

(22) use Determinant Receipt JAN 7 2015 - w/ EA + DAR
DLCD letter Doz Request DENIED 10-22 DA letter
3-5-15 2-4 Doz Request AND PAID Receipt 3-20-15
Also Denied (12 pgs)

(23) Tree Audit from PWB Crest Plans (4 pgs)

(24) Protected views in Tabor Park (VP 25-02 25-04)
2 pgs w/ E-mail + link map 19 B and 163957

(25) Memo 3-24-2003 Bull Run Dr w/ R Sier Crest.

From Uerakatz Regionalization

(26) ORS 358.653 and history of Disconnect link to MITABOR
pdx.org site + docs page 23 ITT SEEX Aug 2013

Also integrity of condition from NHR Section 7 pg 12

MWH Reports (Jan 2002) (Aug 2001) (4 pages)

(27) Ty Kowatch e-mail on land swap @ MITABOR to Dec 11
(4 pgs) 12 Feb 2009 9:51:32 AM Council ord on Park Land

(28) Ordinance 163642 2 pgs

(29) Archive list of Bull Run Docs Phasell Jan-Dec 2002

(30) list of violations Printed 5-12-15 12:38 (1 page)

From Kate to ^{Steph +} Mark 26 Feb 15 13:28:59

(31) Maps: ① MW June 2001 Res 1 As built pipe plan

② " " " " 5 " "

③ " " " " 6 " "

④ MW " " Pipe Details Res 1,5,6,7

⑤ Zone Map 1-6-2000 ⑥ June 24 1998

⑦ 9-5-2006 - changes to OS + c overlay mapped

⑧ MW Jan 1998 pipe plan Res 1,5,6,7 24-36 Maps of
all of Park showing As built infrastructure

⑨ City Olmsted Park Plan JAN 1911

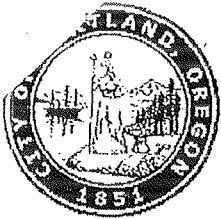
(10) Dec 2 2008 Park Plan outline of PWB/PPR (Land)
w Hist District lines shown. (11+12) Past maps w/
Res 156 showing water levels (13) Proposed pipe
path Thru upper PPR during map from 2008

(14) Email outlining error in City position of Lir
compelling disconnect + Demo when All it requires is a plan
As other cities have Done. Steph + group 5-7-13 4:51
2 pgs

MARK
BARTLETT

Index

B



CITY OF
PORTLAND, OREGON
BUREAU OF DEVELOPMENT SERVICES
1900 SW 4th Ave., Suite 5000
Portland, OR 97201



RECEIPT #: 1776141

1/7/2015

Site Address: 6325 SE DIVISION ST

IVR Number: 3563750

Permit Number: 15-102031-000-00-PR

Public Registry

APPLICANT MARK K BARTLETT & MT. TABOR NEIGHBORHOOD ASSOCIATION Phone: (503) 719-5930

Fee Code	Fee Description	Fee Amount	Paid to Date	Balance	This Transaction	New Balance
2553	Zoning Confirmation Tier 3	\$850.00				
Bill #3712884	Sub Total	\$850.00	\$0.00	\$850.00	\$850.00	\$0.00
TOTAL		\$850.00	\$0.00	\$850.00	\$850.00	\$0.00

Shaded items indicate fees not yet calculated.

* Fees marked with an asterisk are due at application.

PAYOR MARK K BARTLETT Phone: (503) 719-5930
Payment #: 1776141 Method of Payment: 012010 visa bartlett Receipt By: Ray Galinat

CITY CONTACT Phone:
E-Mail: Fax: (503) 823-4172

Notice: This document is not a permit. This document may not represent all fees owing for this permit. All fees are subject to change based on new or corrected information. For more information, consult your City of Portland Contact listed above.

Name: MARK B ☐ CO ☐ RS ☐ Info only LWR TECH
Booth #: 99

Address/Permit/Case IVR # 3563750

1st Screen Comments

Box:

- A ☐ 2nd Screen
B ☒ Planning and Zoning
☐ Urban Forestry
C ☐ BES Development Review
☐ BES Pollution Prevention
D ☐ Transportation
E ☐ Water
☐ Water Quality
F ☐ Commercial Plumbing
☐ Mechanical ☐ Fire Marshal
G ☐ Bldg Plans Examiner

Route Order	In	Out	Staff	Comments
	1:	1:20		EA + DAR

ROUTING ONLY
dsc_route 12/19/14

Subject: violations of ORS 227.160 and others

From: Mark Bartlett <bartlett.m@comcast.net>

Date: Mon, 11 May 2015 12:52:37 -0700

To: mailto:jim.rue@state.or.us, votemac@gmail.com, amanda fritz <amanda@portlandoregon.gov>, mayorcharliehailes@portlandoregon.gov, Anne Dufay <anne@southeastuplift.org>, Stephanie Stewart and Mike St Clair <stewartstclair@gmail.com>, paul.scarlett@portlandoregon.gov, "Hoop, Brian" <brian.hoop@portlandoregon.gov>, "Leistner, Paul" <Paul.Leistner@portlandoregon.gov>, Mark Bartlett <bartlett.m@comcast.net>, floy jones <floy21@msn.com>

5-11-15

Director Rue,

I would like to provide you with notice of a number of violations related to our City of Portland land use code and state rules on how Development Services (BDS) in Portland has responded to current Land Use applications. I would ask for your immediate intervention.

In October of 2014, our Portland Water Bureau (PWB) sent to BDS a type 3 application for Mt Tabor Park to disconnect our reservoirs. Previously they had attempted to put this forward as a type 2 to limit scrutiny and any hearing or appeal. They valued the work at \$110,0000 in the type 2 application, and now that very same work is valued at nearly \$5,000,000 in the new type 3. I think this sets the table for what follows.

The park in Mt Tabor consists of 51 individual parcels. I paste below ordinance links to show the parcel acquisitions back at the turn of the century for park purposes.

There is also a legitimate parcel map from 1959 provided BDS from the County property control, showing these individual parcels and ownership by the two bureaus. This map was acknowledged and accepted by the City in 2007-8. PWB owns 16 parcels that surround the reservoirs totaling 51 acres, and the balance of the 145 acres are owned by the City/ Parks bureau.

At some point in the 90s that tax assessor consolidated parcels for convenience sake, but this does not make that tax map a legal map for land use applications. This tax assessor map is what PWB as applicant put forward and BDS accepted knowing this was not a legal map for LUR purposes.

There was a prior use determination from 2003 when PWB discussed with BDS how to demolish the reservoirs if they were listed on the national historic register. That no longer applies since they are not being demolished, but disconnected. This change of use was acknowledged by BDS in their preapp summary and staff report, yet the code was not interpreted accordingly.

In this application, BDS has ignored the requirement that the applicant provide any and all evidence of compliance with the code including but not limited to, title with any use restrictions on the parcels owned by them or parks that would limit their proposal, and State and County rules.

When it became clear to me that BDS had no intention of compelling compliance from the applicant before accepting the application as complete, I filed for a new type 3 use determination in the park. This would include all 196 acres most of which is zoned OS, but owned by two separate owners.

I paid for that on Jan 7th (attached) understanding from BDS intake staff, that the findings would be due me in 4 or at most 5 weeks. This time frame would place it prior to any staff report going before the Historic Landmarks Commission (HLC) for their review. This would offer the opportunity for citizens to present material information in meetings and hearings that could impact any decision made by the HLC.

You see from the attached receipt, I also intended to schedule my early assistance and design review meetings with staff and the HLC members prior to any HLC decision. Those were promised me by BDS staff to be scheduled in approximately one week.

