at the north end of the project, and the Iron Mountain Trailhead, just over one-half mile south. The lower zone would be between the Iron Mountain Trailhead to the end of the project at Highway 43. The lower segment is just over one-half mile long as well.

The upper work zone would be open to local access only (no through traffic) during working hours with one lane serving two-way traffic controlled by flagging while the sewer is being constructed in the other lane. During non-working hours, any trenching occurring in the upper zone would be covered and both lanes would be open to two-way traffic serving local access only. Advance signage would be placed north of the project notifying motorists of the construction and that the road is closed to through traffic. Detour routes would be signed beginning near both ends of the project.

The lower work zone would be utilized for construction storage since there is only one road (SW Underhill Road) that accesses SW Terwilliger and no private driveways within this segment. This would help alleviate the issue of having to transport construction equipment and materials to and from the site each work day. The lower segment would be closed to all traffic during working hours for the duration of the project. A detour route would be provided for northbound traffic attempting to access SW Terwilliger Boulevard from Highway 43. This segment of SW Terwilliger Boulevard has significant horizontal curvature and trenching will likely encroach into the northbound lane in a few locations. This is another reason to close the lower zone during working hours. During non-working hours, any work occurring in the lower zone will be covered and the northbound lane would be open to one-way local traffic.

The following table provides a matrix of the proposed temporary access and traffic control features for the upper and lower construction zones during working and non-working hours.

Table 1: Summary of Temporary Access and Traffic Control Features for Working and Non-Working Hours

	Local Access Only		Closed to All Traffic	Flagging Required	Detour/ Both Directions
	One-Way	Two-Way			
Working Hours					
Upper Construction Zone		✓		✓	✓
Lower Construction Zone			✓	✓	✓
Non-Working Hours					
Upper Construction Zone		✓			✓
Lower Construction Zone	✓*				✓

*Open one-way northbound between Highway 43 and the Iron Mountain Trailhead.

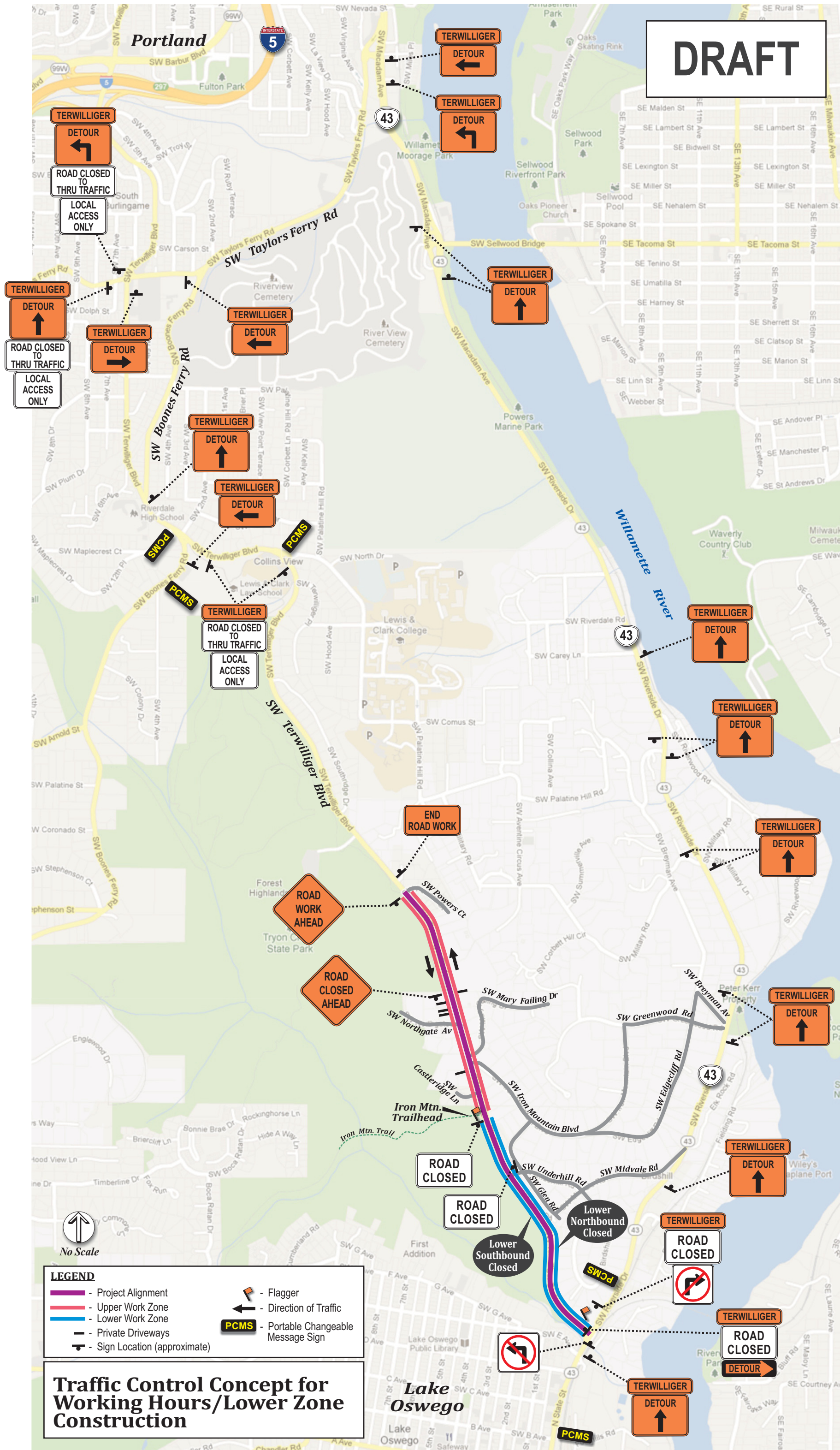


Three conceptual graphics are provided to show the conceptual traffic control scenarios during working and non-working conditions.

Attachments:

1. Traffic Control Concept For Working Hours/ Upper Zone Construction
2. Traffic Control Concept For Working Hours/ Lower Zone Construction
3. Traffic Control Concept For Non-Working Hours

DRAFT

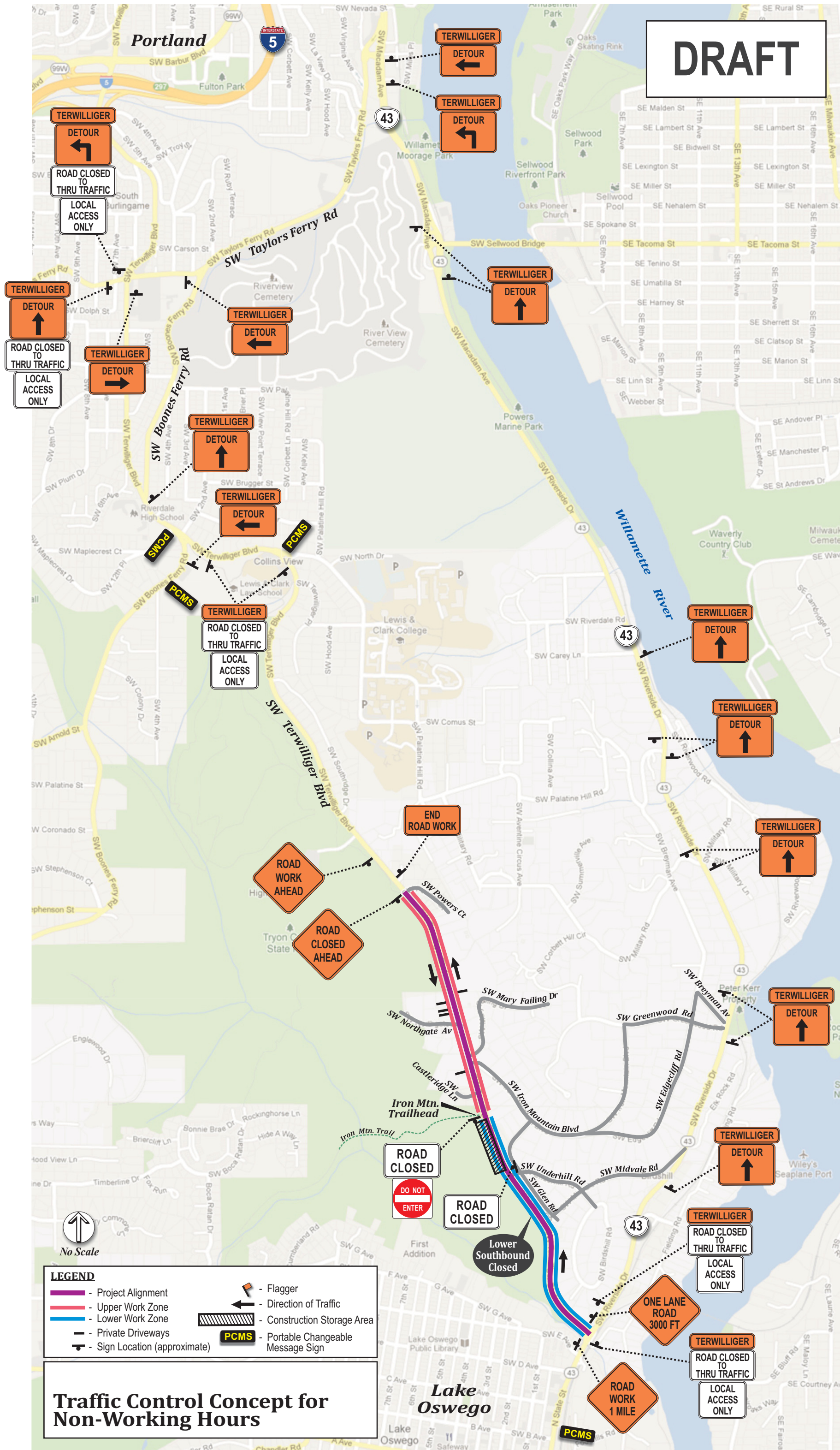


LEGEND	
	- Project Alignment
	- Upper Work Zone
	- Lower Work Zone
	- Private Driveways
	- Sign Location (approximate)
	- Flagger
	- Direction of Traffic
	- Portable Changeable Message Sign

Traffic Control Concept for Working Hours/Lower Zone Construction

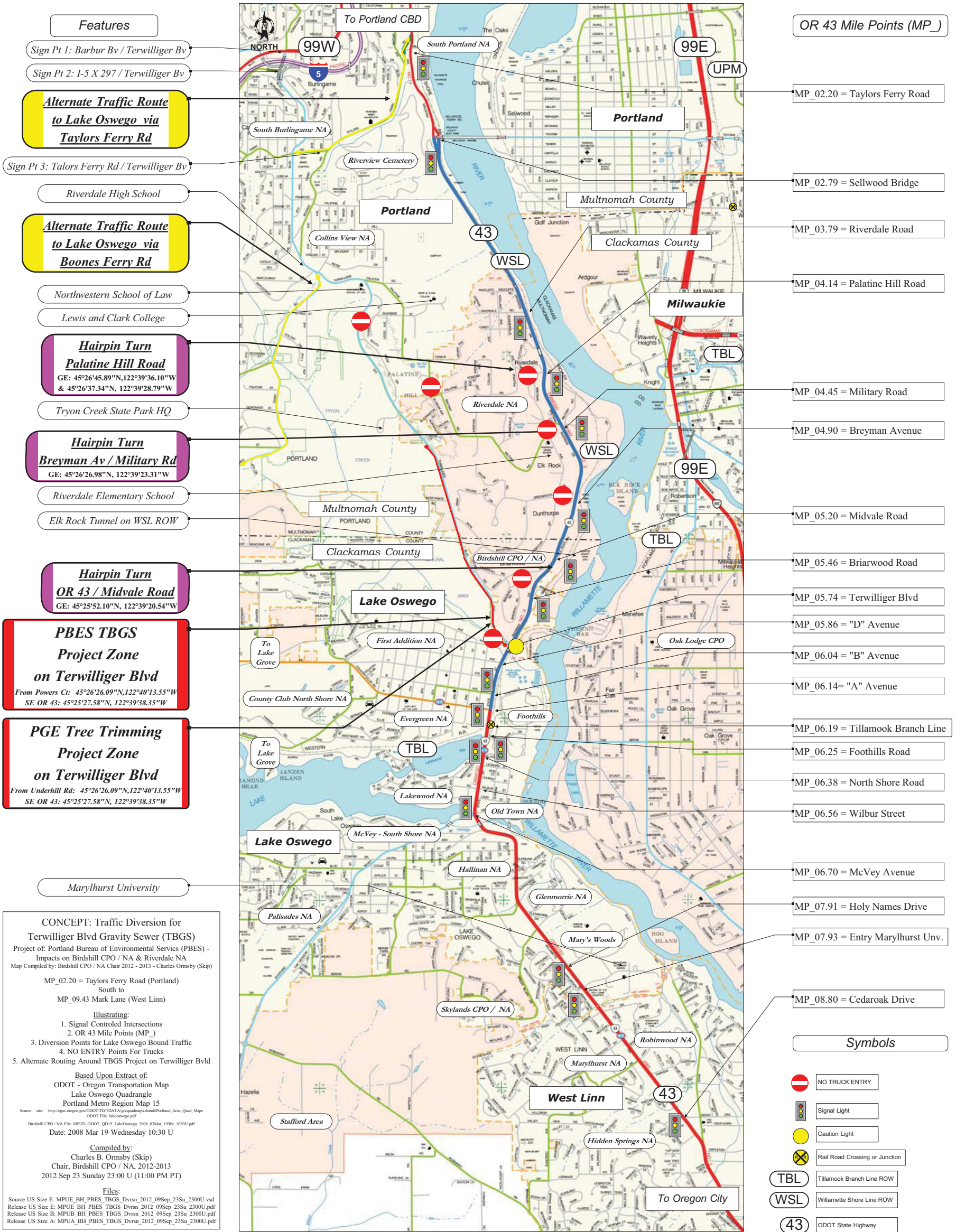
No Scale

DRAFT



CONCEPT for Traffic Diversion for Terwilliger Blvd Gravity Sewer (TBGS)