In spite of repeated attempts to schedule with BDS by e mail, phone, and in person, they have refused to allow me to schedule, simply telling me now that I would not have those meetings offered everyone else who files for a type 3 review. Further they also told me that the City attorney has instructed staff not to answer any questions from me or the Mt Tabor neighborhood.

As of this date, I still do not have my new use finding. I planned to use this to challenge any variation from that which they say they have relied upon from 2003. This may impact the entire LUR staff report. Without that decision I cannot.

Clearly ORS 227 provides rules for how BDS is to comply with LURs applications, providing that they actually offer a decision in a timely fashion. They have not because it serves the political interest of the council and PWB to delay and make citizens then bear the burden of showing how the application is in error rather than keeping that burden on the original applicant in this LUR. Then the City and City attorney interferes with citizens making a good faith attempt to scrutinize the report and decision by staff.

What we have been told is that we would have to wait until Council hears the matter on May 28th, again a violation of our own title 33. They delay in order to again limit any citizen right to appeal what they do not want reviewed and shift the burden of proof to citizens from PWB..

It should make no difference what Council decides in late May, when considering as required, the land use rules that were in force at the time the application was first filed. What should it matter what Council offers in late May when that original application is subject to those rules of late October or early January if considering my request for the use determination. BDS is seeking political cover for getting caught.

In my view, Council is determined to undermine the land use process to achieve a political outcome that was predetermined and supported by BDS.

We have been denied our rightful opportunity to act in a timely fashion and now will bear the burden of proving a negative at our expense through LUBA due to the wrongful acts of BDS.

I would question if they should be allowed to make any land use decision in future when they so clearly can be directed toward predetermined political outcomes rather than those based evenly on code alone. The integrity of our land use process with BDS in charge is in question.

On February 5th I made a public records request regarding any internal discussion of the word use as it applied to Mt Tabor, as it pertains to this LUR. That would include any correspondence or documents in which use was discussed by staff at PWB and BDS. BDS had previously stated in the pre app summary that no discussion of use had taken place.

I doubted this since it would be the very first point or issue to be discussed, so believed they were hiding something from the public. As of today in spite of my continual request for help from the DAs office I have no reasonable reply. I paid the \$75 which was 1/2 of the cost provided me on March 20th. BDS is clearly keeping this from the public in order to assist them in reaching that predetermined outcome.

On Feb 11th Director Paul Scarlet waived the fee for the new use determination since this is a matter of high public interest. That check was to be sent to whomever made payment and that was me. As of this date I still do not have my \$850 refund check.

I believe you will find numerous irregularities with the way BDS and the applicant have conducted themselves in this matter.

Thank you for your consideration.

ORDINANCES

<http://efiles.portlandoregon.gov/record/94252>

<http://efiles.portlandoregon.gov/record/67141>

<http://efiles.portlandoregon.gov/record/67086>

<http://efiles.portlandoregon.gov/record/94605>

<http://efiles.portlandoregon.gov/record/99568>

ORS Chapter 227--use determination -- land use decision.docx	Content-Type: application/vnd.openxmlformats-officedocument.wordprocessingml.document Content-Encoding: base64
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CITY OF PORTLAND
UNIFORM PUBLIC RECORDS REQUEST FORM

Date of Request: 10-22-14

REQUESTOR INFORMATION

Name: MARK BARTLETT

Mailing Address: 2747 NE 22nd Ave

City, State, Zip: Portland Daytime Phone: 503 719 5930

E-mail Address: Bartlett.M@concast.net Fax: N/A

Preferred method of contact: ☐ Mail ☐ Phone ☒ E-mail ☐ Fax

REQUEST DETAILS

1. Is this request related to a lawsuit involving the City of Portland? No

If "yes," enter the case name, court docket number, or other identifying information:

2. Is this request related to a tort claims notice involving the City of Portland? No

If "yes," enter the claimant's name and, if known, the incident date:

3. If you answered "yes" to question 1 or question 2, are you making this request on behalf of a party in the lawsuit or tort claim? _____

NOTE: If "yes," enter "City Attorney's Office" for question 4 in addition to any other applicable bureaus. This is required by state law (ORS 192.420(2)(a)).

4. Bureau or office, if known (a copy of this form must be submitted to each):

BDS AND WATER Bureau

5. A fee reduction or waiver may be possible if the custodian determines that this request is primarily in the public interest. Does this request primarily benefit the general public? Please explain.

yes, Disclosure of Necessary information which is part of The Public Record for The MT TABOR Document LAR

6. Does this request pertain to personnel records? no

NOTE: If "yes," please attach a signed release from the employee.

7. How would you prefer to have this request fulfilled?

☒ I would like to inspect the records.

☐ I would like photocopies made and sent to me.

☒ I would like electronic copies made and sent to me.

☐ I would like photocopies made and held for me to pick up.

DESCRIPTION OF RECORDS REQUESTED

Please include the following when describing the materials requested, to the extent known and with as much detail as possible:

- Type of document
- Title
- Date
- Address of any real property at issue
- Author
- Subject matter

NOTE: Additional sheets may be added if necessary.

Description:

1) All pre App correspondence Btwn WB Applicant Tom Carter or WB Representatives, and any other person, bureau, or agency reviewing the (2) LUR applications including emails, check sheets or internal communication regarding these (2) LURs.

- The City will respond to your request as soon as practicable and without unreasonable delay.
- If the estimated costs involved in fulfilling your request exceed \$25, the City will advise you of those costs and require your approval before beginning work.
- If the fee estimate exceeds \$100, a 50% deposit may be required to begin work.
- Full payment of the total amount of costs incurred is required before the public records may be inspected or copies released.
- NOTE: Police reports cannot be obtained through the use of this form. For these records, please contact the Police Bureau.

See Below

I HAVE READ AND AGREE TO COMPLY WITH THE ABOVE CONDITIONS, and further agree to pay the cost of fulfilling this Public Records Request according to the conditions set forth above. These costs may include the cost of searching for records, reviewing records to redact exempt material, supervising the inspection of records, copying records, certifying records, and mailing records. I agree to pay a maximum of \$25 without further approval.

Mark Bartlett
Signature of Requestor

10-22-14
Date

City of Portland Uniform Public Records Request Form

Last revised January 2011

Page 2 of 2

Specifically Those pertaining to the use determination

Dated 3 Sept 2012



ROD UNDERHILL, District Attorney for Multnomah County

600 County Courthouse • Portland, Oregon 97204 • 503 988-3162 • FAX 503 988-3643
www.mcda.us

March 5, 2015

Mark Barnett
2747 NE 22nd Ave
Portland, OR 97212
Re: Public Record Petition (BDS)

Dear Mr. Barnett:

I have reviewed your March 3, 2015 e-mail with attached documentation regarding a public records request made to the City of Portland's Bureau of Development Services (BDS). The information you have asked for may indeed be a public record but for our office to have jurisdiction to process an appeal of a denial of a request for a public record you will need to submit a petition in accordance with ORS 192.470(1). If you do not receive the requested information you may petition our office to order disclosure and you must include a copy of the written response denying your request as well as contact information of the person denying your request. If you feel that BDS is not appropriately responding to your request feel free to attach a copy of this letter to any further correspondence you have with their custodian of records.

As soon as I have received all necessary documents, I will be happy to process your petition. If I do not receive the above mentioned materials your request will be deemed to be denied. If you have further questions, do not hesitate to call me. My desk phone is (503) 988-3405.

Very truly yours,

ROD UNDERHILL
District Attorney
Multnomah County, Oregon

By: _____

Travis Sewell
Deputy District Attorney



CITY OF PORTLAND
UNIFORM PUBLIC RECORDS REQUEST FORM

Date of Request: 2-4-15

REQUESTOR INFORMATION

Name: MARK BARTLETT

Mailing Address: 2747 NE 22nd Ave PDX 97212

City, State, Zip: PDX 97212 Daytime Phone: 503 719 5930

E-mail Address: Bartlett.m@conquest.net No fax

Preferred method of contact: ☐ Mail ☐ Phone ☒ E-mail ☐ Fax

REQUEST DETAILS

1. Is this request related to a lawsuit involving the City of Portland? No

If "yes," enter the case name, court docket number, or other identifying information:

2. Is this request related to a tort claims notice involving the City of Portland? No

If "yes," enter the claimant's name and, if known, the incident date:

3. If you answered "yes" to question 1 or question 2, are you making this request on behalf of a party in the lawsuit or tort claim? _____

NOTE: If "yes," enter "City Attorney's Office" for question 4 in addition to any other applicable bureaus. This is required by state law (ORS 192.420(2)(a)).

4. Bureau or office, if known (a copy of this form must be submitted to each):

BDS

5. A fee reduction or waiver may be possible if the custodian determines that this request is primarily in the public interest. Does this request primarily benefit the general public? Please explain.

Yes, For the benefit of ALL city residents
and the hearings before Historic Landmarks
and City Council regard LU 14-21844 HR

6. Does this request pertain to personnel records? NO

NOTE: If "yes," please attach a signed release from the employee.

7. How would you prefer to have this request fulfilled?

☒ I would like to inspect the records.

☐ I would like photocopies made and sent to me.

☐ I would like electronic copies made and sent to me.

☐ I would like photocopies made and held for me to pick up.

DESCRIPTION OF RECORDS REQUESTED

Please include the following when describing the materials requested, to the extent known and with as much detail as possible:

- | | |
|--------------------|---|
| • Type of document | • Title |
| • Date | • Address of any real property at issue |
| • Author | • Subject matter |

NOTE: Additional sheets may be added if necessary.

Description:

Please see ATTACHED E MAIL for specific Request information

-
- The City will respond to your request as soon as practicable and without unreasonable delay.
 - If the estimated costs involved in fulfilling your request exceed \$25, the City will advise you of those costs and require your approval before beginning work.
 - If the fee estimate exceeds \$100, a 50% deposit may be required to begin work.
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 - NOTE: Police reports cannot be obtained through the use of this form. For these records, please contact the Police Bureau.

I HAVE READ AND AGREE TO COMPLY WITH THE ABOVE CONDITIONS, and further agree to pay the cost of fulfilling this Public Records Request according to the conditions set forth above. These costs may include the cost of searching for records, reviewing records to redact exempt material, supervising the inspection of records, copying records, certifying records, and mailing records. I agree to pay a maximum of \$25 without further approval.

Mark Bartlett
Signature of Requestor

2-4-15
Date

CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE

Charlie Hales, Mayor
Fred Miller, Chief Administrative Officer

Bureau of Technology Services
Ben Berry
Chief Technology Officer
1120 SW Fifth Ave., Suite 450
Portland, Oregon 97204-1912
(503) 823-5198
FAX (503) 823-5194
TTY (503) 823-6868

3/10/2015

BTS Public Records Search - Budgetary Planning Estimate

NOTE: This estimate is for budgetary planning purposes only. Billing will be based on actual work performed.

BTS Case Reference No: 15-23PR

Search Title: BDS Bartlett / Mt Tabor Reservoirs

Basic Services (Labor)	Qty (Hrs)	Unit Cost	Total	Description	Search Criteria
Project Management	0.50	\$ 81.25	\$ 40.62		Search email boxes of Tom Carter, Rebecca Esau, Douglas Hardy, Kimberley Tallant, Hillary Adams and Sheila Frugoli using search terms
Email search via City's email server	1.55	69.69	108.03	Scan 6 email account(s) on the City's email server using 8 search term(s) or phrase(s).	"existing use", "use determination", "conditional use", "LU 13-236792", "EA 14-118276", "IQ 03-153994", "PR 03-186237 ZC" between 6/1/2014 and 2/6/2015.
Email search via individual archives	0.00	69.69	-	eMail archive files will not be searched.	
Email recovery from backup (up to 14 days available)				Recovery from email backup not requested.	
Recovery environment setup	0.00	69.69	-		
Data recovery & search	0.00	69.69	-		
File search (excluding email)	0.00	69.69	-	Workstation file search not requested.	
Travel time to / from workstation	0.00	69.69	-		
Other Costs	0.00	81.25	-		
Totals			\$ 148.65		

See Corrections
to Request Below

See Corrections
to Request Below

- (1) DATE to be 6-1-2013 NOT 2014
- (2) LISTED LUR files ARE MADE AVAILABLE by BDS for NO charge - so NO COST to Review These

MARK K. BARTLETT
2747 NE 22ND AVE.
PORTLAND, OR 97212

19-7075
3250
10148

DATE 3-2-15

1 \$ 75.00

PAY TO THE
ORDER OF B.D.S.

Seventy five only

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO 15-23 PR

114830111511019

1019

DOLLARS 1

MP

5470
 * List has been
 Revised Since
 This inventory
 was created

**Trees impacted in Historic Mt. Tabor Park
 by Water Bureau's Tabor Reservoir Disconnect project**
 (data collected by volunteers combing through preliminary construction plans)

Trees being cut

Key

SC small caliper
 UN size not noted on plans

Tree number	tree size	plan page	zone	notes
10931	UN	3		
11160	UN	3		
11165	UN	3		
11166	UN	3		
11167	UN	3		
12218	UN, larch	3		
13554	32" fir	4		
13555	22" fir	4		
13556	22" fir	4		
13557	20" fir	4		
12516	18" maple	4		
12577	UN, maple	4,5		
12578	24" maple	4,5		edge of impact zone
12217	14" cedar	3,4		
12216	SC	3,4		
11170	SC	3,4		
12212	SC	3,4		
12213	SC	3,4		
12215	SC	3,4		
12214	SC	3,4		
11168	SC	3,4		
11169	SC	3,4		
11113	SC	4		
11164	14" cedar	3,4		
11162	12" cedar	3,4		
11163	14" cedar	4		
11150	12" cedar	4		
11161	12" cedar	3,4		
12220	18" locust	4	Osc	
13149	24" fir	5		
13154	22" fir	5		
12576	18" maple	5		

Summary of Data

estimated total trees cut: 31
 trees cut, known to be over 14": 13
 trees cut, size not revealed in plans: 16
 other trees disturbed in root zone: 50
total trees effected: 81

Trees impacted with work in root zone

Tree number	tree size	plan page	zone	notes
11095	16" cedar	3		
11108	36" fir	3		

2

12315	28" maple	3	OSc	
12314	18" cedar	3	OSc	
12317	28" fir	3	OSc	
12318	16" fir	3	OSc	
12319	48" fir	3	OSc	
12325	20" maple	3	OSc	
12327	24" fir	3	OSc	
12221	16" conf larch	3		
13563	50" fir	4,5		survival jeopardized
13552	16" fir	4		
13560	16" fir	4		
13553	12" fir	4		
13548	34" fir	4,5		
13547	36" fir	4,5		
12455	48" maple	4		
12701	42" maple	4		
12191	30" fir	4		
12193	26" fir	4		
12192	26" fir	4		
12227	12" deciduous	4		
12226	18" conifer	4		
12224	20" conifer	4		
12300	38" cedar	4	OSc	survival doubtful
12302	26" fir	4	OSc	
12298	24" hawthorne	4	OSc	survival doubtful
12299	24" fir	4	OSc	
12218	14" larch	4	OSc	
12320	30" fir	4	OSc	
12491	48" fir	4	OSc	
13550	16" fir	5		
13362	16" fir	5		
13150	24" fir	5		
12906	40" fir	5		not likely to avoid damage
12834	40" fir	5		
12832	24" fir	5		
12831	20" fir	5		
12833	16" fir	5		
????1	UN	5		very large, no species or size given
11823	30" maple	6		
11616	32" fir	6		
11614	32" fir	6		
11841	24" maple	6		
11839	24" maple	6		
16228	36" maple	6		
17257	30" fr	7		