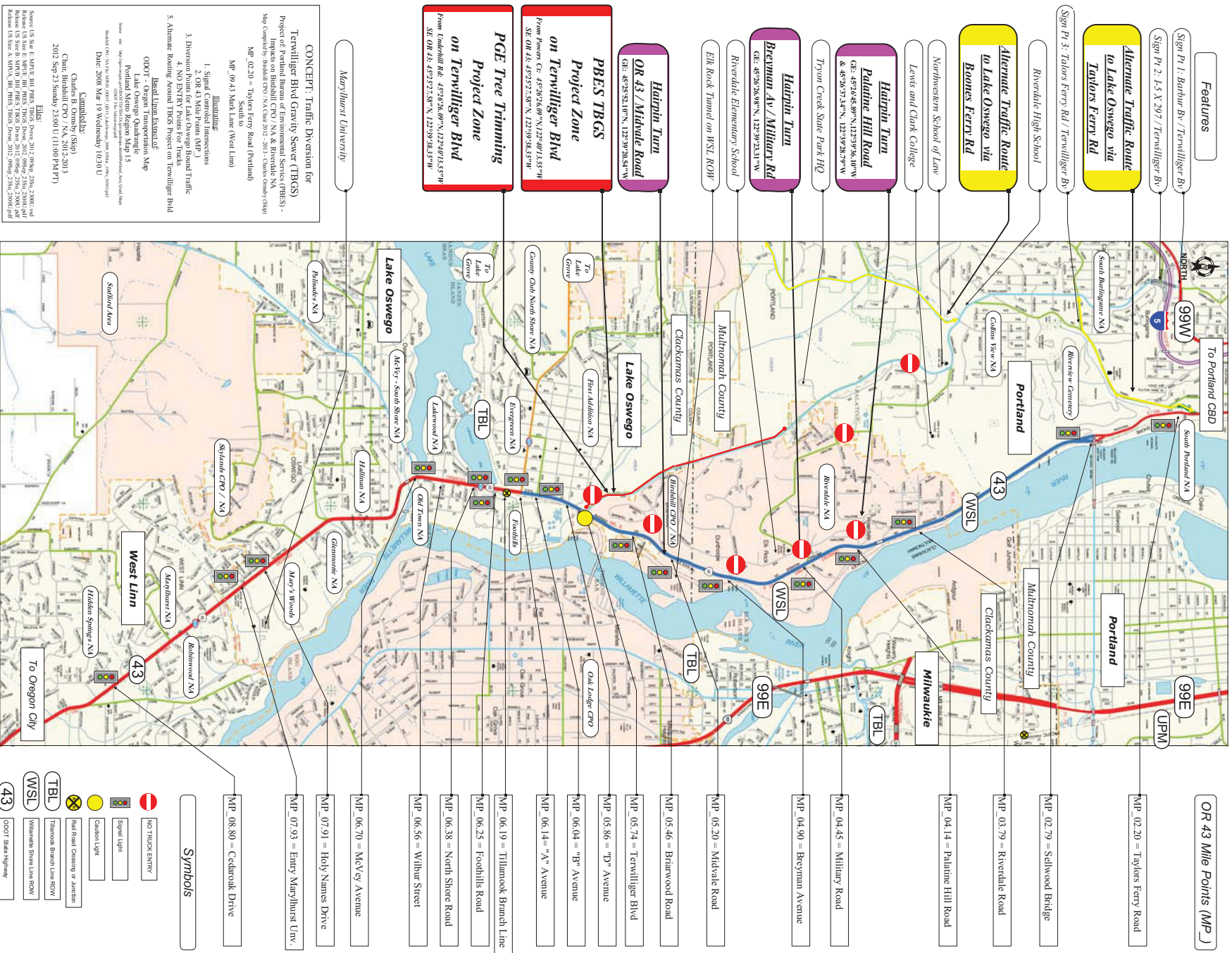
Project of: Portland Bureau of Environmental Servics (PBES) - Impacts on Birdshill CPO / NA & Riverdale NA
 Map Compiled by: Birdshill CPO / NA Chair 2012 - 2013 - Charles Ormsby (Skip)



CONCEPT for Traffic Diversion for Terwilliger Blvd Gravity Sewer (TBGS)

Project of: Portland Bureau of Environmental Services (PBES) - Impacts on Birdshill CPO / NA & Riverdale NA

Map Compiled by: Birdshill CPO / NA Chair 2012 - 2013 - Charles Ormsby (Skip)





COUNCIL REPORT

TO: Jack Hoffman, Mayor

Members of the City Council
David Donaldson, City Manager

FROM: Brant Williams, Assistant City Manager

SUBJECT: Willamette Shore Line Intergovernmental Agreement for the Elk Rock Tunnel Improvements

DATE: December 18, 2012

ACTION

Adopt Resolution 12-70 (Attachment 1) authorizing the Mayor to sign an intergovernmental agreement (IGA) with TriMet for funding improvements to the Elk Rock Tunnel located on the Willamette Shore Line.

BACKGROUND

Lake Oswego is responsible for the operations and maintenance of the Willamette Shore Line (WSL) right-of-way by agreement with the members of the WSL Consortium. As such, the City hired OBEC Consulting Engineers to evaluate the Elk Rock Tunnel through which the rail line passes. Based on this analysis, OBEC recommend needed improvements in order to maintain safe trolley service through the tunnel. Their top priority improvement was to improve drainage and replace portions of the tunnel wall lining.

TriMet, by agreement with members of the Consortium, is responsible for constructing capital improvements to the WSL facilities. As such, TriMet plans to manage the Elk Rock Tunnel project for the Consortium. Lake Oswego, which manages the Trolley Fund on behalf of the Consortium, will provide funds to TriMet to help pay for the project. The City has budgeted \$200,000 in the Trolley Fund to help pay for construction and outside project engineering. The City will pay TriMet this amount in advance. TriMet intends to fund the remainder of the project using funds received from Multnomah County for the Sellwood Bridge project. TriMet and Lake Oswego staffs have prepared an IGA that describes the project, its estimated costs and responsibilities for each party, including Lake Oswego's payment of funds to TriMet (see Exhibit A to Attachment 1).

The Consortium expects to restart trolley service on the WSL between Lake Oswego and the temporary northern terminus at the Sellwood Bridge by mid-spring 2013. TriMet plans to complete construction of the Elk Rock Tunnel Improvements by the time trolley operations commence.

RECOMMENDATION

Staff recommends approval of Resolution 12-70.

ATTACHMENTS

1. Resolution 12-70 including Attachment 1 - Intergovernmental Agreement Related to the Willamette Shore Line For Funding Capital Project: Elk Rock Tunnel Improvements

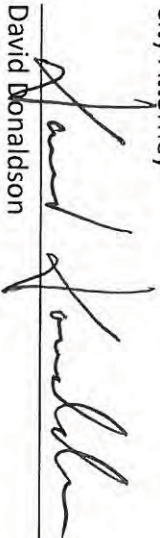
Reviewed by:



Ursula Euler
Finance Director



David Powell
City Attorney



David Donaldson
City Manager

RESOLUTION 12-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE OSWEGO AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT TO PROVIDE FUNDING FOR THE ELK ROCK TUNNEL IMPROVEMENTS

WHEREAS, the members of the Willamette Shore Line Consortium intend to reinstate trolley service on the Line in spring 2013; and

WHEREAS, repairs are needed to the Elk Rock Tunnel prior to trolley service operating through the Tunnel; and

WHEREAS, the Tri-County Metropolitan Transportation District is the Consortium member responsible for making capital improvements to the Willamette Shore Line right-of-way; and

WHEREAS, the City of Lake Oswego, on behalf of the Consortium, maintains a Trolley Fund to pay for operations, maintenance and capital improvements to the Line; and

WHEREAS, the City of Lake Oswego, on behalf of the Consortium, has funds available in the Trolley Fund for the Elk Rock Tunnel Improvements; and

WHEREAS, the Tri-County Metropolitan Transportation District intends to construct the improvements in early 2013 prior to reinstating trolley service;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Oswego that:

Section 1. The Mayor is authorized to execute the intergovernmental agreement relating to funding the Elk Rock Tunnel Improvements between the Tri-County Metropolitan Transportation District and the City of Lake Oswego, substantially in the form attached hereto as Attachment 1.

Section 3. Effective Date. This Resolution shall take effect upon passage.

Considered and enacted at the regular meeting of the City Council of the City of Lake Oswego on the 18th day of December, 2012.

AYES:

NOES:

EXCUSED:

ABSTAIN:

Jack D. Hoffman, Mayor

ATTEST:

Catherine Schneider, City Recorder

APPROVED AS TO FORM:


David D. Powell, City Attorney

**INTERGOVERNMENTAL AGREEMENT
RELATED TO THE WILLAMETTE SHORELINE
FOR FUNDING CAPITAL PROJECT: ELK ROCK TUNNEL IMPROVEMENTS**

THIS INTERGOVERNMENTAL AGREEMENT is made by and entered into between the TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON, a mass transit district of the state of Oregon, hereinafter referred to as "TriMet", and THE CITY OF LAKE OSWEGO, hereinafter referred to as "Lake Oswego". TriMet and Lake Oswego may be collectively referred to as "Parties".

This Agreement is in accordance with the roles of these parties in the Willamette Shore Line Consortium, a collection of governmental bodies that include the City of Portland, Oregon, METRO, the City of Lake Oswego, Oregon, Clackamas County, Oregon, TriMet, and the Oregon Department of Transportation, hereinafter collectively referred to as the "Consortium" which was formed to purchase and manage the Willamette Shoreline.

RECITALS

1. The Parties are authorized to enter into this Agreement pursuant to ORS 190.110.
2. The Elk Rock Tunnel (the "Tunnel") is a tunnel located on the Willamette Shore Line Right-of-Way (the "ROW"), more specifically depicted on Exhibit A, attached to this Agreement and incorporated by reference. The Consortium has determined that the Tunnel's inner surface is in need of repair to promote its longevity.
3. Lake Oswego desires to pay TriMet to be responsible for the repairs to the Tunnel, and TriMet is willing to make the repairs as long as Lake Oswego pays in advance all costs, within the current limits of Lake Oswego's funding, required to repair (the "Work") and Lake Oswego retains all cost risk of changes during performance of this Work including establishing and making available an adequate change order allowance, within those funding limits. The specific tasks of each party are more fully described in the Agreement below.

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

1. TriMet and the Lake Oswego agree to cooperate with respect to the Work necessary on the Tunnel. The estimated costs for the Work are listed on Exhibit B, attached to this Agreement and incorporated by reference. Notwithstanding estimating shown on Exhibit B, the total amount of this IGA is \$200,000 (the "Lake Oswego Contribution"). Lake Oswego acknowledges that the design work (including estimates) completed to date that are being used as the basis of the anticipated construction contract, was managed and performed by parties other than TriMet.

2. TriMet Obligations:

- 2.1 TriMet shall provide construction management services at no cost to Lake Oswego including services in support of construction procurement and overall management during construction. The level and nature of construction management services will be at TriMet's sole discretion.
- 2.2 TriMet shall perform the project management, ensure remaining design and engineering (if any) is performed, ensure necessary permits and approvals are obtained (if any), procure a construction contractor, and oversee the completion and turnover of the Work to the Consortium.
- 2.3 Based on Lake Oswego DSDC (as defined below), TriMet will coordinate DSDC work schedule.

3. Lake Oswego Obligations:

- 3.1 Lake Oswego shall pay for and provide periodic field inspection services in order to track general job progress as necessary to provide prompt response to change issues, and provide incidental assistance including facilitating construction including access and notifications.
- 3.2 Lake Oswego shall pay for and provide the design work, cost estimating, approvals, and any other relevant information prepared to date as a basis for TriMet to begin its efforts under this Agreement and in accordance with its' obligations as a Consortium member.
- 3.3 For the scope of this Agreement, Lake Oswego shall delegate all responsibility and authority for the management of the construction Work anticipated to be performed under this Agreement to TriMet in order to ensure a single point of contact and contractual authority for the construction contractor.
- 3.4 For the scope of this Agreement, Lake Oswego shall provide prompt and timely Design Services During Construction (DSDC) from the design Engineer of Record to support the construction Work in accordance with the design and technical specifications and as necessary to support change management.
4. Prior to TriMet starting any Work, Lake Oswego shall pay to TriMet the Lake Oswego Contribution, . The Parties agree that TriMet is not responsible for any amount of the actual cost other than its cost in providing the construction management services.
5. If, during the prosecution of the Work, the cost, or projected cost to complete exceeds, or appears that it will exceed, the Lake Oswego Contribution for any reason, prior to incurring such costs, TriMet and Lake Oswego agree to meet and confer about the Work

and attempt to reach a mutually beneficial resolution. It is anticipated that TriMet will be able to use the proceeds from payment by Multnomah County, pursuant to an Intergovernmental Agreement for the Sellwood Bridge Project, to fund completion of the Work. If a mutually beneficial resolution is not reached in a timely fashion or if no additional funding is apparently available, TriMet may cease Work immediately and will have no further obligation under this Agreement, and TriMet may at its option terminate this Agreement. The Parties agree to move expeditiously to resolve such issues to avoid compounding cost increase issue with contractor delay issues. This includes obtaining authority for additional expenditures in advance of complete contractor pricing if necessary.

6. TriMet shall invoice Lake Oswego and send invoices to: City Manager, City of Lake Oswego, P.O. Box 369, Lake Oswego, OR 97034.

7. Each party has designated a Project Manager as its formal representative for purposes of managing this Agreement related to this Project:

Sean Batty
TriMet

Brant Williams
Lake Oswego

710 NE Holladay St.
Portland, OR 97232
Phone: (503) 962-2138
Fax: (503) 962-2281
Email: battys@trimet.org

380 A Avenue
P.O. Box 369
Lake Oswego, OR 97034
Phone : (503) 635-6138
Email : bwilliams@ci.oswego.or.us

8. Either party may designate a different project manager by giving written notification to the other party as provided in this paragraph.

8. Relationship of the Parties. Each of the parties hereto shall be deemed an independent contractor for purposes of this Agreement. No representative, agent, employee or contractor of one party shall be deemed to be an employee, agent or contractor of the other party for any purpose, except to the extent specifically provided herein. Nothing herein is intended, nor shall it be construed, to create between the parties any relationship of principal and agent, partnership, joint venture or any similar relationship, and each party hereby specifically disclaims any such relationship.

9. No Third-Party Beneficiary. Except as set forth herein, this Agreement is between the parties and creates no third-party beneficiaries. Nothing in this Agreement gives or shall be construed to give or provide any benefit, direct, indirect or otherwise to third-parties unless third-persons are expressly described as intended to be beneficiaries of its terms.

10. Compliance with Laws. The parties shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Work under this

Agreement. If a Party is not in compliance with any law, regulation, executive order or ordinance, it shall take immediate steps to gain compliance upon notification.

11. Effective and Termination Dates. This Agreement shall be effective on the date the last required signature is obtained, and shall remain in effect until the completion of all obligations created by this Agreement, unless the parties agree in writing to extend it.

- 11.1.1 Early Termination of Agreement.

- 11.1.1.1 The parties, by mutual written agreement, may terminate this Agreement at any time.

- 11.1.1.2 Any one of the parties may terminate this Agreement in the event of a breach of the Agreement by the other. Prior to such termination, however, the party seeking the termination shall give the other party or parties written notice of the breach and of the party's intent to terminate. If the breaching party has not entirely cured the breach within thirty (30) days of the notice, then the party or parties giving the notice may terminate the Agreement at any time thereafter by giving a written notice of termination.

- 11.1.1.3 Lake Oswego certifies that sufficient funds are currently available for this Work. If funds are not available, TriMet may terminate this Agreement by notice to the other party or parties.

12. Remedies. The remedies provided under this Agreement shall not be exclusive. The parties also shall be entitled to any other equitable and legal remedies that are available.