11165	UN	3
11166	UN	3
11167	UN	3
12218	UN, larch	3
13554	32" fir	4
13555	22" fir	4
13556	22" fir	4
13557	20" fir	4
12516	18" maple	4
12577	UN, maple	4,5
12578	24" maple	4,5
12217	14" cedar	3,4
12216	SC	3,4
11170	SC	3,4
12212	SC	3,4
12213	SC	3,4
12215	SC	3,4
12214	SC	3,4
11168	SC	3,4
11169	SC	3,4
11113	SC	4
11164	14" cedar	3,4
11162	12" cedar	3,4
11163	14" cedar	4
11150	12" cedar	4
11161	12" cedar	3,4
12220	18" locust	4 Osc
13149	24" fir	5
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edge of impact zone

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Trees impacted with work in root zone

Tree number	tree size	plan	page	zone	notes
11095	16" cedar			3	
11108	36" fir			3	

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

Subject:Re: Mt. Tabor visual restrictions

Date:Sun, 23 Aug 2009 00:00:59 -0700

From:Cascade Geller <cag@easystreet.net>

To:Mark Bartlett <bartlett.m@comcast.net>, Stephanie Stewart - MTNA Board
<stewartstclair@gmail.com>

Hi,

I must have missed something about the protected view corridor conversation but maybe this link will help.

Scenic Views, Sites, and Corridors - Scenic Resources Protection Plan Ordinance 163957 adopted and put into effect in 1991 by Portland City Council

<http://www.portlandonline.com/bps/index.cfm?c=28534&a=89965>

See Map 19 B, page 67 for the three protected sites at Mt. Tabor Park:

- 1) from above the east side of the lower large reservoir, Reservoir 6, looking west
- 2) and 3) from the summit looking east and west

This plan is very well done, in my estimation - truly comprehensive - and took much effort and at great cost to the public to complete. It discusses the importance of the plan to the Comprehensive Plan and quotes directly from the State's Planning Goals.

It has been completely ignored for the most part. I have had no luck in getting attention for it. Amanda, I believe, is aware of it and maybe, now during the comprehensive plan process, it is a good time to try once again to get some juice going for it.

The Bureau of Planning produced many great planning documents in the late 80's through mid 1990's, until the passage of the property tax limitation measure in '95. The plans were designed to help guide the density development that we are experiencing. Most that I have seen were adopted by Council with an ordinance but as I said, most seem to be ignored even by the Planning Commission.

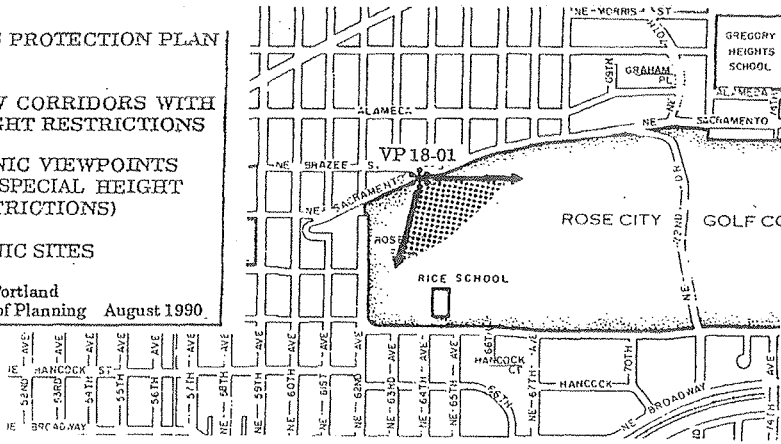
They are great resources and I have learned a good deal from reading and rereading them. They are a good tool for neighborhood associations. I tried to institute that the land use chair receive a complete list of them as part of their toolbox. I also wanted to get a complete list of all of the documents, with their links, pertaining to Mt. Tabor Park on our MTNA website with some of the pertinent pages downloaded but I couldn't get anywhere with this with our webmaster who felt that it was up to the City to be in charge of those documents. I had too many irons in the fire then to press further.

SCENIC RESOURCES PROTECTION PLAN

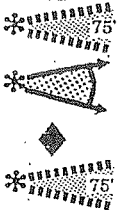
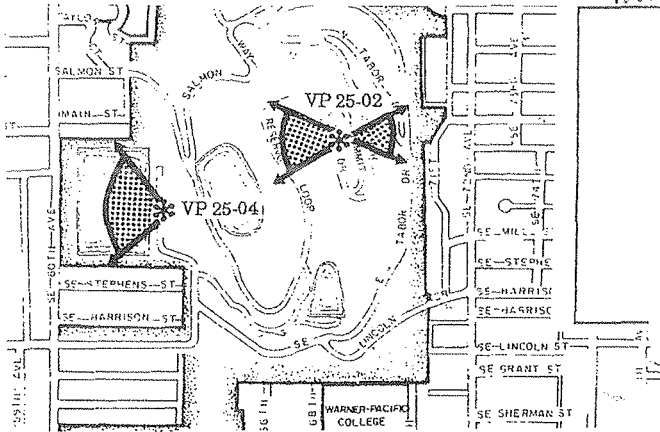
VIEW CORRIDORS WITH
HEIGHT RESTRICTIONSSCENIC VIEWPOINTS
(NO SPECIAL HEIGHT
RESTRICTIONS)

SCENIC SITES

City of Portland
Bureau of Planning August 1990.



NOLABOR PARK



VIEW CORRIDORS WITH HEIGHT RESTRICTIONS

IYLAP 19b

SCENIC VIEWPOINTS (NO -SPECIAL HEIGHT RESTRICTIONS)

City of Portland



CITY OF
PORTLAND, OREGON

Vera Katz, Mayor
Dan Saltzman, Commissioner
1221 SW Fifth Ave., Room 230
Portland, Oregon 97204
(503) 823-4151

March 24, 2003

Memorandum

To: Bull Run Regional Drinking Water Supply Policy Steering Committee and
Technical Advisory Committee

From: Mayor Vera Katz *sk*
Commissioner Dan Saltzman *Don*

CC: Commissioner Jim Francesconi
Commissioner Randy Leonard
Commissioner Erik Sten

RE: City of Portland Proposed Next Steps

Portland's regional partners have clearly communicated their urgent desire to move forward in the discussions to form a regional drinking water supply agency. While the City of Portland is also interested in moving forward, it cannot do so without first conducting the analysis necessary to accurately detail the value of the City's drinking water supply assets that would be shared with the partners under this proposal. Without a valid third party assessment of the value of the Bull Run supply system, the City cannot participate in a negotiations process and adequately represent the interests and financial stake of its ratepayers.

Conducting such an assessment will take time—two to three months at minimum. At the most recent Regionalization Technical Advisory Committee meeting on February 24th, the regional partners indicated that they are not interested in continuing the process beyond the end of this month if Portland deems this additional work and time necessary. Leaders from some of the larger participating jurisdictions have confirmed this to us again this week.