13. Oregon Law, Dispute Resolution and Forum. This Agreement shall be construed according to the laws of the State of Oregon. TriMet and Lake Oswego shall negotiate in good faith to resolve any dispute arising out of this Agreement. If the parties are unable to resolve any dispute within fourteen (14) calendar days, the parties are free to pursue any legal remedies that may be available. Any litigation between Lake Oswego and TriMet arising under this Agreement or out of Work performed under this Agreement shall occur, if in the state courts, in the Multnomah City Circuit Court, and if in the federal courts, in the United States District Court for the District of Oregon located in Portland, Oregon.

14. Assignment. Neither TriMet nor Lake Oswego shall assign this Agreement, in whole or in part, or any right or obligation hereunder, without the prior written approval of the other. This restriction on assignments does not restrict contracting for construction work, hiring designers, special inspectors, and any other party that could subcontract for Work under this Agreement.

15. Severability/Survivability. If any provision of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the provision shall be stricken. All provisions concerning indemnity survive the termination of this Agreement for any cause.
16. Interpretation of Agreement. This Agreement shall not be construed for or against any party by reason of the authorship or alleged authorship of any provision. The Section headings contained in this Agreement are for ease of reference only and shall not be used in constructing or interpreting this Agreement.
17. Entire Agreement; Modification; Waiver. This Agreement including any exhibits or other attachments constitute the entire Agreement between the parties on the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings, representations or communications of every kind. There are no understandings, Agreements, or representations, oral or written, not specified herein regarding this Agreement. No course of dealing between the parties and no usage of trade will be relevant to supplement any term used in this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of a party to enforce any provision of this Agreement shall not constitute a waiver by a party of that or any other provision.
18. Inspection of Records. Each of the parties shall have the right to inspect, at any reasonable time, such records in the possession, custody or control of the other party as it deems necessary for review of the other party's obligations and its rights under this Agreement. The cost of such inspection shall be borne by the inspecting party.
19. Indemnities. Except for TriMet's own gross negligence or willful misconduct, TriMet shall not be liable to Lake Oswego for any accidents, damages or injuries to any person or property resulting from the Work, and Lake Oswego shall indemnify, defend, and hold harmless TriMet, its officers, agents and employees of and from all losses or damage on account of injury or death to person including employees of the parties hereto, and members of the public, and also all damage to property, including property of the parties hereto and of third parties, arising from or connected with Lake Oswego's responsibilities under this Agreement. The Parties agree that Lake Oswego's indemnification of TriMet is limited by the Oregon Constitution and Oregon Tort Claims Act, ORS 30.260 through 30.300.

///

///

IN WITNESS WHEREOF, the parties hereto have executed this Intergovernmental Agreement effective the date hereinafter written.

**TRI-MET METROPOLITAN
OREGON**

By _____
Dan Blocher, Executive Director
Trimet Capital Projects Division

Date: _____

CITY OF LAKE OSWEGO, an Oregon Municipal Corporation

By _____

Its _____

Date _____

EXHIBIT B

Elk Rock Tunnel Repairs
City of Lake Oswego & Tri-Met

Engineer's Cost Estimate (Preliminary)
September 6, 2012

Spec. Item Sec.	Item No.	Item	Bid Unit	Est. Unit	Quantity	Unit Price	Total Price
TEMPORARY FEATURES AND APPURTENANCES (00200)							
00210	10	Mobilization	Lump Sum	Lump Sum	All	Lump Sum \$	26,000.00
00225	20	Erosion and Pollution Control	Lump Sum	Lump Sum	All	Lump Sum \$	1,500.00
TUNNELS (00500)							
00541	50	Class 2 Preparation	Sq. Yd.	Sq. Yd.	741	\$ 75.00	\$ 55,575.00
00541	80	Geocomposite Strip Drains, 12"	Lin. Ft.	Lin. Ft.	422.5	\$ 75.00	\$ 31,687.50
00541	90	Shotcrete Stabilization	Cu. Yd.	Cu. Yd.	78.0	\$ 1,200.00	\$ 93,600.00

SUBTOTAL OF ITEMS: \$208,360.00
Construction Contingencies @ 20%: \$42,000.00
CONSTRUCTION SUBTOTAL \$250,360.00
Construction Engineering: \$20,000.00
TOTAL CONSTRUCTION ESTIMATE: \$270,360.00

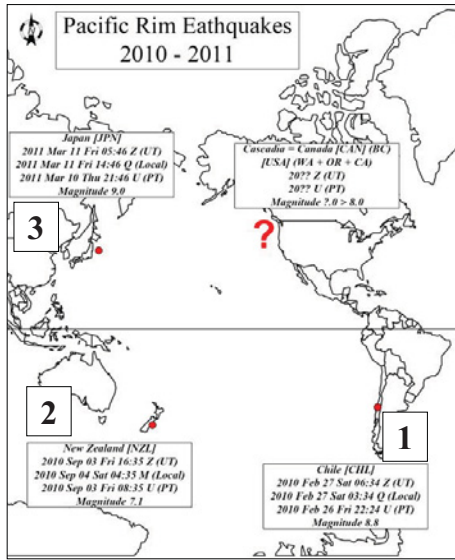
NOTE: Applicable Specifications are the 2008 "Oregon Standard Specifications for Construction."

DEDUCTIVE ALTERNATIVE BID SCHEDULE

Item No.	Description	Lump Sum	Cu. Yd.	Lbs.	Sq. Yd.	Lin. Ft.	Cu. Yd.	Lin. Ft.	Subtotal
00530	100 Reinforcement	5,400		1,500					\$ 8,100.00
00540	110 Structural Concrete, Repair Mortar	5.2	2,500.00						\$ 13,000.00
00541	120 Class 2 Preparation	398		75.00					\$ 29,925.00
00541	130 Class 3 Preparation	10	200.00						\$ 2,000.00
00541	140 Geocomposite Strip Drains, 4"	50.0		50.00					\$ 2,500.00
00541	150 Geocomposite Strip Drains, 12"	227.5		75.00					\$ 17,062.50
00541	160 Shotcrete Stabilization	42.0	1,200.00						\$ 50,400.00
SUBTOTAL OF ITEMS: \$122,990.00									
Construction Contingencies @ 20%: \$25,000.00									
CONSTRUCTION SUBTOTAL \$147,990.00									
Construction Engineering: \$10,000.00									
TOTAL D.A. CONSTRUCTION ESTIMATE: <u>\$157,990.00</u>									

TOTAL CONSTRUCTION ESTIMATE INCLUDING D.A.: \$428,360.00

Pacific Rim Earthquakes 2010 - 2011



1
CHL

Magnitude ...: 8.8
Date <ISO>: 2010 Feb 26 Fri 22:24 U (10:24 PM PT)
Epicenter ...: 36°17'24"S 73°14'20"W
Locale ...: Central Chile – Biobio Region
Website Wikipedia: http://en.wikipedia.org/wiki/2010_Chile_earthquake
Doc Access ...: <https://sites.google.com/site/lophazard/home/03nrmref>
File ...: EQKSDc_ATCL_WKPD_EQ_CHL_2010_02Feb_26Fr_2224U.pdf



2
NZL

Magnitude ...: 7.1
Date <ISO>: 2010 Sep 03 Fri 08:35 U (8:35 AM PT)
Epicenter ...: 43°33'S 172°11'E
Locale ...: New Zealand South Island – Darfield Canterbury
Website Wikipedia: http://en.wikipedia.org/wiki/2010_New_Zealand_earthquake
Doc Access ...: <https://sites.google.com/site/lophazard/home/03nrmref>
File ...: EQKSDc_ATCL_WKPD_EQ_NZL_2010_09Sep_03Fr_0835U.pdf



3
JPN

Magnitude ...: 9.0
Date <ISO>: 2011 Mar 10 Thu 21:46 U (9:46 PM PT)
Epicenter ...: 38°19'19"N 142°22'08"E
Locale ...: Japan – Near East Coast of Honshu Island
Website Wikipedia: http://en.wikipedia.org/wiki/2011_Japan_earthquake_and_tsunami
Doc Access ...: <https://sites.google.com/site/lophazard/home/03nrmref>
File ...: EQKSDc_ATCL_WKPD_EQ_JPN_2011_03Mar_10Th_2146U.pdf

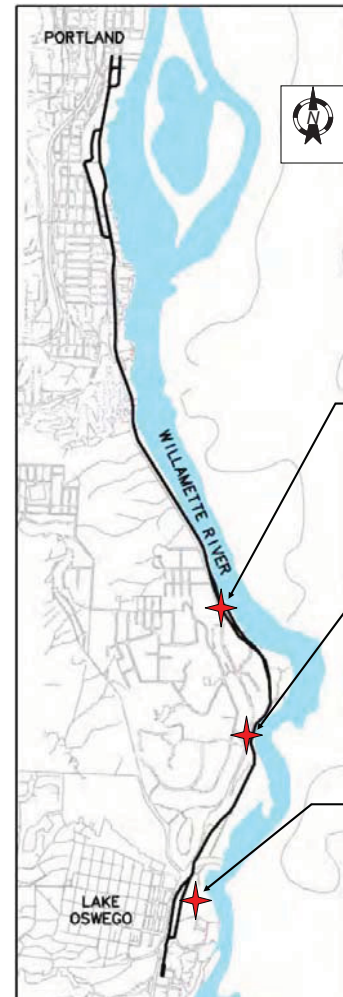


See: Nat Geo Channel
Prog: Countdown to Catastrophe
Web: <http://channel.nationalgeographic.com/episode/mega-quake-55630yreview>

See: PBS – KOPB – Oregon Public Broadcasting
Prog: NOVA – Japan’s Killer Earthquake
Web: <http://www.pbs.org/wgbh/nova/earth/japankiller-quake.html>

LOPT Primary Hazard Lcales

“Mitigation of potential hazards ... including ...: Avoidance of the susceptible area(s);”
LOPT DEIS, December 2010, page 3-108, Section 3.7.4.1 – Seismic Hazards



Are multiple projects along Oregon Highway 43 between Portland and Lake Oswego valued at or above a cumulative cost of \$450 M+ worth the **RISK** of development in and along known and identified earthquake hazard zones with the intent to relieve and reduce marginal traffic congestion?

If so why? – Please justify.

OR 43 / WSL – Carey Ln
Block No So. Of Burnside St: 11100
Assessor Map (Taxation Plot)
Twnshp_Rng_Sec_QSc_QQSc.: 01S_01E_26_C_C
ODOT OR 43 Mile Point (MP) ...: MP_03.89
Willamette River Mile (WLRM): WLRM_017.60
Google Earth (Lat / Lng): 45°26'57.43"N, 122°39'29.85"W

OR 43 / WSL – Elk Rock
Block No So. Of Burnside St: 12600
Assessor Map (Taxation Plot)
Twnshp_Rng_Sec_QSc_QQSc.: 01S_01E_35_C_A
ODOT OR 43 Mile Point (MP) ...: MP_04.90
Willamette River Mile (WLRM): WLRM_019.10
Google Earth (Lat / Lng): 45°26'8.36"N, 122°39'12.64"W

Lake Oswego – Foothills / TOD
Block No So. Of Burnside St: 14000
Assessor Map (Taxation Plot)
Twnshp_Rng_Sec_QSc_QQSc.: 02S_01E_02_C_B
ODOT OR 43 Mile Point (MP) ...: MP_06.00
Willamette River Mile (WLRM): WLRM_020.40
Google Earth (Lat / Lng): 45°25'13.12"N, 122°39'32.30"W





Metro LOPT DEIS – Streetcar Plan Set
Extract of Dwg: Title Page, Page 01 of 31

See: <https://sites.google.com/site/lophazard/home/02reports>

LOPT = Lake Oswego to Portland Transit Project
OR 43 = Oregon Highway 43 (Portland to Oregon City)
ROW = Right-of-Way
TOD = Transit Oriented Development
WSL = Willamette Shoreline (ROW) (Portland South to Lake Oswego)

Summary of Map Legends

Earthquake Hazard Maps













	Zone A = Greatest Hazard
	Zone B
	Zone C
	Zone D = Least Hazard

Lake Oswego USGS Quadrangle
Oregon Department of Geology & Mineral Industries
Relative Earthquake Hazard Map
Title: Earthquake Hazard Map of the Lake Oswego Quadrangle
Clackamas, Multnomah, and Washington Counties Oregon
Source: Oregon Department of Geology and Mineral Industries
File Orig: gms091.pdf
Website: <http://www.oregongeology.org/sub/pub&data/pub&data.htm>
Size [kb]: 2,736 kb
Date: 1995
Please also see accompanying report:
Relative Earthquake Hazard Map of the Lake Oswego
Quadrangle Clackamas and Multnomah Counties Oregon.
File: REPT_ORGE_GMS091_EQH_1995_01Jan_01Su_1700U.pdf

Please see this source map for full details of the relative earthquake hazards along OR Hwy 43 between Portland south to Lake Oswego.

Geology Maps

Geologic Map Units

	Alluvium - River and stream deposits of silt, sand, and gravel (quaternary).
	Catastrophic flood deposits (Pleistocene). Missoula Flood deposits consisting of silt to coarse sand (Qf) and pebble to boulder gravel with silt (Qfc).
	Undifferentiated Sediments - Fine grained sediments interfingering with Boring Lavas (QTb) (Pliocene to Holocene).
	Unnamed Conglomerate - Well-rounded pebbles & cobbles in sandstone to siltstone matrix (Pliocene to Pleistocene).
	Boring Lavas - Basalt and basaltic andesite erupted from local vents (Pliocene to Pleistocene).
	Columbia River Basalt Group Miocene basalt flows that were erupted from linear fissure systems in northeastern Oregon, eastern Washington, and western Idaho between 5 and 17 million years ago.
	Basalt of Waverly Heights - A sequence of subaerial basaltic lava flows that unconformably underlie the Columbia River Basalt Group.
	
	
	
	
	





Lake Oswego USGS Quadrangle
Oregon Department of Geology & Mineral Industries
Geologic Map
Title: Geologic Hazard Map of the Lake Oswego Quadrangle
Clackamas, Multnomah, and Washington Counties Oregon
Source: Oregon Department of Geology and Mineral Industries
File Orig: gms099.pdf
Website: <http://www.oregongeology.org/sub/pub&data/pub&data.htm>
Size [kb]: 3,332 kb
Date: 1989

Please see this source map for full details of the Geology features along OR Hwy 43 between Portland south to Lake Oswego.

See: **IRIS – “Teachable Moments”(Earthquakes > M 7.0)**
Web: <http://www.iris.edu/hat/rem>
See: **Cascadia Region Earthquake Workgroup**
Web: <http://www.crcw.org/index.php>
See: **Oregon Emergency Management “Living on Shaky Ground”**
Web: <http://www.oregon.gov/OMD/OEM>

See: **Nat Geo Channel**
Prog: **Countdown to Catastrophe**
Web: <http://channel.nationalgeographic.com/episode/mega-quake-5563/Overview>
See: **PBS – KOPB – Oregon Public Broadcasting**
Prog: **NOVA – Japan’s Killer Earthquake**
Web: <http://www.pbs.org/wgbh/nova/earth/japan-killer-quake.html>

Water Feature Map

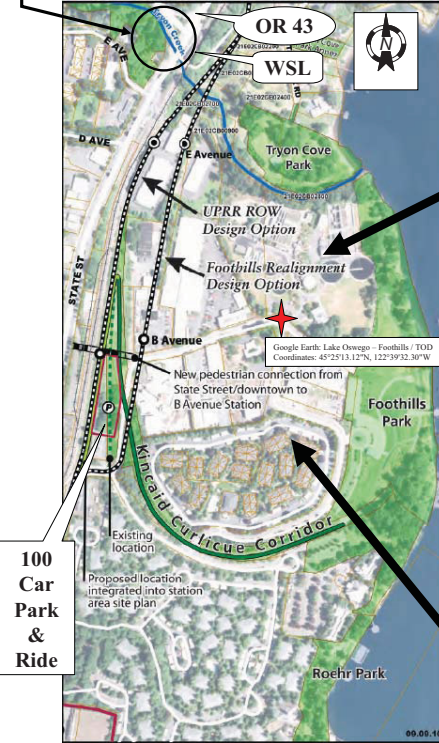
	River
	Stream
	1996 Flood
	100 Year FEMA Floodplain

Water Features Map
Title: Lake Oswego to Portland Transit Project
Figure 3.9-1: Project Study Area Water Features
Source: Lake Oswego to Portland Transit Project (LOPT)
Draft Environmental Impact Statement (DEIS)
Page 3-145, Screen Page DEIS 237, Screen Page DEIS Chapter 3: 147
File Orig: DEIS Web edition: lotp_deis_web.pdf
DEIS Chapter 3: lotp_deis_e-ch3_affected_env_and_env_conseq.pdf
Website: <http://www.oregonmetro.gov/index.cfm/go/by/web.id:35247>
Size [kb]: Web Edition: 25,111 kb; Chapter 03: 8,639 kb; Chapter 03 Page 147: 244 kb
Date: 2010 December

Lake Oswego – Foothills / TOD Hazard

TOD = Transit Oriented Development
Relative Earthquake Hazard Map
– Lake Oswego – Foothills Extract

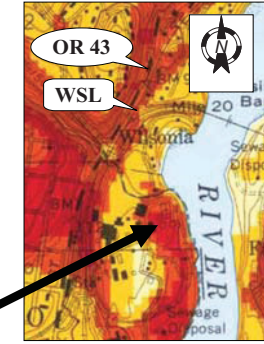
Fill to elevate structures in Foothills / TOD above floodplain levels may come from a project to daylight Tryon Creek culvert at intersection of OR 43 & Terwilliger Blvd.



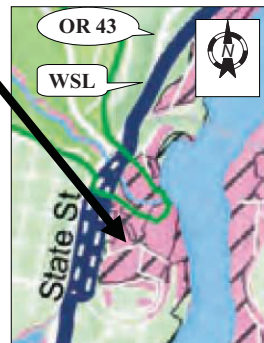
100 Car Park & Ride

Metro LOPT DEIS:
Appendix E – Preliminary Section 4 (f) Assessment
Extract of Figure E-7 – Kincaid Curlicue Corridor
DEIS Page: E-23, Spage: 513, DEIS Apdx E SPage 25

See: **IRIS – “Teachable Moments”(Earthquakes > M 7.0)**
Web: <http://www.iris.edu/hat/rem>
See: **Cascadia Region Earthquake Workgroup**
Web: <http://www.crcw.org/index.php>
See: **Oregon Emergency Management “Living on Shaky Ground”**
Web: <http://www.oregon.gov/OMD/OEM>

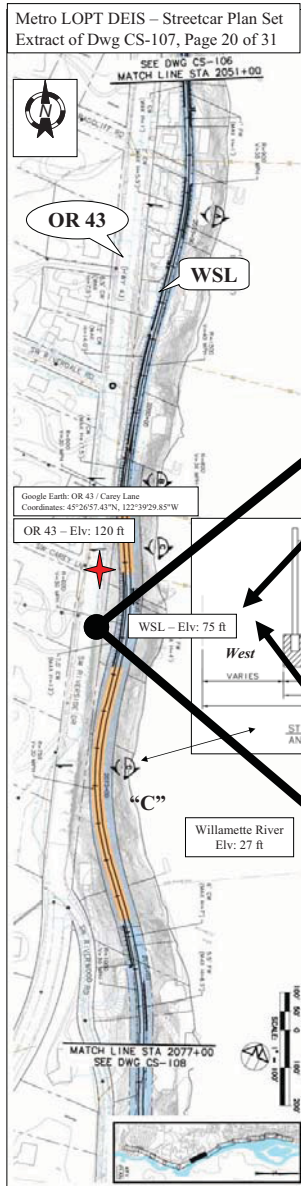


Should a TOD in Foothills area proceed in both a known and identified earthquake hazard zone and floodplain?

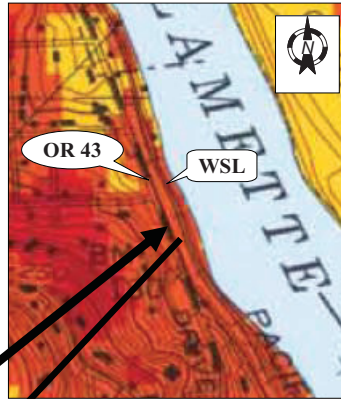


Water Feature Map
– Lake Oswego – Foothills Extract

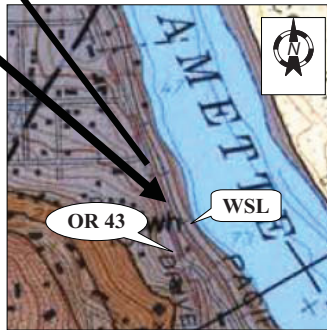
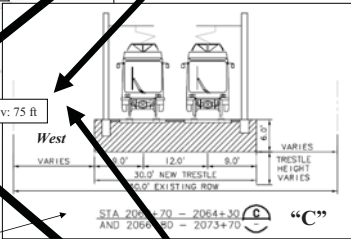
OR 43 & WSL ROW – Carey Lane Hazard



Relative Earthquake Hazard Map – Carey Lane Area Extract

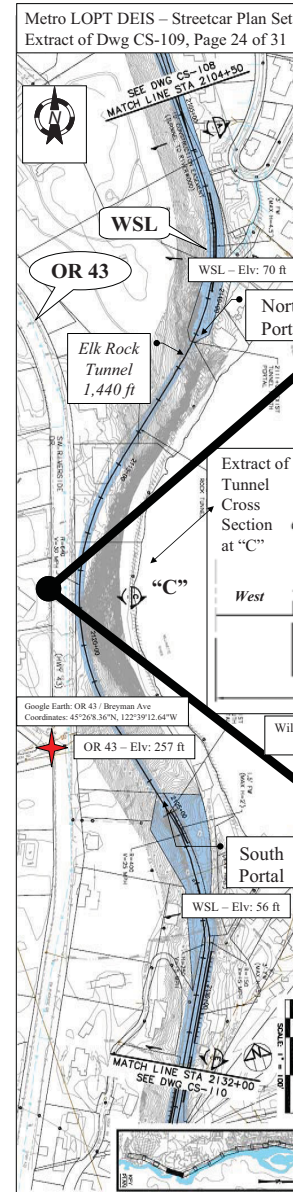


Can cliff face to West of WSL ROW withstand an earthquake without OR 43 collapse?

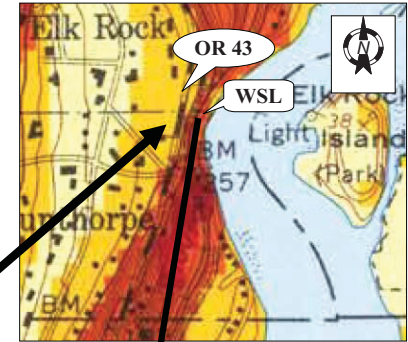


Geologic Map – Carey Lane Area Extract

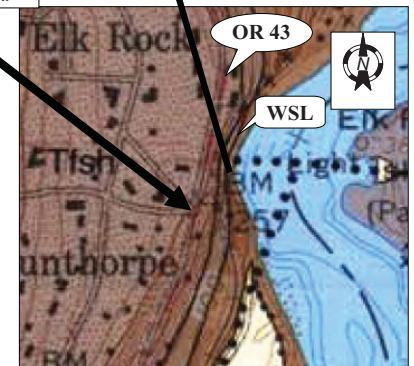
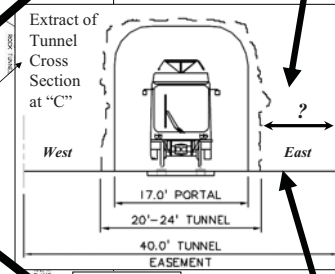
OR 43 & WSL ROW – Elk Rock Hazard



Relative Earthquake Hazard Map – Elk Rock Area Extract



Can East wall of WSL Elk Rock Tunnel withstand an earthquake without OR 43 collapse?



Geologic Map – Elk Rock Area Extract

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

2012 Jun 12 Tuesday 17:00 U [5:00 PM PT]



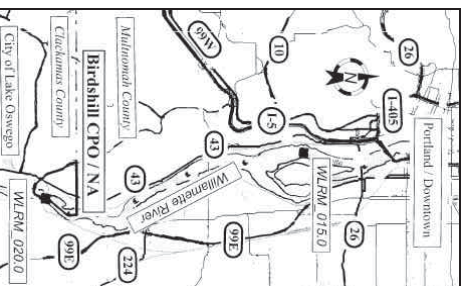
Initiated By:
Chair of the
Birdshill CPO / NA

Birdshill CPO / NA
of Clackamas County and
City of Lake Oswego Oregon

2011 – 2012 Officers
Chair: Charles Ormsby (Skip)
Vice-Chair: Amr Mehrahi
Sec / Treas: John Hedlund

Location:
The Birdshill CPO / NA (area) is a joint county and city community located on the west bank of the Willamette River between river miles 019.4 south to 020.2. This is about seven miles south of central Portland Oregon and immediately north of the City of Lake Oswego Oregon in Clackamas County.

Google Earth Coordinates
Intersect: Midvale / Underhill Rds
045° 25' 46.65" N, 122° 39' 39.90" W



Contact Information Birdshill CPO/NA Vice Chair:

Phone: 503.636.4483 Residence
Mail: Clackamas County – Birdshill Area
170 SW Birdshill Road
Portland OR 97219-8052

Internet Presence – Birdshill CPO / NA

Email: birdshillcpona@gmail.com
Website: <http://birdshillcpona.shutterfly.com/>
Group: <http://group.google.com/group/birdshillcpona>
YouTube: <http://www.youtube.com/birdshillcpona>

Attached Files / Cross Referenced Files:

07 – Endnotes and Access Hyperlinks, Page <>.

Detail levels, pages, document files and disk space:

Detail Level	No	No	Cum Disk Spc
	Pages	Files	[Kb-kilobytes]
L1 – Abstract ¹ :	0	0	0kb
L2 – Summary ² :	0	0	0kb
L3 – Key Docs ³ :	50	6	0kb
L4 – Total Outline ⁴ :	15	27	300 kb
L6 – Endnotes ⁵ :	1,250	33	14,000 kb

Notes on referenced documents:

1. Files referenced have been posted to above website for download.
 2. **Downloaded files require name change to enable hyperlinks.**
 3. Files available for at least 30 days from date at top of column.
 4. Files also available upon request by email to above address (es).
- GLOSSARY & Terms** – See spreadsheet: Edition Access
Website: <https://sites.google.com/site/bhcmtcwp/home/02reports>

Edition: L4 – Total Outline
Edition Access: L1 – Abstract, L2 – Summary,

L3 – Key Documents, and L4 – Total Outline

Website for editions: <https://sites.google.com/site/bhcmtcwp/home/02reports>

Note: Navigate between most headers by Ctrl + mouse click, to follow most links.

Note: CR = Cross Reference – Linked jump to Outline Section & then to endnotes.

Affected Parties(s):

Please see Section 05 – Complaint Contacts on page 6

01 – Abstract of Complaint

On 2012 Jun 08 Friday 13:45 U (1:45 PM PT) Charles Ormsby, Birdshill CPO / NA Chair surveyed the Portland Bureau of Environmental Services (PBES) website as a consequence of re-reading an entry on Jack Bogdanski Blog aka Jack Bog's Blog posted on 2012 Jun 04 Monday 09:16 U (9:16 AM PT) titled: "Lake Oswego pump station move has familiar smell". And reconsidered e-mails and phone calls from the Lake Oswego City Manager David Donaldson and Lake Oswego Director of Economic Development Brent Williams <CR 04.01>. PBES website entries regarding the Tryon Creek Wastewater Treatment Plant (TCWTP) and a Facilities Plan Update demonstrated previous requests of the Birdshill CPO / NA to be fully informed about all projects and initiatives from multiple government entities had been ignored and summarily dismissed. Further formation and meetings of both Oversight and Citizen Advisory Committees have not been conducted, in my opinion in accordance with Oregon Open Meetings Law.

02 – Summary and Impact.

Overview:

Acts of Meeting Law Violation

Required Neighborhood Contact List

Requested Cessation of TCWTP Update

Area of Birdshill CPO / NA

Previous Transgression wrt OR Hwy 43

Request for Project and Initiative Notice

Evolution of TCWTP Facilities Upgrade Plan

Evolution of TCWTP

03 – Key Documents

03.01.01 – 1984 Sep 26 Wed Agreement Portland / Lake Oswego Wastewater

Site: <http://sites.google.com/site/sentinelskip/home/mtnpcns103>

File: AGRM_PTLN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf

03.01.02 – 2005 Dec 15 Tue CH2M Technical Memo RE Decommission TCWTP

Site: <http://sites.google.com/site/sentinelskip/home/mtnpcns103>

File: REPX_CH2M_LOCG_TCWTP_2005_12Dec_15Th_1700U.pdf

03.01.03 – 2011 Mar Request for Projects wrt Birdshill CPO / NA

Site: <https://sites.google.com/site/bhcmtcwp/home/03prntef>

File: ROST_BHCN_GovProt_LIA_2011_03Mar_02We_0100U.pdf

03.01.04 – 2011 Sep 23 Fri Oversight Cmte Mtg 01 Notes

Site: <https://sites.google.com/site/bhcmtcwp/home/03prntef>

File: MTNT_CH2M_TCWTP_OC_01_2011_09Sep_23Fr_1300U.pdf

03.01.05 – 2012 Jan 09 Mon Request maps of service areas

Site: <https://sites.google.com/site/bhcmtcwp/home/03prntef>

03.01.06 – 2012 Jun 04 Mon Blog – TCWTP Facilities Plan

Site: <https://sites.google.com/site/bhcmtcwp/home/03prntef>

File: MS4TCW BLOG_BOIK_TCWP_Fac_Plan_2012_06Jun_04Mo_0916U.pdf

04 – Total Outline of Documents

05 – Complaint Contacts

06 – Locales Referenced

07 – Endnotes and Access Hyperlinks

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

02 – Summary and Impact

Overview

Acts of Meeting Law Violation

<CR 04.02.01.01>

The City of Portland, through the Bureau of Environmental Services (PBES) has embarked on a Facility Update Plan for the Tryon Creek Wastewater Treatment Plant (TCWTP)
<CR 04.02.01.01.01 (Locale) and 04.02.01.01.02 (Info)>. This plant is owned and operated by the City of Portland within the city limits of Lake Oswego on the west bank of the Willamette River at river mile 20.2. This is immediately south of the confluence of Tryon Creek with the Willamette River 350 yards southeast of the intersection of OR Highway 43 (aka State Street) / Terwilliger Blvd. This process has been conducted by secret unannounced meetings of both an Oversight Committee (OC) and Citizens Advisory Committee (CAC) for nearly ten months. The Oversight Committee met without public notification on 2011 Sep 23 Friday 13:00 U (1:00 PM PT) <CR 04.02.01.07.01>. The CAC was appointed in secret and met for the first time on 2012 May 09 Wednesday 16:00 U (4:00 PM PT) <CR 04.02.01.07.02> again without public notification. A second meeting of the CAC has been scheduled for 2012 June 13 Wednesday 16:00 U (4:00 PM PT) <CR 04.02.01.07.03>.