Therefore, the City of Portland is prepared to commence negotiations for new contracts with its wholesale drinking water customers and other interested regional partners in lieu of the current regionalization proposal.

An enormous amount of time and effort has gone into the regionalization discussions by all participants, and that work will not go to waste. We have amassed considerable information about the region's water needs and resources, forged constructive working relationships among the participating jurisdictions and established a set of common goals and values. Through this process, we have established a solid foundation based on collaboration and creative thinking. We firmly believe this investment can serve us well in a new contracts process.

Most importantly, we want the mutually beneficial elements of regionalization to remain squarely on the table in a new contracts process. This includes shared ownership, decision-making and financing of future capital investments for the Bull Run supply system including the potential filtration plant. All of us in the region have a shared long-term goal to secure high-quality, reliable drinking water at a reasonable price. If we can continue the momentum and novel thinking that has characterized the regionalization discussions, we will be able to craft an

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agreement that will realize the full potential of the Bull Run as a regional resource for the benefit of the entire region.

The City will immediately begin preparing for new contracts discussions to commence in the next 45 days. Staff from the City Attorney's Office and the Office of Management and Finance will join the Water Bureau in working with current and future customers on new contracts. We believe mutually satisfactory contracts can be crafted by this fall.

Commissioner Saltzman plans to attend the March 31st Technical Advisory Committee to deliver the City's commitment to this process in person. You can contact Edward Campbell in Commissioner Saltzman's office at (503) 823-4151 with any questions or comments prior to that meeting.

Between 1998 – 2000 the City spent \$600,000 to revise the Mt. Tabor Master Plan. Members consisted of PPR, Cogan and Cogan, a 27 member Citizens Advisory Committee and a Design team. “The primary focus of the plan is to preserve and enhance the natural qualities of Mt. Tabor. The circulation systems, the recreational uses, and the facilities envisioned have been planned in balance with the environmental qualities of the park. It is intended that this document set the framework to guide decisions to provide balance between human and environmental needs...for the next 20 years.” (Available at www.mttaborpdx.org)

During this process the City made it known that decommission/demolition of the reservoirs was an intention. This was long before there was an LT2 ruling that made burying reservoirs mandatory. (See page 23 para 7 SEEX August 2013)

The Mt Tabor Master Plan maintains the original vision of the park as a sanctuary. There was never plans for ball fields and skate parks, these recreations were specifically and intentionally excluded to keep it a natural setting with a protected view corridor and a migratory bird sanctuary.

The reservoirs in Mount Tabor Park were nominated and listed in the National Register of Historic Places in January, 2004. Volunteers of the Friends of the Reservoirs with assistance from other members of the public, prepared the nominations not only for the three Mount Tabor Park reservoirs but also the two located in Washington Park.

It is stated in the Oregon Historic Preservation Law 358.653 Conservation program; leases. (1) Any state agency or political subdivision responsible for real property of historic significance in consultation with the State Historic preservation Officer shall institute a program to conserve the property and assure that such property shall not be inadvertently transferred, sold, demolished, substantially altered or allowed to deteriorate.

This brief summary of Mt Tabor Park is intended to update readers on the initial investment the citizens of Portland have already made both financially and for preservation.

Recently Mayor Hales stated that he was going to begin a “public process” to determine what should happen to the 51 acres that hold our reservoirs in Mt Tabor Park. Since the PWB has convinced themselves and some of the public that decommissioning the reservoirs, burying them and building a UV plant is the only solution to a purported problem. So what plans do they have for the reservoir land—land that we

2

As the struggle to identify the best use of the land managed by Portland Parks and Recreation (PPR), the Portland Water Bureau (PWB) and the City, surrounding Mt. Tabor Park¹⁾, it is important to remember that the land already belongs to the people of Portland.

In 1903 landscape architect John Charles Olmsted and Frederick Law Olmsted, Jr. recommended the city obtain the first of an eventual 196 acres of land for Mt. Tabor Park. Even though he wrote his wife saying, "...as much as the landscape is fine and the possibilities for parks, as far as land is concerned, are excellent. But I fear the money will be deficient."

The people of Portland proved him wrong thanks to their civic pride and vision of perpetuity. The Portland water board had already purchased land on Mt. Tabor for Reservoirs 1 and 2 in 1888. In 1909 they passed a bond to buy approximately forty lots on Mt Tabor for \$366,000. Prior to this bond issue a measure was passed to procure funds to build two additional reservoirs on Mount Tabor and, at the same time to purchase additional land for creation of a public park.

(Building the four reservoirs began during the great depression of 1893-1894, lawyers, doctors, dentists, accountants and all working class men were employed as day laborers working on the reservoirs at \$1.50 per day. And glad for it.)

One of the key features in the John Charles Olmstead and Emanuel Tillman Mishe²⁾ vision of Mt. Tabor Park design was integrating the reservoirs into the landscape features. The plan proposed using the reservoirs of Mt Tabor as a park and connecting parks with landscaped boulevards. The parks the Olmstead brothers designed in Portland served as the model for many young U.S. city's development. Olmstead also noted the park "... must be kept from the hands of politicians."

During this time there was a lot of front running where politicians and high ranking business people heard of the Olmstead plans and Mt. Tabor park development and bought the land up cheap and sold it to the City for obscene profits. Property prices paid by the city ranged from \$1 paid to the Commercial Trust Company, to \$37,500 paid to land speculator Henry L. Pittock, owner of the daily newspaper, the Oregonian.

Mishe was made parks director but resigned in 1913 due to politicians moving responsibility from the original group to a new board who had a different view than Olmsted / Mishe and they were influenced by other agendas

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United States Department of the Interior
National Park Service
NATIONAL REGISTER OF HISTORIC PLACES

CONTINUATION SHEET

Mount Tabor Reservoirs Historic District
Multnomah County, Oregon

Section 7 Page 12

The covered storage tank, on the north slope of Mount Tabor, is in a mowed clearing surrounded by a mature grove of Douglas firs *Pseudotsuga menziesii* and big leaf maples *Acer macrophyllum*. From this site, through the trees, is a view down the forested slope to the Reservoir Loop Road, the play ground, picnic shelter, and main parking lot of Mount Tabor Park.

Summary Statement of Integrity

The Mount Tabor Park Reservoirs remain today largely intact and in as-built condition. While the basins have been relined numerous times, the character-defining elements such as deep open water, parapet walls, iron fences, and gatehouses exist today without modification or inappropriate adjacent development. General deferred maintenance of the concrete and metal is needed on all of the resources. The Reservoir 1 site has been the most neglected with corrosion of the fence and spalling along the parapet walls and basins being most notable. The buildings at Reservoir 1 need some restoration in places where the reinforcing metal bars have been exposed. Although modern modifications such as full hollow-core metal doors have not been sensitive to the architecture, the Reservoirs significantly retain their Romanesque styling. The 1980s era aluminum light fixtures surrounding the basins do not match the period, yet their illumination and reflection in the water after dark provides a connection with the original design that included light fixtures. The period lampposts should be refurbished and used to provide lighting. Also, the interiors of the buildings are predominately intact including the mechanical equipment.

Though the Reservoirs are 109 and 94 years old, they continue to function as a primary water source for Portland. Protection of the watershed coupled with a well designed distribution system has given Portland high grade water since 1895 when it first flowed to the city's faucets. The following remarks are taken from recent reports on the district and offer a good overview of the resource:

No waterborne disease outbreak or water quality incident of public significance has ever been recorded in connection with Portland's open reservoirs...¹ All features in good condition. ...a detailed maintenance program could extend the useful life of the open reservoirs to the year 2050.²

¹ Montgomery Watson Harza. Open Reservoir Study: Phase I Summary Report. City of Portland, January, 2002.