Required Neighborhood Contact List

<CR 04.02.01.02>

Both City of Lake Oswego – Neighborhood Associations [NA(S)] and Clackamas County – Community Planning Organizations require annual production of a contact list of all officers and representatives. I have produced this list as is required
<CR 04.02.01.02.01> and delivered it by e-mail <CR 04.02.01.02.02>. Further the list is summarized periodically and available to the public <CR 04.02.01.02.03 and 04.02.01.02.04>. Further yet the list of officers is used to distribute notices of upcoming events such as the recent backyard habitat certification program that occurred on 2012 Jun 09 Saturday and was announced / public noticed in an e-mail <CR 04.02.01.02.05>.

Thus from my perspective as a “recognized”

<CR 04.02.01.02.06> **Chair of the Birdshill CPO / NA, and public posting of lists of Board officers** <CR 04.02.01.02.03 and 04.02.01.02.04>. **multiple government entities are likely in violation of Oregon Public Meetings Law [Oregon Revised Statute(s)] ORS 192.610** <CR 04.02.01.02.07> **for FAILURE to notify my joint NA / CPO of the evolution of the TCWTP. A facility right on southern boarder of Birdshill CPO / NA**
<CR 04.02.01.04.01>.

Further the process of both the OC and CAC dismisses and pointedly ignore requests I made as Acting Chair of the Birdshill CPO/NA to multiple government entities including, City of Lake Oswego, Clackamas County, County of Multnomah, and City of Portland in 2011 February and 2011 March
<CR 04.02.01.06.02 (Feb) and CR 04.02.01.06.03 (Mar)>.

Requested Cessation of TCWTP Update <CR 04.02.01.03>
<CR 04.02.01.03>

In brief I request ALL actions of this endeavor to update the TCWTP cease immediately. Then be reconstituted in an open and transparent manner as required under ORS 192.010 – Oregon Public Meetings Law. A law enacted in 1973 to insure transparency in the conduct of public affairs.
I predict with certainty a majority of citizens served by the TCWTP will reject out of hand most findings of the OC and CAC due to exclusion from ACTIVE voting participation in public processes <CR 04.02.01.03.01>. Then reject, any public debt instruments or financing methods intended to construct TCWTP facility upgrades given an opportunity to vote to affirm or negate their issue at the polls. Contrast this prediction with the reality embodied by ACTIVE citizen involvement in the rejuvenation of the Oak Lodge WTP 580 yards to the northeast on the east bank of the Willamette River at river mile 20.2
<CR 04.02.01.03.02>.

Area of Birdshill CPO / NA

<CR 04.02.01.04>

The area of Birdshill CPO / NA <CR 04.02.01.04.01> is a complex collision of multiple boundary conditions that is best examined at the taxlot resolution of detail. Jurisdictions with respect to sewerage and septic system installations include but are not limited to the following <CR 04.02.01.04.02>:

1. City of Portland via Bureau of Environmental Services.
2. Multnomah County via Dunthorpe Riverdale Service District Number 5.
3. Clackamas County – Permits
4. City of Lake Oswego Permits and connections.
5. State of Oregon Department of Environmental Quality.

Previous Transgression wrt OR Hwy 43

<CR 04.02.01.05>

ODOT, Metro, City of Portland, Multnomah County, Clackamas County, City of Lake Oswego, in 2010 and 2011 committed an analogous violation of Oregon Public Meetings Law when meetings were held regarding discussions about the transfer of Oregon Highway 43 (OR 43). From ODOT jurisdiction to a compilation of local jurisdictions <CR 04.02.01.05.01>.

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Request for Project and Initiative Notice

<CR 04.02.01.06>

2011 Jan 31 Monday 18:00 U (6:00 PM PT)
Clackamas County CPO Chairs Meeting
Clackamas County Commissioner Paul Savas suggests to Charles Ormsby (Skip), Acting Chair Birdshill CPO / NA to testify in public before government entities requesting assistance in ascertaining a list of projects and initiatives with respect to area and environs of Birdshill CPO / NA as is required in "recognized" Bylaws <CR 04.02.01.06.01>.

2011 Feb 01 Tuesday 18:00 U (6:00 PM PT)
City of Lake Oswego City Council Meeting
2011 Feb 03 Thursday 10:00 U (10:00 AM PT)
Clackamas County Board of Commissioners Meeting
Site: <http://www.co.clackamas.or.us/bcc/business/>
Label: February 3, 2011
Timemark (hh:mm:ss): Begin: 00:20:35, End: 00:22:58

2011 Feb 10 Thursday 09:30 U (9:30 AM PT)
Multnomah County Board of Commissioners Meeting
Site: http://multnomah.granicus.com/ViewPublisher.php?view_id=3
Label: Board of Commissioners February 10, 2011
Timemark (hh:mm:ss): Begin: 00:00:57, End: 00:03:15

2011 Feb 10 Thursday 14:00 U (2:00 PM PT)
Metro Regional Government
Federal Metro Planning Organization (MPO)]
Site:<http://www.oregonmetro.gov/index.cfm/go/by/web/id=21730>
Timemark: Begin: 00:08:06, End: 00:14:17 (Audio Only)

2011 Mar 02 Wednesday 09:30 U (9:30 AM PT)
City of Portland Oregon Item 197 .
Site: <http://www.portlandonline.com/auditor/index.cfm?c=56674&a=372465>
Timemark: Begin: 00:09:59, End: 00:13:52

Before each entity I gave testimony to I presented a summary of my testimony / request to a meeting recording official <CR 04.02.01.06.02 (Feb) and CR 04.02.01.06.03 (Mar)>.

Evolution of TCWTP Facilities Upgrade Plan

<CR 04.02.01.07>

2011 Sep 23 Friday 13:00 U (1:00 PM PT)
Oversight Committee (OC) meeting
<CR 04.02.01.07.01>
NO NOTICE DELIVERED TO BIRDSHILL CPO / NA
2011 – 2012
Selection of CAC members.
NO NOTICE DELIVERED TO BIRDSHILL CPO / NA
2012 May 09 Wednesday 16:00 U (4:00 PM PT)
NO NOTICE DELIVERED TO BIRDSHILL CPO / NA
Citizen Advisory Committee Meeting Number 1
<CR 04.02.01.07.02>
2012 June 13 Wednesday 16:00 U (4:00 PM PT)
NO NOTICE DELIVERED TO BIRDSHILL CPO / NA
Citizen Advisory Committee Meeting Number 2
PBES Website and LO Council Digest <CR 04.02.01.07.03>

Evolution of TCWTP

<CR 04.02.01.08>

1984 Sep 26 Wed 17:00 U (5:00 PM PT)
Agreement Portland / Lake Oswego
for Sewage Treatment and Disposal <CR 04.02.01.08.01>

1999 Jun 01 Tue 17:00 U (5:00 PM PT)
CH2M Hill Facilities Plan Evaluation of Tryon Creek WTP
for PBES – Portland Bureau of Environmental Services
Note: Summarizes plant at wet weather capacity
<CR 04.02.01.08.02>

2005 Dec 15 Tue 17:00 U (5:00 PM PT)
CH2M Technical Memo to City of Lake Oswego
RE Decommission TCWTP <CR 04.02.01.08.03>

2009 Jan 16 Fri 12:00 U Report Status to LOCC Goal Setting
RE: TCWTP too expensive to move. <CR 04.02.01.08.04>

2012 Jan 09 Mon 12:00 U Request made to LO City Council
for maps to depict service areas of water and sewer
along with transportation infrastructure. <CR 04.02.01.08.04>

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Note: Documents are hyperlinked in endnotes.

1. Download attachments to email or documents downloaded from website into one common directory.
2. Have a PDF file reader installed on your computer and open (PC or MAC versions)
3. Navigate through document rapidly by clicking on headers (Bold type at beginning of section) or “Bookmark tab”
4. To access an endnote reference, first record endnote number on a piece of scratch paper. Place cursor over superscript number carefully and left mouse click, once.
5. To access the source site for document referenced in endnote click on the blue or purple text with the label “**De_Source**”: Links may not work due to changes in hyperlinked website URLs / addresses.
6. To access posting site for document referenced in endnote click on the blue or purple text with the label “**De_Access**”: Links may not work due to changes in hyperlinked website URLs / addresses.
7. Rename downloaded file as required to conform to filename in hyperlink in endnote. Strip off characters “[1]” at end of filename.
8. To access a document referenced in the endnote left mouse click on the blue or purple text with the label “**Hint_Prd**”: This will open Adobe PDF file reader and you should see the referenced document.
9. To return to point in the document click on one of the previous view buttons (green button with left/right white arrows)
10. Periodically when viewing source documents close out viewed documents in Adobe reader separately.

Report:

Note Outline format is used to succinctly abstract the previous section summary and expose many more documents placed into endnotes. Due to limitations with my computer and software I have problems creating Adobe *.pdf (Portable Document Format) document files that provide full access to endnotes created in MS Word 2003 source files when the number of endnotes in the source document rises above 20 to 25 references. Endnotes in the PDF document can be accessed; however, but before performing a left mouse click you must record the endnote number on a scratch pad. Because in the PDF file you are dropped into the endnote section, and you must manually scroll backwards or forwards to the endnote number to point to document you desire and gain information about.

03- Key Documents

03.01

Chronological Order of Key Documents

1984 Sep 26 Wed Agreement Portland / Lake Oswego Wastewater
<CR 04.02.01.08.01>

03.01.02

2005 Dec 15 Tue CH2M Technical Memo
RE Decommision TCWTP <CR 04.02.01.08.03>

03.01.03

2011 Mar Request for Projects wrt Birdshill CPO / NA
<CR 04.02.01.06.03>

03.01.04

2011 Sep 23 Fri Oversight Cmte Mtg 01 Notes.
<CR 04.02.01.07.01>

03.01.05

2012 Jan 09 Mon Request maps of service areas
<CR 04.02.01.08.05>

03.01.06

2012 Jun 04 Mon Blog – TCWTP Facilities Plan
<CR 04.01.02>

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

04 – Total Outline of Documents

04.01

References from Abstract – page 1.

04.01.01

2012 Jun 04 Tu 02:02 U email – TCWTP Facilities Plan CAC⁶

04.01.02

2012 Jun 04 Mo 09:16 U Blog – TCWTP Facilities Plan⁷

04.01.03

2012 Jun 05 Tu 14:55 U email – TCWTP Facilities Plan CAC⁸

04.02

Summary and Impact

Overview

04.02.01.01

Acts of Meeting Law Violation

04.02.01.01.01

Locale of Tryon Creek Wastewater Treatment Plant,

195 Foothills Road, Lake Oswego OR, 97034

Google Earth: 45°25'18.06"N, 122°39'31.22"W

<CR 06 – Locales Referenced>

04.02.01.01.02

2012 June 08 Fri – PBES Weppage on TCWTP⁹

04.02.01.02

Required Neighborhood Contact List

04.02.01.02.01

2011 Jul 02 Sat – Roster of Birdshill CPO/NA officers¹⁰

04.02.01.02.02

2011 Jul 02 Sat – Email Transmitting Roster¹¹

04.02.01.02.03

2012 Jan 10 Tue – City of LO List of Chairs¹²

04.02.01.02.04

2012 Jan 10 Tue – Email of LO List of Board Officers¹³

04.02.01.02.05

2012 Jun 07 Thu – Email Notice of Backyard Habitat¹⁴

04.02.01.02.06

2009 Jul 21 Tue – City of Lake Oswego Recognition¹⁵

04.02.01.02.07

2012 Jun 10 Sun – Weppage Oregon Open Meetings Law¹⁶

04.02.01.03

Requested Cessation of TCWTP Update

04.02.01.03.01

2005 Jun 12 Sun – Article warning about

Excluded parties from planning processes¹⁷

“any effort that doesn't meaningfully involve a truly

representative cross section of all citizens will be

torpedoed, intentionally or not, by those not involved”

04.02.01.03.02

2009 Nov 03 Tue – Clackamas County Measure 3-348

Result 85.16 % approve for \$44 M GO Bond¹⁸

Measure for Oak Lodge Sanitary District WTP

580 yards NE of Tryon Creek WTP

Locale of Oak Lodge Wastewater Treatment Plant,

13750 SE Renton Avenue

Milwaukie OR 97222

Google Earth : 45°25'25.63"N, 122°39'8.36"W

<CR 06 – Locales Referenced>

Area of Birdshill CPO / NA

2009 Mar 30 Mon – Maps of Birdshill CPO/NA, see pg

10¹⁹

2006 Jun 26 Wed – Map of Sewers in BH CPO/NA²⁰

Weppage of LOPTP Steering Committee

Previous Transgression wrt OR Hwy 43

2011 May 07 Sat – Spreadsheet Calendar OR 43 Transfer²¹

Request for Project and Initiative Notice

2009 Apr Bylaws Ver 06.09 (Rtf'd) of Birdshill CPO / NA²²

2011 Feb Request for Projects wrt Birdshill CPO / NA²³

2011 Mar Request for Projects wrt Birdshill CPO / NA²⁴

Evolution of TCWTP Facilities Upgrade Plan

2011 Sep 23 Fri 13:00 U

Oversight Committee Mfg 01 Notes²⁵

2012 May 09 Wed 16:00 U

Citizen Advisory Committee Mfg 01 Notes²⁶

2012 Jun 13 Wed 16:00 U CAC Mfg 02 Agenda²⁷

Evolution of TCWTP

1984 Sep 26 Wed 17:00 U

Agreement Portland / Lake Oswego Wastewater²⁸

1999 Jun 01 Tue 17:00 U Facilities Plan Evaluation²⁹

2005 Dec 15 Tue 17:00 U

CH2M Technical Memo RE Decommission TCWTP³⁰

2009 Jan 16 Fri 12:00 U TCWTP too expensive to move³¹

2012 Jan 09 Mon 12:00 U Request maps of service areas³²

04.02.01.08.02

04.02.01.08.04

04.02.01.08.05

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

05 – Complaint Contacts

Primary Contacts for Filing Complaint

Michael C. Kron
Assistant Attorney General
Oregon Department of Justice (OR DOJ)
1162 Court Street NE
Salem Oregon 97301
Google Earth: 44°56'16.63"N, 123° 1'38.45"W
Ph: 503.947.4447
Wb: <http://www.doj.state.or.us/>
Em: michael.c.kron@doj.state.or.us

Primary Contacts for Filing Complaint

Margie Sollinger
Ombudsman
Office of the Ombudsman
City of Portland Oregon
Portland City Hall
1221 SW 4th Avenue Room 140
Portland OR 97204-1900
Google Earth: 45°30'53.61"N, 122°40'43.63"W
Ph: 503.823.4503, Fax: Not Specified
Admin: 503.742.4400
Wb: <http://www.portlandoregon.gov/auditor/ombudsman>
Em: Margie.sollinger@portlandoregon.gov

Jerry Morf
Multnomah County Attorney
Office of County Counsel
Multnomah County Oregon
Hawthorne Headquarters Bldg
501 SE Hawthorne Blvd Suite 500
Portland OR 97214-3587
Google Earth: 45°30'44.25"N, 122°39'37.50"W
Ph: 503.988.3138, Fax: 503.988.3308
Wb:
Em: jerry.m.morf@mulco.us

Stephen L. Madkour
County Counsel
Office of the County Counsel
Clackamas County Oregon
Public Services Bldg Rm 460
2051 Kaen Road
Oregon City OR 97045-4035
Google Earth: 45°19'57.47"N, 122°35'55.50"W
Ph: 503.655.8581 Fax: 503.742.5919
Wb: <http://www.co.clackamas.or.us>
Em: smadkour@clackamas.us

David D. Powell
City Attorney
City of Lake Oswego Oregon
City Hall, 380 A Avenue Lev 3
PO Box 369
Lake Oswego OR 97034-0369
Google Earth: 45°25'9.19"N, 122°40'3.87"W
Ph: 503.635.0225 Fx:: 503.699.7453
Wb: <http://www.ci.oswego.or.us>
Em: powell@ci.oswego.or.us

Primary Contacts for Filing Complaint

Jennifer Donnelly
LCDC Metro Regional Representative
Oregon Department of Land Conservation and Development
Market Center
1600 SW Fourth Ave Suite 109
Portland OR 97201
Google Earth: 45°30'43.63"N, 122°40'47.43"W
Ph: 503.725.2183 Ph: 503.725.2182
Wb: <http://www.lcd.state.or.us/LCD/>
Em: jennifer.donnelly@state.or.us

Primary Entities/Leaders Maybe Subject of Complaint

Sam Adams
Mayor
City of Portland Oregon
Portland City Hall
1221 SW 4th Avenue Suite 340
Portland OR 97204-1900
Google Earth: 45°30'53.61"N, 122°40'43.63"W
Ph: 503.823.4682, Fax: Not Specified
Wb: <http://www.mayorsamdams.com>
Em: mayorsam@portlandoregon.gov
Cerro Gonzalez, Executive Assistant to the Mayor
Ph: 503.823.1121
Em: cervogonzalez@ci.portland.or.us

Jeff Cogen
Multnomah County Chair
Multnomah County Board of Commissioners
Multnomah County Oregon
Hawthorne Headquarters Bldg
501 SE Hawthorne Blvd Suite 600
Portland OR 97214-3587
Google Earth: 45°30'44.25"N, 122°39'37.50"W
Ph: 503.988.3308, Fax: Not Specified
Wb: <http://www.mulco.us/chair>
Em: jeffcogen@co.multnomah.or.us
Barb Guthrie, Scheduler / Staff Assistant
Ph: 503.988.3953, Fax: 503.988.3308
Em: Barbara.guthrie@co.multnomah.or.us

Charlotte Lehan
Clackamas County Chair
Clackamas County Board of Commissioners
Clackamas County Oregon
Public Services Bldg Rm 450
2051 Kaen Road
Oregon City OR 97045-4035
Google Earth: 45°19'57.47"N, 122°35'55.50"W
Ph: 503.655.8581 Fax: 503.742.5919
Wb: <http://www.mayorsamdams.com>
Em: mayorsam@portlandoregon.gov
Sasha Pollack, Senior Commission Policy Coordinator
Ph: 503.655.8581, Ph: 503.742.5915 Direct
Em: spollack@co.clackamas.or.us

Jack D. Hoffman
Mayor
City of Lake Oswego Oregon
City Hall, 380 A Avenue Lev 3
PO Box 369
Lake Oswego OR 97034-0369
Google Earth: 45°25'9.19"N, 122°40'3.87"W
Ph: 503.635.0213 Fx:: 503.697.3594 WK: 503.306.5324
Wb: <http://www.ci.oswego.or.us>
Em: jhoffman@ci.oswego.or.us

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

06 - Locales Referenced

Abbreviations

RM = River Mile
CO = Columbia River
TU = Tualatin River
WL = Willamette River
LO = Lake Oswego
UGMA = Urban Growth Management Agreement

Key Public Facilities Relative to Tryon Creek Wastewater Treatment Plant

<u>Common Name</u>	<u>Google Earth Coordinate [Copy and insert into "Fly to Window"]</u>
<i>Wastewater Treatment Plants</i>	
Tryon Creek WTP [PBES (PT)]	45°25'18.06"N, 122°39'31.22"W
Durham Treatment Facility [CWS (WC)]	45°24'3.60"N, 122°45'44.93"W
Columbia Blvd WTP [PBES (PT)]	45°35'49.48"N, 122°43'9.61"W
Kellog Creek WTP [WES (CC)]	45°26'25.23"N, 122°38'34.20"W
Tri-City WTP [WES (CC)]	45°22'33.29"N, 122°35'29.58"W
<i>Government Headquarters</i>	
Clackamas County Development Services Bldg	45°20'2.23"N, 122°35'56.43"W
Clackamas County Public Services Bldg	45°19'57.47"N, 122°35'55.50"W
Lake Oswego City Hall	45°25'9.19"N, 122°40'3.87"W
Metro Headquarters	45°31'38.95"N, 122°39'36.91"W
Multnomah County Headquarters	45°30'44.25"N, 122°39'37.50"W
Portland City Hall	45°30'53.61"N, 122°40'43.63"W
West Linn City Hall	45°21'45.73"N, 122°38'51.39"W
<i>Locales in vicinity of Tryon Creek WTP</i>	
Foothills Area	
Iron Mt Trail Bridge	45°25'13.12"N, 122°39'32.30"W
Kaady Carwash So Entry	45°25'52.46"N, 122°40'22.78"W
Public Storage LKOS Entry	45°25'23.47"N, 122°39'42.35"W
UP TBL Rail Bridge	45°25'22.67"N, 122°39'39.30"W
	45°25'30.35"N, 122°39'17.01"W
<i>Other Locales in Portland Metro Area</i>	
Convention Center	45°31'43.36"N, 122°39'42.92"W
6-Way Intersection	45°25'22.39"N, 122°40'42.93"W
Portland State Urban Center	45°30'39.68"N, 122°40'57.61"W
Oregon City Elevator	45°21'25.37"N, 122°36'27.75"W
Pioneer Court House Cupola	45°31'6.79"N, 122°40'41.76"W

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Primary Sewer Plants Locales wrt LO UGMA

Tryon Creek Wastewater Treatment Plant
Portland Bureau of Environmental Services
NA(S) : Foothills District and Birdshill CPO / NA
195 SW Foothills Road
Lake Oswego OR 97034
Phone: 503.
Google Earth: 45°25'18.06"N, 122°39'31.22"W
Outfall: WLRM_020.3 [Willamette River]
Wb: <http://www.portlandonline.com/bes/index.cfm?a=344979&c=31031>

Durham Treatment Facility
Clean Water Services
NA(S) : Unknown
16060 SW 85th Ave
Tigard OR 97224
Phone: 503.547.8150
Google Earth: 45°24'3.60"N, 122°45'44.93"W
Outfall: TURM_009.5 [Tualatin River]
Wb: <http://www.cleanwaterservices.org/AboutUs/WastewaterAndStormwater/TreatmentFacilities/DurhamFacility.aspx>

Sewer Plants of Interest wrt LO UGMA

Oak Lodge Sanitary District
NA(S) : Oak Grove CPO (Clackamas County)
13750 SE Renton Avenue
Milwaukie OR
Google Earth: 45°25'25.63"N, 122°39'8.36"W
Outfall: WLRM_020.1 [Willamette River]
Wb: <http://www.oaklodgesanitary.com/>

Tri-Cities Water Pollution Control Plant
NA(S) :
15941 S Agnes Av
Oregon City OR
Google Earth: 45°22'33.29"N, 122°35'29.58"W
Outfall: WLRM_0???.? [Willamette River]
Ph: 503.557.2823 Ex: 503.557.2809
Wb: <http://www.co.clackamas.or.us/wes/>

Kellogg Creek Water Pollution Control Plant
NA(S) :
11525 SE McLoughlin Blvd
Milwaukie OR
Google Earth: 45°26'25.23"N, 122°38'34.20"W
Outfall: WLRM_0???.? [Willamette River]
Ph:
Wb: <http://www.co.clackamas.or.us/wes/>

Columbia Blvd WTP
NA(S) :
5001 N Columbia Blvd
Portland OR
Google Earth: 45°35'49.48"N, 122°43'9.61"W
Outfall: CORM_0???.? [Columbia River]
Wb: <http://www.portlandonline.com/bes/index.cfm?c=29323>

Primary Operator Entities

Portland Bureau of Environmental Services
City of Portland
Portland Building
1120 SW 5th Avenue, Room 1000
Portland OR 97204-3713
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.823.7740
Fx: 503.823.6995
Em: beswebmaster@portlandoregon.gov
Wb: <http://www.portlandonline.com/bes/index.cfm?c=29323>

Clean Water Services
Washington County
Administration Building Complex
2550 Southwest Hillsboro Highway
Hillsboro OR 97123
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.681.3600
Fx: 503.681.3603
Em: lockersm@cleanwaterservices.org
Wb: <http://www.cleanwaterservices.org/default.aspx>

Operator Entities

Oak Lodge Sanitary District
14611 SE River Road
Oak Grove, OR 97267-1198
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.653.1653 Ex: 503.653.0586
Em: mrmead@oalsd.net
Wb: <http://www.oaklodgesanitary.com/>

Water Environmental Services
Clackamas County
Development Services Building
<Library Court>
150 Beavercreak Road
Oregon City OR 97045
Google Earth: 45°20'2.23"N, 122°35'56.43"W
Ph: 503.653.1653 Ex: 503.653.0586
Em: akyle@co.clackamas.or.us
Wb: <http://www.co.clackamas.or.us/wes/>

Clackamas County Service District 1
aka Water Environmental Services
Clackamas County
Development Services Building
<Library Court>
150 Beavercreak Road
Oregon City OR 97045
Google Earth: 45°20'2.23"N, 122°35'56.43"W
Ph: 503.653.1653 Ex: 503.653.0586
Em: akyle@co.clackamas.or.us
Wb: <http://www.co.clackamas.or.us/wes/>

Portland Bureau of Environmental Services
City of Portland
Portland Building
1120 SW 5th Avenue, Room 1000
Portland OR 97204-3713
Google Earth: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.823.7740 Fx: 503.823.6995
Em: beswebmaster@portlandoregon.gov
Wb: <http://www.portlandonline.com/bes/index.cfm?c=29323>

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

07 - Endnotes and Access Hyperlinks

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

¹Title: Generic

Edition: L1- Abstract

Date: YYYY Mon dd DOW 24:00 U (12:00 PM PT)

Desc: None and Not Applicable

Type: None - No document at this level

Auth: None and Not Applicable

File: None and Not Applicable. Size: n,nnn kb, Page(s): nn.

Dc_Source: Archives Birdshell

Dc_Access: None and Not Applicable

Hlink_Prd: None and Not Applicable

²Title: Generic

Edition: L2- Summary

Date: YYYY Mon dd DOW 24:00 U (12:00 PM PT)

Desc: None and Not Applicable

Type: None - No document at this level

Auth: None and Not Applicable

File: None and Not Applicable. Size: n,nnn kb, Page(s): nn.

Dc_Source: Archives Birdshell

Dc_Access: None and Not Applicable

Hlink_Prd: None and Not Applicable

³Title: Generic

Edition: L3- Key Document Outline Access

Date: YYYY Mon dd DOW 24:00 U (12:00 PM PT)

Desc: None and Not Applicable

Type: None - No document at this level

Auth: None and Not Applicable

File: None and Not Applicable. Size: n,nnn kb, Page(s): nn.

Dc_Source: Archives Birdshell

Dc_Access: None and Not Applicable

Hlink_Prd: None and Not Applicable

⁴Title: COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Edition: L4 - Total Outline for Document Access

Date: 2012 Jun 12 Tuesday 17:00 U (5:00 PM PT)

Desc: Complaint wrt Tryon Creek Wastewater Treatment Plant (TCWTP or TCWP) Facilities Plan (2012 - 2022)

Type: CMT - Complaint, BHCH - Birdshell CPO / NA Chair

Auth: Charles B. Ormsby (Skip), Birdshell CPO / NA Chair 2011 - 2012

File: CMT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf. Size: 300 kb, Page(s): 15.

Dc_Source: Archives Birdshell

Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/02reports>

Hlink_Prd: [CMT_BHCH_TCWP_Form_L4T_2012_06Jun_12Tu_1700U.pdf](#)

⁵Title: Document List Universal

Date: 2012 Feb 21 Tuesday 15:00 U (3:00 PM PT)

Desc: Document List Supporting Reports produced by Birdshell CPO / NA

Type: SPSH - Spreadsheet, SNSK - Charles Ormsby (Skip) aka Sentinel Skip

Auth: Charles B. Ormsby (Skip), Sentinel Skip

File: SPSH_SNSK_UvDelist_2012_02Feb_21Tu_1500U.xls. Size: 1,600 kb, Page(s) 40.