² Montgomery Watson Harza. Open Reservoir Study, Draft TM 5.7 Facilities Evaluation, City of Portland. August, 2001.

Copy from BDS File

4

NPS Form 10-900a (8-86)

OMB No. 1024-0018

United States Department of the Interior
National Park Service
NATIONAL REGISTER OF HISTORIC PLACES

CONTINUATION SHEET

Mount Tabor Reservoirs Historic District
Multnomah County, Oregon

Section 7 Page 12

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² Montgomery Watson Harza. Open Reservoir Study, Draft TM 5.7 Facilities Evaluation, City of Portland. August, 2001.

Subject: RE: land swap details

From: "Kovatch, Ty" <tkovatch@ci.portland.or.us>

Date: Thu, 12 Feb 2009 09:51:32 -0800

To: 'Mark Bartlett' <bartlett.m@comcast.net>, "Kovatch, Ty" <tkovatch@ci.portland.or.us>, cascade <cag@easystreet.net>, shannon <Shannonmloch@aol.com>, John Laursen <john@press-22.net>, "Kennedy-Wong, Elizabeth" <Elizabeth.Kennedy-Wong@ci.portland.or.us>, "Argentina, Eileen" <eileen.argentina@ci.portland.or.us>, "Kuhn, Hannah" <hannah.kuhn@ci.portland.or.us>, "Leonard, Randy" <rleonard@ci.portland.or.us>, "Petrocine, Sara" <spetrocine@ci.portland.or.us>, "Shaff, David" <dshaff@water.ci.portland.or.us>

Mark,

My answers in red below.

TK

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

From: Mark Bartlett [<mailto:bartlett.m@comcast.net>]

Sent: Thursday, February 12, 2009 8:43 AM

To: Kovatch, Ty; cascade; shannon; John Laursen; Kennedy-Wong, Elizabeth; Argentina, Eileen; Kuhn, Hannah

Subject: land swap details

Hi Ty,

Can you provide more details on the proposed swap for the 1.8 acres of water property at Mt Tabor for the waterfront land.

Would it actually be a title swap of a parcel for another? **Yes**

What is the zoning for the proposed swap property? **You can check www.portlandmaps.com for the zoning of the two parcels.**

What were the appraised values of both properties? **I do not know.**

Specifically how the ratepayers will fare if that land were leased for \$1 to a money losing organization. **Since the ratepayers are not paying Parks for the property, but rather exchanging properties, the ratepayers will not incur a cost for the purchase of the property. The Rose Festival Association will be incurring the costs of improvements to the facility. Further, once the Rose Festival's financial situation becomes more stable, it is understood that a more standard lease arrangement will occur.**

In that Randy says McCall's has always been a commercial failure, why does he think this is a good deal for rate payers? **Because the Water Bureau is not a commercial entity, but a public entity. The McCall's site is a valuable and historic public resource regardless of its commercial history.**

Would the City's liability for subsidy to this organization change if this swap is made? How? **I don't understand your question. We don't have a liability. The City's first participation in supporting the Rose Festival in many years occurred last year, and it was to situate bathrooms on the parade route along with seating and parking for disabled citizens.**

I would appreciate any elaboration on the considerations.

Thank you,

Mark

✓

_____ Information from ESET Smart Security, version of virus signature database 3849
(20090212) _____

The message was checked by ESET Smart Security.

<http://www.eset.com>

ORDINANCE No. *[assigned by Clerk's office]*

Establish management responsibilities for parcels in Mt. Tabor Park, including the Mt. Tabor Yard, Nursery and Long blocks.(Ordinance;)

The City of Portland ordains:
Section 1. The Council finds:

1.
Parcels of land within Mt. Tabor Park, including the Mt. Tabor Yard, Nursery and Long Blocks have been acquired over time through a variety of means and have served at times under the management authority of the Water Bureau and Portland Parks and Recreation.
2.
It is in the best interest of the City of Portland to clearly establish management authority and correctly update all City of Portland Maps and request that the County tax assessment maps be revised accordingly.
3.
The map provided with this ordinance accurately reflects management authority agreed upon by the Water Bureau and Portland Parks and Recreation.
4.
The 1.8 acre parcel purchased with the intention to be a Water Bureau asset, but has in fact, evolved as a property managed by Portland Parks & Recreation, Council shall grant management authority to Portland Parks & Recreation until such time as a mutually agreeable solution is identified. Until such time, said asset shall remain in trust of the Water Bureau.
5.
Portland Parks & Recreation will be responsible for all improvements and work involving this 1.8 acre parcel.

NOW, THEREFORE, the Council directs:

- a.
That the 1.8 acre parcel is assigned to Portland Parks & Recreation with the understanding that Portland Parks & Recreation will work out a means to ensure that the Water Bureau is reasonable accommodated for the value of the property.
- b.
The map attached to this ordinance is accepted as the primary document reflecting management of Mt. Tabor Park, including the Mt. Tabor Yard, Nursery and Long Block.

Passed by the Council: <i>[dated by Clerk's office]</i> Commissioner [Name] Prepared by: [Your Name] Date Prepared: [Date]	GARY BLACKMER Auditor of the City of Portland By <i>[signed by Clerk's office]</i> Deputy
---	--

ORDINANCE NO. 163642

- * Designate and assign certain City-owned Water Bureau property in Mt. Tabor Park, as public street right-of-way for the future widening of SE 60th Avenue and SE Division Street. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. That the City of Portland owns a parcel of land adjacent to SE 60th Avenue and SE Division Street, which is a portion of Mt. Tabor Park.
2. That the property was used for operation and maintenance of Mt. Tabor Reservoir #2 which has now been abandoned.
3. That to allow for future widening and improvements of SE 60th Avenue and SE Division Street, Ten foot wide and twenty foot wide strips of land, respectively, must be designated as public street right-of-way.
4. That the future widening of SE 60th Avenue and SE Division Street will contribute to the public convenience; therefore, the following described property should be designated and assigned as public street right-of-way.

NOW, THEREFORE, the Council directs:

- a. The following described City owned property is hereby designated and assigned as public street right-of-way:

R/W #4641-1 (SE 60th Ave.)

A parcel of land within the Southeast Quarter of Section 6, Township 1 South, Range 2 East, Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

Commencing at the southwest corner of the D.D. Prettyman Donation Land Claim (D.L.C.); thence N 01°04'00" W a distance of 330.00 feet along the west line of the D.D. Prettyman D.L.C. ; thence N 89°47'54" E a distance of 25.00 feet to the True Point of Beginning.

From said Point of Beginning N 89°47'54" E a distance of 10.00 feet; thence S 01°04'00" E a distance of 280.00 feet; thence S 89°47'54" W a distance of 10.00 feet; thence N 01°04'00" W a distance of 280.00 feet to the True Point

ORDINANCE No.

R/W #4641-2 (SE Division St.)

A parcel of land within Sections 5 and 6, Township 1 South, Range 2 Willamette Meridian, Multnomah County, Oregon, more partic described as follows:

Commencing at the southwest corner of the D.D. Prettyman Donation Claim (D.L.C.); thence N 01°04'00" W a distance of 30.00 feet along the line of the D.D. Prettyman D.L.C.; thence N 89°47'54" E a distance of feet to the True Point of Beginning.

From said Point of Beginning N 89°47'54" E a distance of 1,295.00 thence N 01°04'00" W a distance of 20.00 feet; thence S 89°47'54" distance of 1,295.00 feet; thence S 01°04'00" E a distance of 20.00 f the True Point of Beginning.

The basis of bearings for the above legal description being the bearing west line of the D.D. Prettyman D.L.C. as shown on the recorded plat MITTLEMAN ADDITION, Multnomah County, Oregon, and on s number 50476 filed June 6, 1988 in the Multnomah County Survey Re

The parcel described above, also being Tract "B" of Partition Plat No. 63, recorded August 31, 1990, Multnomah County Records, contains 25 square feet (0.595 acres), more or less.

- b. The City Auditor shall have a certified copy of this Ordinance recor Multnomah County Deed Records, and return one recorded copy 1 Right-of-Way Acquisition Section, Bureau of Transportation Engine and one to the County Assessor.

Section 2. The Council declares that an emergency exists because a delay in assi and designating the property as public street right-of-way could cause a de development of adjacent property; therefore, this ordinance shall be in forc effect from and after its passage by the Council.

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Project Archive for Proposed Bull Run Drinking Water Agency

Records listed below are available through the public records request process.

Documents from Phase II (January - December, 2002)

Documents are listed in chronological order by category with the most recent documents at the top.

- Implementation Plan for the Formation of a Proposed Bull Run Regional Drinking Water Agency, September, 2002 (September, 2002, Prepared by Murray, Smith and Associates, Inc. in association with CH2MHill and Integrated Utilities Group, Inc) describes the phases of this project.
- The Proposed Bull Run Drinking Water Agency Policy Steering Committee Meeting Minutes, November 14, 2002 (PDF posted 12/4/02) contain feedback on the implementation plan from participating agencies.
- Supplement No. 1 to the Implementation Plan for Formation of a Proposed Bull Run Regional Drinking Water Agency Phase II, October, 2002
- Outstanding Issues White Paper, November 6, 2002
- Briefing Materials for Portland City Council Work Session, November 5, 2002:
 - Memo from Commissioner Saltzman, Proposed Regional Bull Run Drinking Water Agency Next Steps, November 1, 2002 (PDF)
 - Work Session Cover Memo from Mort Anoushiravani
 - Regional Public Issues: Principle issues raised by citizens, efforts thus far to address the issues, and proposed future actions.(PDF, 60KB)
 - Presentation to City Council at Work Session, (PDF, 1.5 MB)
- Phase II Documents related to public meetings (notices, agendas and meeting handouts)
 - The Proposed Bull Run Drinking Water Agency Policy Steering Committee Meeting Minutes, November 14, 2002 (PDF posted 12/4/02)
 - Final agenda of Policy Steering Committee Meeting of November 14, 2002 (Posted 11/8/02)
 - Public Meeting Notification Procedures Phase II - March - September 2002
 - Minutes of the Policy Steering Committee Meeting of September 26, 2002, (PDF posted 11/8/02)
 - Agenda for Public Hearing for August 22, 2002 (PDF);
 - Notice of Public Hearing on Principles of Agreement on August 22, 2002 (PDF)
 - Agenda for July 25, 2002 (PDF)
 - Proposed Bull Run Drinking Water Agency Policy Steering Committee Meeting Minutes for June 27, 2002 (PDF)
 - Policy Steering Committee Agenda for June 27, 2002 (PDF)
 - Proposed Bull Run Drinking Water Agency Policy Steering Committee Meeting Minutes for May 23, 2002 (PDF)
 - Agenda (PDF) and documents from the Policy Steering Committee of May 23, 2002
 - Valuing the Asset-Full Market Appraisal, Greg DiLoreto, Tualatin Valley Water District, May 16, 2002 (PDF)
 - Proposed Bull Run Regional Drinking Water Agency Roles and Responsibilities for Policy Steering Committee and Technical Advisory Committee As Approved by the Policy Steering Committee on April 25, 2002 (PDF)
 - CRITERIA FOR THE FORMATION OF A BULL RUN REGIONAL DRINKING WATER AGENCY Approved by the Policy Steering Committee April 25, 2002 (PDF)
 - Meeting Notes Of the Policy Steering Committee (PSC) April 25, 2002 (PDF)

Subject: Filling in the blank per your earlier request

From: "Kate & Chris" <samsa@pacifier.com>

Date: Thu, 26 Feb 2015 13:28:59 -0800

To: "Stephanie Stewart" <stewartstclair@gmail.com>, "Mark Bartlett" <bartlett.m@comcast.net>

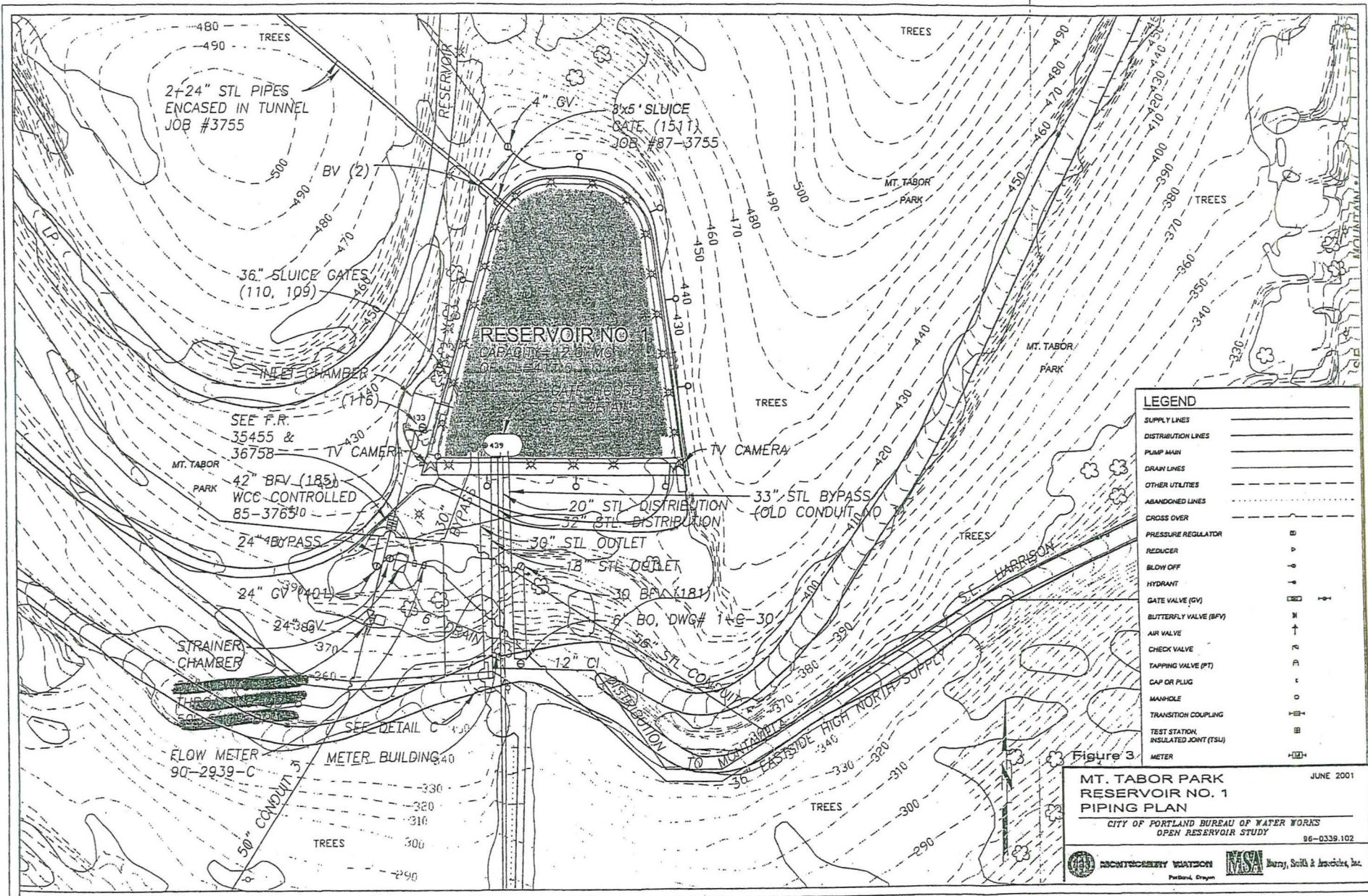
CC: "Johnny Dwork" <johnnydwork@gmail.com>, "Eileen Brady" <eileen@journey21.com>, "Steven Wax and Kathleen Haley" <haleywax@comcast.net>, "RoseMarie Opp" <hudechrome@gmail.com>, "Dan Berger" <drdan@peakexperience.co>, "Ryan Stroud" <wolfstroud@gmail.com>, <floy21@msn.com>, "Dee White" <deewhite1@mindspring.com>, "John Laursen" <john@press-22.net>, "Dawn" <velvethammer00@hotmail.com>