Dc_Source: Archives Birdshell

Dc_Access: Not Posted

Hlink_Prd: Not Posted

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

- ⁶Title: Formation of TCWTP Facilities Plan Committee without Neighborhood involvement
Date: 2012 Jun 04 Monday 02:05 U (2:05 AM PT)
Desc: Email 01 to LO City Manager and LO Director of Economic Development RE TCWTP
Type: EMAIL – Email: BHCH – Birdshill CPO / NA Chair, LOCM – LO City Manager
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
File: EMAL_2012_06Jun_04Mo_0202U_BHCH_LOCM_TCWTP_Exclusion.pdf. Size 25 kb, Page(s): 2.
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/03pmref>
Hink_Prd: EMAL_2012_06Jun_04Mo_0202U_BHCH_LOCM_TCWTP_Exclusion.pdf
- ⁷Title: Lake Oswego pump station move has familiar smell
Date: 2012 Jun 04 Monday 09:16 U (9:16 AM PT)
Desc: Article / Blog entry on BoJack regarding Tryon Creek Wastewater Treatment Plant Facility Upgrade
Type: BLOG – Blog Entry, BOJK – Jack Bogdanski Blog akaJack Bog's Blog, MS4TCW – Munciple Sewer & Surface Water Tryon Creek
Auth: Jack Bogdanski Blog akaJack Bog's Blog
File: MS4TCW BLOG BOJK TCWP Fac Plan 2012_06Jun_04Mo_0916U .pdf. Size 743 kb, Page(s): 5.
Dc_Source: <http://bojack.org/2012/06/lake-oswego-pump-station-move.html>
Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/03pmref>
Hink_Prd: MS4TCW BLOG BOJK TCWP Fac Plan 2012_06Jun_04Mo_0916U.pdf
- ⁸Title: Formation of TCWTP Facilities Plan Committee without Neighborhood involvement02
Date: 2012 Jun 05 Tuesday 14:55 U (2:55 PM PT)
Desc: Email 02 to LO City Manager and LO Director of Economic Development RE TCWTP
Type: EMAIL – Email: BHCH – Birdshill CPO / NA Chair, LOCM – LO City Manager
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
File: EMAL_2012_06Jun_05Tu_1455U_BHCH_LOCM_TCWTP_Exclusion02.pdf. Size 162 kb, Page(s): 4.
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/03pmref>
Hink_Prd: EMAL_2012_06Jun_05Tu_1455U_BHCH_LOCM_TCWTP_Exclusion02.pdf
- ⁹Title: Portland Bureau of Environmental Services Tryon Creek Plant
Date: 2012 June 10 Sunday 09:00 U (9:00 AM PT)
Desc: Webpage of PBES for Tryon Creek Wastewater Treatment Plant (TCWTP)
Type: WBPg – Webpage, PBES – Portland Bureau of Environmental Services
Auth: Portland Bureau of Environmental Services (PBES)
FILE BHCH: WBPg_PBES_TCWTP_0000_2012_06Jun_10Su_0900U.pdf, Size 102 kb, Page(s): 2
Dc_Source: <http://www.portlandonline.com/bes/index.cfm?a=344979&c=31031>
Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/03pmref>
Hink_Prd: WBPg_PBES_TCWTP_0000_2012_06Jun_10Su_0900U.pdf
- ¹⁰Title: 2011 – 2012 Birdshill CPO / NA Roster: Members of the Board (Officers and Area Representatives)
Date: 2011 Jul 02 Saturday 12:00 U (12:00 PM PT)
Desc: Draft Roster of Birdshill CPO / NA Officers for 2011 – 2012
Type: RSTR – Roster of Officers, D – DRAFT, BH – Birdshill CPO / NA
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
File: RSTRDBH_Board_2012_2011_07Jul_02Sa_1200U.pdf. Size 437 kb, Page(s): 5.
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/03pmref>
Hink_Prd: RSTRDBH_Board_2012_2011_07Jul_02Sa_1200U.pdf
- ¹¹Title: DRAFT_2012_Roster_of_Officers_Please_Send_Corrections_Com
Date: 2011 Jul 02 Saturday 14:17 U (2:17 PM PT)
Desc: Email transmitting 2011-2012 roster of Officers to multiple government entities
Type: EMAIL – Email: BHCH – Birdshill CPO / NA Chair,
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
File: EMAL_2011_07Jul_02Sa_1417U_BHCH_BHBD_Roster_2012.pdf. Size 17 kb, Page(s): 1
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmte/wp/home/03pmref>
Hink_Prd: EMAL_2011_07Jul_02Sa_1417U_BHCH_BHBD_Roster_2012.pdf

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

¹²Title: LAKE OSWEGO NEIGHBORHOOD ASSOCIATIONS

Date: 2012 Jan 10 Tuesday 17:00 U (5:00 PM PT)
Desc: List of Neighborhoods and Chairs along with contact – phone, email, address
Type: LIST – List, LOCD – Lake Oswego Comm Devel aka Planning
Auth: Lake Oswego Community Development aka Planning Department
FILE BHGN: LIST_LOCD_Nbrhd_Chairs_2012_01Jan_10Tu_1700U.pdf. Size 18kb, Page(s): 2
FILE LOCD: Contact_List_01-10-2012.pdf
Dc_Source: http://www.ci.oswego.or.us/plan/Neighborhoods/NH_Contact_List.htm
File: None
Title: Neighborhoods,Contact List (updated 01/10/12)
Heading: Contact information can be found here:
Label: Click here to view list – http://www.ci.oswego.or.us/plan/Neighborhoods/Contact_List_01-10-2012.pdf
Dc_Access: <https://sites.google.com/site/bhcnlcvp/home/03pmref>
Hink_Prd: [LIST_LOCD_Nbrhd_Chairs_2012_01Jan_10Tu_1700U.pdf](http://www.ci.oswego.or.us/plan/Neighborhoods/Board_List_01-10-12.pdf)

¹³Title: LAKE OSWEGO NEIGHBORHOOD ASSOCIATIONS

Date: 2012 Jan 10 Tuesday 17:00 U (5:00 PM PT)
Desc: List of Neighborhoods and Chairs along with contact – phone, email, address
Type: LIST – List, LOCD – Lake Oswego Comm Devel aka Planning
Auth: Lake Oswego Community Development aka Planning Department
FILE BHGN: LIST_LOCD_Nbrhd_Officers_2012_01Jan_10Tu_1700U.pdf. Size 68kb, Page(s): 5
FILE LOCD: Neighborhoods/Board List 01-10-12.pdf
Dc_Source: http://www.ci.oswego.or.us/plan/Neighborhoods/NH_Contact_List.htm
File: None
Title: Neighborhoods,Contact List (updated 01/10/12)
Heading: Contact information can be found here:
Label: Neighborhood Association Board Member List (updated 01/10/12)
– http://www.ci.oswego.or.us/plan/Neighborhoods/Board_List_01-10-12.pdf
Dc_Access: <https://sites.google.com/site/bhcnlcvp/home/03pmref>
Hink_Prd: [LIST_LOCD_Nbrhd_Officers_2012_01Jan_10Tu_1700U.pdf](http://www.ci.oswego.or.us/plan/Neighborhoods/Board_List_01-10-12.pdf)

¹⁴Title: Lake Oswego Backyard Habitat Open House - This Saturday

Date: 2012 Jun 07 Thursday 08:33 U (8:33 AM PT)
Desc: Email transmitting notice of Backyard Habitat Certification Program through Tryon Creek Nature Center
Type: EMAIL – Email, LOCP – Lake Oswego Community Planning
Auth: Sarah Seldon, Lake Oswego Neighborhood Planner
FILE BHGN: EMAIL_2012_06Jun_07Th_0833U_LOCP_BHCH_Tryon_Habitat.pdf. Size 17 kb, Page(s): 1
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcnlcvp/home/03pmref>
Hink_Prd: [EMAIL_2012_06Jun_07Th_0833U_LOCP_BHCH_Tryon_Habitat.pdf](http://www.ci.oswego.or.us/plan/Neighborhoods/Board_List_01-10-12.pdf)

¹⁵Title: Birdshill Neighborhood Recognition (PP 09-0008 / Resolution 09-26)

Date: 2009 Jul 13 Monday 17:00 U (5:00 PM AM PT) Extract from LO Council Packet 2009 Jul 21 Tuesday 18:00 U (6:00 PM AM PT)
Desc: Extract of LO Council Packet 2009 Jul 21 Tuesday with resolution 09-26 recognizing Birdshill CPO / NA by City of Lake Oswego
Type: CNRP – Council Report, X – Extract, LOCC – Lake Oswego City Council
Auth: Laura Weigel, Lake Oswego Neighborhood Planner
FILE BHGN: CNRPXL0CC_BH_Regn_Pck13_Pg47_2009_07Jul_21Tu_1800U.pdf. Size 3.309 kb, Page(s): 39
FILE LOCC: 072109part3.pdf, Item 8.1, pages 2 – 41
Dc_Source: http://www.ci.oswego.or.us/calendar/CouncilMfgs/2009Meeting1_og.htm
File: None
Title: 2009 City Council Agendas

Heading: (Column) Full Packet
Label: July 21, 2003 <2009> part 3, <http://www.ci.oswego.or.us/calendar/CouncilMfgs/2009CAGendas/072109part3.pdf>
Dc_Access: Not Posted Extract from Dc_Source due to file size
Hink_Prd: [CNRPXL0CC_BH_Regn_Pck13_Pg47_2009_07Jul_21Tu_1800U.pdf](http://www.ci.oswego.or.us/calendar/CouncilMfgs/2009_07Jul_21Tu_1800U.pdf)

¹⁶Title: Open Oregon - A Freedom of Information Coalition

Date: 2012 Jun 10 Sunday 17:00 U (5:00 PM PT)
Desc: Webpage for Open Oregon regarding info on open meetings and public access to documents
Type: WBPB – Webpage, OPOR – Open Oregon
Auth: Open Oregon
FILE BHGN: WBPB_OPOR_OR_Pub_Ming_Law_2012_06Jun_10Su_1700U.pdf. Size 86 kb, Page(s): 9
Dc_Source: <http://www.open-oregon.com/laws/oregon-public-meetings-law/>
Dc_Access: <https://sites.google.com/site/bhcnlcvp/home/03pmref>
Hink_Prd: [WBPB_OPOR_OR_Pub_Ming_Law_2012_06Jun_10Su_1700U.pdf](http://www.open-oregon.com/laws/oregon-public-meetings-law/)

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

- ¹⁷ Title: Planners Outline Urban Challenges (Citizen Involvement / Exclusion)
Date: 2005 Jun 12 Sunday 06:00 U (6:00 AM AM PT)
Desc: Article / Commentary on 2005 Portland Planning Conf with quote about excluded parties
Type: ATCM – Article Commentary, OREG – Oregonian, LndUse – Land Use
Quote: ... 3) any effort that doesn't meaningfully involve a truly representative cross section of all citizens will be torpedoed, intentionally or not, by those not involved.
Auth: Randy Gragg; Oregonian Columnist – Sight Lines – News and Views on Architecture,
FILE BHGN: LndUse_OREG_ATCM_Citizen_Involve_2005_06Jun_12Su_0600U.pdf. Size 515 kb, Page(s): 2
Dc_Source: Birdshill CPO / NA Archives, Courtesy of Thelma Hagemiller
Dc_Access: <https://sites.google.com/site/bhcnlwp/home/03pmmref>
Hink_Prd: [LndUse_OREG_ATCM_Citizen_Involve_2005_06Jun_12Su_0600U.pdf](https://sites.google.com/site/bhcnlwp/home/03pmmref)
- ¹⁸ Title: Clackamas County Measure 3-348 GO Bond for Oak Lodge Sanitary Dist
Date: 2009 Nov 03 Tuesday 20:00 U (8:00 PM PT)
Desc: Documents wrt 2009 Nov Clackamas County Bond Measure for Measure 3-348, \$44M GO Bond for OLSD WTP
Type: PAKT – Packet of Documents, OLSD – Oak Lodge Sanitary District
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
FILE BHGN: PAKT_OLS_D Bond Measure 3-348_2009_11Nov_03Tu_2000U.pdf. Size 696 kb, Page(s): 9
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcnlwp/home/03pmmref>
Hink_Prd: [PAKT_OLS_D Bond Measure 3-348_2009_11Nov_03Tu_2000U.pdf](https://sites.google.com/site/bhcnlwp/home/03pmmref)
- ¹⁹ Title: Birdshill CPO / NA Area Maps, Maps of Areas Within the Birdshill CPO / NA
Date: 2009 Mar 30 Monday 13:00 U (1:00 PM PT)
Desc: Compilation of maps of Birdshill CPO / NA
Type: MPUA – Map US Size "A", WxH (8.5 in x 11 in) Portrait, BH – Birdshill CPO / NA, 1740 – All Areas
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
FILE BHGN: MPUA_BH1740_Ar_ALL_2009_03Mar_30Mo_1300U.pdf. Size 906 kb, Page(s): 10
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcnlwp/home/03pmmref>
Hink_Prd: [MPUA_BH1740_Ar_ALL_2009_03Mar_30Mo_1300U.pdf](https://sites.google.com/site/bhcnlwp/home/03pmmref)
- ²⁰ Title: Dunthorpe / Riverdale Sanitary Sewer District Boundary
Date: 2006 Jun 21 Wednesday 14:00 U (2:00 PM PT)
Desc: Map USA B size showing taxlots in Birdshill CPO / NA within Dunthorpe Service District Number 5.
Type: MPUB – Map US Size "B", WxH (17 in x 11 in) Landscape, PBES – Portland Bureau of Environmental Services
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
FILE BHGN: MPUB_PBES_WW_Trunk_Lines_BRDH_2006_06Jun_21We_1400U.pdf. Size 681 kb, Page(s): 1
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcnlwp/home/03pmmref>
Hink_Prd: [MPUB_PBES_WW_Trunk_Lines_BRDH_2006_06Jun_21We_1400U.pdf](https://sites.google.com/site/bhcnlwp/home/03pmmref)
- ²¹ Title: Calendar OR Hwy 43 Transfer Work Group
Date: 2011 May 07 Saturday 23:00 U (11:00 PM PT)
Desc: Spreadsheet Calendar illustrating violation of OR Public Meetings Law wrt potential transfer of OR 43 from ODOT
Type: SPCL – Spreadsheet Calendar US Size "B", WxH (17 in x 11 in) Landscape, BHGN – Birdshill CPO / NA
Auth: Charles Ormsby (Skip), Birdshill CPO / NA Chair 2011 - 2012
FILE BHGN: SPCL_BHGN_OR43_WG_Ed01_2011_05May_07Sa_2300U.pdf. Size 32 kb, Page(s): 4
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcnlwp/home/03pmmref>
Hink_Prd: [SPCL_BHGN_OR43_WG_Ed01_2011_05May_07Sa_2300U.pdf](https://sites.google.com/site/bhcnlwp/home/03pmmref)
- ²² Title: Birdshill CPO / NA Bylaws
Date: 2009 Apr 30 Thursday 09:00 U (9:00 AM PT)
Desc: Ratified and Approved Ver 6.09 Bylaws
Type: BYLW – Bylaws
Auth: Charles B. Ormsby (Skip) Sentinel Birdshill
FILE: BYLW_BHGN_RTFD_0609_2009_04Apr_30Th_0900U.pdf. Size 653 kb, Page(s): 13
Note: Bylaws on LO – Lake Oswego and CL – Clackamas County will have different File Names
Dc_Source: Birdshill CPO / NA Archives
Dc_Access LO: <http://www.ci.oswego.or.us/plan/Neighborhoods/default.htm>
Dc_Access CL: http://web12.clackamas.us/alfresco/download/direct/workspaces/SpacesStore/23c19c9a-7b98-11de-bc2e-c7da9edf98f5/BirdshillBylaws_06_09_2009_Apr30_09.pdf
Hink_Prd: [BYLW_BHGN_RTFD_0609_2009_04Apr_30Th_0900U.pdf](http://web12.clackamas.us/alfresco/download/direct/workspaces/SpacesStore/23c19c9a-7b98-11de-bc2e-c7da9edf98f5/BirdshillBylaws_06_09_2009_Apr30_09.pdf)

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

- ²³ Title: Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locale
Date: 2011 Feb 02 Wednesday 13:00 U (1:00 PM PT)
Desc: Request of government entities with jurisdiction in the area of the Birdshill CPO / NA to develop a list of projects and initiatives wrt Birdshill CPO / NA as required
BYLW Arte II, Sect 04
Type: ROST – Request, BHCN – Birdshill CPO / NA
Auth: Charles B. Ormsby (Skip), Birdshill CPO / NA Acting Chair 2011 – 2012
FILE BHCN: ROST_BHCN_GovProj_LIA_2011_02Feb_02We_1300U.pdf Size: 222 kb, Page(s): 2
Dc_Source: Archives Birdshill CPO / NA
Dc_Access: <https://sites.google.com/site/bhcmtcwp/home/03pmmref>
Hink_Prd: [ROST_BHCN_GovProj_LIA_2011_02Feb_02We_1300U.pdf](https://sites.google.com/site/bhcmtcwp/home/03pmmref)
- ²⁴ Title: Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locale
Date: 2011 Mar 02 Wednesday 01:00 U (1:00 AM PT)
Desc: Request of government entities with jurisdiction in the area of the Birdshill CPO / NA to develop a list of projects and initiatives wrt Birdshill CPO / NA as required
BYLW Arte II, Sect 04
Type: ROST – Request, BHCN – Birdshill CPO / NA
Auth: Charles B. Ormsby (Skip), Birdshill CPO / NA Acting Chair 2011 – 2012
FILE BHCN: ROST_BHCN_GovProj_LIA_2011_03Mar_02We_0100U.pdf Size: 222 kb, Page(s): 2
Dc_Source: Archives Birdshill CPO / NA
Dc_Access: <https://sites.google.com/site/bhcmtcwp/home/03pmmref>
Hink_Prd: [ROST_BHCN_GovProj_LIA_2011_03Mar_02We_0100U.pdf](https://sites.google.com/site/bhcmtcwp/home/03pmmref)
- ²⁵ Title: Kickoff Meeting – Tryon Creek WWTP Oversight Committee (OC) Summary Notes
Date: 2011 Sep 23 Friday 13:00 U (1:00 PM PT)
Desc: Meeting summary and notes from TCWTP kick off meeting by Oversight Committee
Type: MTNT – Meeting Notes, CH2M – CH2M HILL (Engineering firm, goto for Sewer Plants)
Auth: Michelle Burkhart, CH2M HILL
FILE BHCN: MTNT_CH2M_TCWTP_OC_01_2011_09Sep_23Fr_1300U.pdf Size: 57kb, Page(s): 4
Dc_Source: <http://www.portlandonline.com/bes/index.cfm?c=58729&a=397611>
File: WBPg_PBES_TCWTP_0023_2012_06Jun_10Su_0900U.pdf
Title: September 23, 2011 Oversight Committee Meeting
Heading: CAC Meeting 1 - May 9, 2012
Label: Summary Notes – <http://www.portlandonline.com/bes/index.cfm?c=58729&a=397622>
Dc_Access: <https://sites.google.com/site/bhcmtcwp/home/03pmmref>
Hink_Prd: [MTNT_CH2M_TCWTP_OC_01_2011_09Sep_23Fr_1300U.pdf](https://sites.google.com/site/bhcmtcwp/home/03pmmref)
- ²⁶ Title: Summary Meeting Notes
TRYON CREEK WASTEWATER TREATMENT PLANT CITIZENS ADVISORY COMMITTEE
Date: 2012 May 09 Wednesday 16:00 U (4:00 PM PT)
Desc: Meeting summary and notes from TCWTP Facilities Plant Upgrade Citizen Advisory Committee Mtg 01
Type: MTNT – Meeting Notes, CH2M – CH2M HILL (Engineering firm, goto for Sewer Plants)
Auth: Michelle Burkhart, CH2M HILL
FILE BHCN: MTNT_CH2M_TCWTP_CAC_01_2012_05May_09We_1600U.pdf Size: 222kb, Page(s): 3
Dc_Source: <http://www.portlandonline.com/bes/index.cfm?c=58729&a=397611>
File: WBPg_PBES_TCWTP_0023_2012_06Jun_10Su_0900U.pdf
Title: CAC and Oversight Committee Meetings
Heading: CAC Meeting 1 - May 9, 2012
Label: Meeting Notes – <http://www.portlandonline.com/bes/index.cfm?c=58729&a=397618>
Dc_Access: <https://sites.google.com/site/bhcmtcwp/home/03pmmref>
Hink_Prd: [MTNT_CH2M_TCWTP_CAC_01_2012_05May_09We_1600U.pdf](https://sites.google.com/site/bhcmtcwp/home/03pmmref)

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

- ²⁷ Title: TRYON CREEK WASTEWATER TREATMENT PLANT CITIZEN ADVISORY COMMITTEE MEETING 02 AGENDA
Date: 2012 Jun 13 Wednesday 16:00 U (4:00 PM PT)
Desc: TCWTP Facilities Plan CAC Mtg 02 Agenda
Type: MTAG - Meeting Agenda, PBES - Portland Bureau of Environmental Services
Auth: PBES - Portland Bureau of Environmental Services
FILE BHGN: MTAG_PBES_TCWTP_CAC_02_2012_06Jun_13We_1600U.pdf. Size 522kb, Page(s): 3
De_Source: <http://www.portlandonline.com/bes/index.cfm?c=58729&a=397611>
File: WBPB_PBES_TCWTP_0023_2012_06Jun_10Su_0900U.pdf
Title: CAC and Oversight Committee Meetings
Heading: CAC Meeting 2 - June 13, 2012
Label: Agenda - <http://www.portlandonline.com/bes/index.cfm?c=399731&c=58729>
Also noted in LO Council Digest <http://www.ci.oswego.or.us/council/CouncilDigestV2010/CouncilDigest.htm>
Ed: 2012 May 16 Mo Sen 51/52, Rolling Calendar pg 3
Ed: 2012 Jun 04 Mo Sen 43-47/68,
Dc_Access: <https://sites.google.com/site/bhcnmtpw/home/03pmmref>
Hlink_Prd: <https://sites.google.com/site/bhcnmtpw/home/03pmmref>
Hlink_Prd: <https://sites.google.com/site/bhcnmtpw/home/03pmmref>
- ²⁸ Title: City of Lake Oswego and City of Portland Wholesale Sewage Treatment and Disposal Agreement
Date: 1984 Sep 26 Wednesday 17:00 U (5:00 PM PT)
Desc: Agreement between Portland and Lake Oswego for sewage treatment
Type: AGRM - Agreement, PTLN - City of Portland, LKOS - City of Lake Oswego
Auth: Unknown
FILE BHGN: AGRM_PTLN_LKOS_TCWP_1984_09Sep_26We_1700U.pdf. Size 1,000kb, Page(s): 21
De_Source: Birdshill CPO / NA Archives
Dc_Access: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
Hlink_Prd: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
Hlink_Prd: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
- ²⁹ Title: Tryon Creek Wastewater Treatment Plant (TC_WTP), Facilities Plan (1999 - 2009)
Date: 1999 Jun 01 Tuesday 17:00 U (5:00 PM PT)
Desc: CH2M Hill 1999 Jun Facilities Plan Tryon Cr WTP Exec Sum
Type: REPT - Report, PBES - Portland Bureau of Environmental Services, CH2M-CH2M HILL
Auth: CH2M HILL Portland Office
FILE BHGN: REPT_PBES_TCFP_0317_Execsum.pdf. Size 1,000kb, Page(s): 21
De_Source: Birdshill CPO / NA Archives
Dc_Access: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
Hlink_Prd: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
Hlink_Prd: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
- ³⁰ City of Lake Oswego Oregon Tryon Creek Wastewater Treatment Plant Alternatives Study
Date: 2005 Dec 15 Thursday 17:00 U (5:00 PM PT)
Desc: Technical memo outline of options for decommissioning Tryon Creek Wastewater Treatment Plant. Send to north to Portland Columbia Bv Plan (RR (BNSF) / Columbia River) or South to Clackamas County Tri-Cities Plant in Oregon City (I-205 / OR Hwy 213)
Water Management System with Oregon Dept of Environmental Quality.
Type: REPX - Report EXTRACT
Auth: CH2M Hill - Portland Office
File: REPX_CH2M_LOCG_TCWTP_2005_12Dec_15Th_1700U.pdf. Size: 2,414.
FRn: EXTR_REPT_CH2M_LOCG_TCWTP_2005_12Dec_15Th_1700U.pdf
De_Source: Extract from CH2M Hill Tech Memo of 2005 Dec 15 Thursday and Lake Oswego J. Heisler Admn Aide City Mgr.
Cross Ref: Cited in DEQ MS4 Complaint of 2009 Jan 19 Monday 12:00 U
Dc_Access: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
Hlink_Prd: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
Hlink_Prd: <http://sites.google.com/site/sentinelskip/home/mrpnst103>
- ³¹ Title: Foothills Redevelopment.
Date: 2009 Jan 16 Friday 12:00 U (12:00 PM PT)
Desc: Status report on Foothills from LO city staff
Type: Report Status (RPST). Extracted from Special Meeting Packet Pages 59, 60 and 61.
Extract from 2009 Jan 16 & 17 Goal Setting Meeting Packet.
Auth: City of Lake Oswego Oregon,
File: RPST_LOCC_GLST_Foothills_2009_01Jan_16Fr_1200U.pdf. Size: 646 kb.
De_Source: <http://www.ci.oswego.or.us/calendar/CouncilMtg/2009MeetingLog.htm>
Dc_Access: <http://sites.google.com/site/or43corr/Home/rqtmfga06>
Hlink_Prd: <http://sites.google.com/site/or43corr/Home/rqtmfga06>
Hlink_Prd: <http://sites.google.com/site/or43corr/Home/rqtmfga06>

COMPLAINT Tryon Creek Facilities Plan Update Process and Committees

Documents and Impact of Formation of Ten Year Facilities Review Plan

Documents can be downloaded from website specified by label: "Dc_Access:" or "Dc_Source:"

³² Title: Request for Media and Maps wrt LO Comp Plan Update on USPB and Annex Issues
Date: 2012 Jan 09 Monday 12:00 U (12:00 PM PT)
Desc: Request for maps to depict services areas for water and sewer along with transportation in LO UGMA.
Type: RQST - Request, SNSK – Sentinel Skip aka Charles Ormsby, LOCC – Lake Oswego City Council (2011-2012)
Auth: Charles Ormsby, Sentinel Birdshill Area
FILE BHCH: ROST_SNSK_LOCC_Map_Request_2012_01Jan_09Mo_1200U.pdf. Size: 646 kb, Page(s): 1
Note: Transmit to LOCC as attachment to EMAL_2012_01Jan_09Mo_1244U_SNSK_LOCC_Rqst_Docs_wrt_Annex_CompPlan
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <https://sites.google.com/site/bhcmtewp/home/03pmmref>
Hlink_Prd: [ROST_SNSK_LOCC_Map_Request_2012_01Jan_09Mo_1200U.pdf](#)

Jennings, Gayla

From: Birdshill CPO/NA [birdshill.cpo.na@gmail.com]
Sent: Wednesday, December 26, 2012 12:02 PM
To: Jennings, Gayla
Cc: Parsons, Susan; council@ci.oswego.or.us; imccaleb@ci.oswego.or.us; bcc@co.clackamas.or.us; kyinlok@yahoo.com

Subject: Request for Citizen Communication with Portland City Council on 2013 Jan 09 Wednesday
Request for Council Communication time for Portland City Council meeting scheduled for 2013 Jan 09 Wednesday. Issue PBES projects that impact area of the Birdshill CPO / NA. Please see details and references below.

2012 Dec 26 Wednesday 12:00 U (12:00 PM PT)

Charles B. Ormsby (Skip)
Chair 2012 – 2013
Birdshill CPO / NA
A Joint Clackamas County Community Planning Organization (CPO) and
City of Lake Oswego Oregon Neighborhood Association (NA)

Gayla Jennings
Assistant Council Clerk
City of Portland Oregon
Portland City Hall
1121 SW 4th Avenue Rm 140 (First Floor NE)
Portland OR 97204
Google Earth GPS Coordinates: 45°30'56.63"N, 122°40'44.38"W
Ph: 503.823.3560
Wb: <http://www.portlandonline.com/auditor/index.cfm?c=26979>
Em: gayla.jennings@portlandoregon.gov

Subject: Request for Citizen Communication with Portland City Council on 2013 Jan 09 Wednesday

Copy:
Forward as you see fit

Good Morning: Gayla Jennings

Thank you for taking my call of 2012 Dec 26 Wednesday 11:20 U (11:20 AM PT). I had called Susan Parsons (Ph: 503.823.4085, Em: susan.parsons@portlandoregon.gov) but given this is "boxing day" she was out for the holidays until after New Years and my call was forwarded to your office for fulfillment.

With this e-mail I request time to make a Council Communication before the 2013 - 2014 Portland City Council at its meeting on 2013 Jan 09 Wednesday 09:30 U (9:30 AM PT), morning session. I also had Kyin Lok "penciled in" on this date for the last remaining "Citizen Comment" slot of five available. I will instruct him to send an e-mail by 2012 December 28 Friday 17:00 U (5:00 PM PT) to register and confirm his request.

From our brief conversation I understand that any materials we wish to place before the 2013-2014 Portland City Council for our Citizen Comments need to be received in your office no later than 2013 Jan 03 Thursday 15:00 U (3:00 PM PT). I will send a packet and likely assist Kyin Lok in preparation of his as well.

12/26/2012

Thank you for your assistance on this matter of scheduling of scheduling 2013 – 2014 City of Portland City Council Citizen Communication.

I look forward to your confirmation e-mail.

Sincerely

Skip

Charles B. Ormsby (Skip)
Birdshill CPO / NA, Chair 2012 - 2013
A Joint Clackamas County Community Planning Organization (CPO) and
City of Lake Oswego Oregon Neighborhood Association (NA)
Google Earth GPS Coordinates: 45°25'42.18"N, 122°39'41.48"W
Clackamas County
170 SW Birdshill Road
Portland Oregon 97219-8502
Phn: 503.636.4483 Residence
E-mail: birdshillepona@gmail.com
Web: <http://birdshillepona.shutterfly.com/> (Not Open Yet)

12/26/2012

Request of Charles B. Ormsby to address Council regarding Bureau of Environmental Services projects that impact area of the Birdshill CPO / NA (Communication)

JAN 09 2013

PLACED ON FILE

Filed JAN 04 2013

LaVonne Griffin-Valade
Auditor of the City of Portland

By 

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYES
1. Fritz		
2. Fish		
3. Saltzman		
4. Novick		
Hales		