Mark is correct. It appears that PCC 33.730(C)(1) and (2) are the correct citations to fill in the blank per your earlier e-mail. So I've attached a revised Assignment of Error w/ appropriate changes highlighted to Section 1. And for the bare-bones list of code sections I'd change the blank item #1 as highlighted in the following:

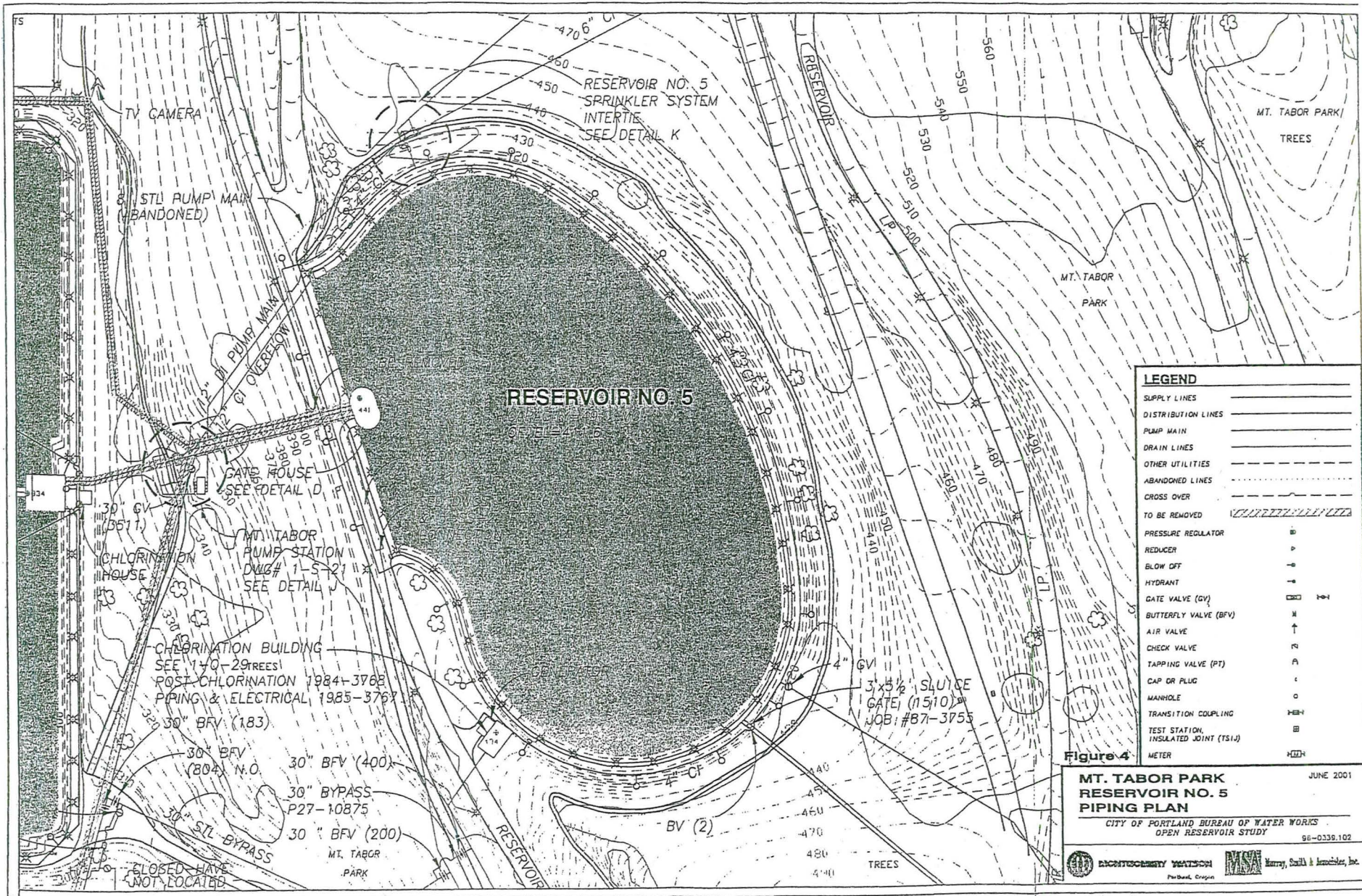
is it clear?

1. Improper approval of an application that was not complete in all particulars delineated under **PCC 33.730C(1)** and **(2)** regarding identification of all true owners, and all current and proposed uses.
2. Failure to ensure applicant followed proper procedure under **33.815.030, 33.815.040, 33.100.220, 33.258** of first obtaining use determination then applying approval criteria and completing requisite Type III conditional use hearings for changes to use and development of an existing nonconforming use that has automatic conditional use status, more specifically:
 - a. Failure to require conditions of **33.815.040(B)(1)(d)** be met re change >1500 sq ft to development of current use
 - c. Failure to require conditions of **33.815.040(A)(4)(b)** be met re >90% change to amount of current use via fill levels and daily flow
3. Failure to ensure applicant followed proper procedure under **33.815.030, 33.815.040, 33.100.220, 33.258** of first obtaining use determination then applying approval criteria and completing requisite Type III conditional use hearings for addition of new nonconforming use per **33.920.030(B)** to areas not currently enjoying automatic conditional use status, more specifically:
 - a. Failure to require conditions of **33.815.040(A)(2)(b)** be met re nonconforming basic utility use requiring conditional use per **33.100.100(C)** where that use replaces current use for areas currently zoned only for park/recreational
 - b. Failure to require conditions of **33.815.040(A)(3)(b)** be met re nonconforming basic utility use requiring conditional use per **33.100.100(C)** where that use is being added to current use in areas currently zoned only for park/recreational
4. Failure to ensure compliance with the appropriate historic review approval conditions under **33.846.060(G)**:
 - a. Failure to ensure that historic character is preserved and removal of historic features is avoided under **33.846.060(G)(1)**.
 - b. Failure to ensure that planned changes preserve resource as a record of its time under **33.846.060(G)(2)**.
 - c. Failure to ensure that form and integrity are preserved under **33.846.060(G)(9)**
 - d. Failure to note plan's violation of approval subsections **(1), (2) and (9)** due to plan's irreversibility under **33.815.050**.
5. Failure to require applicant to meet **33.800.060** burden of proof in all cases listed above.

K



56



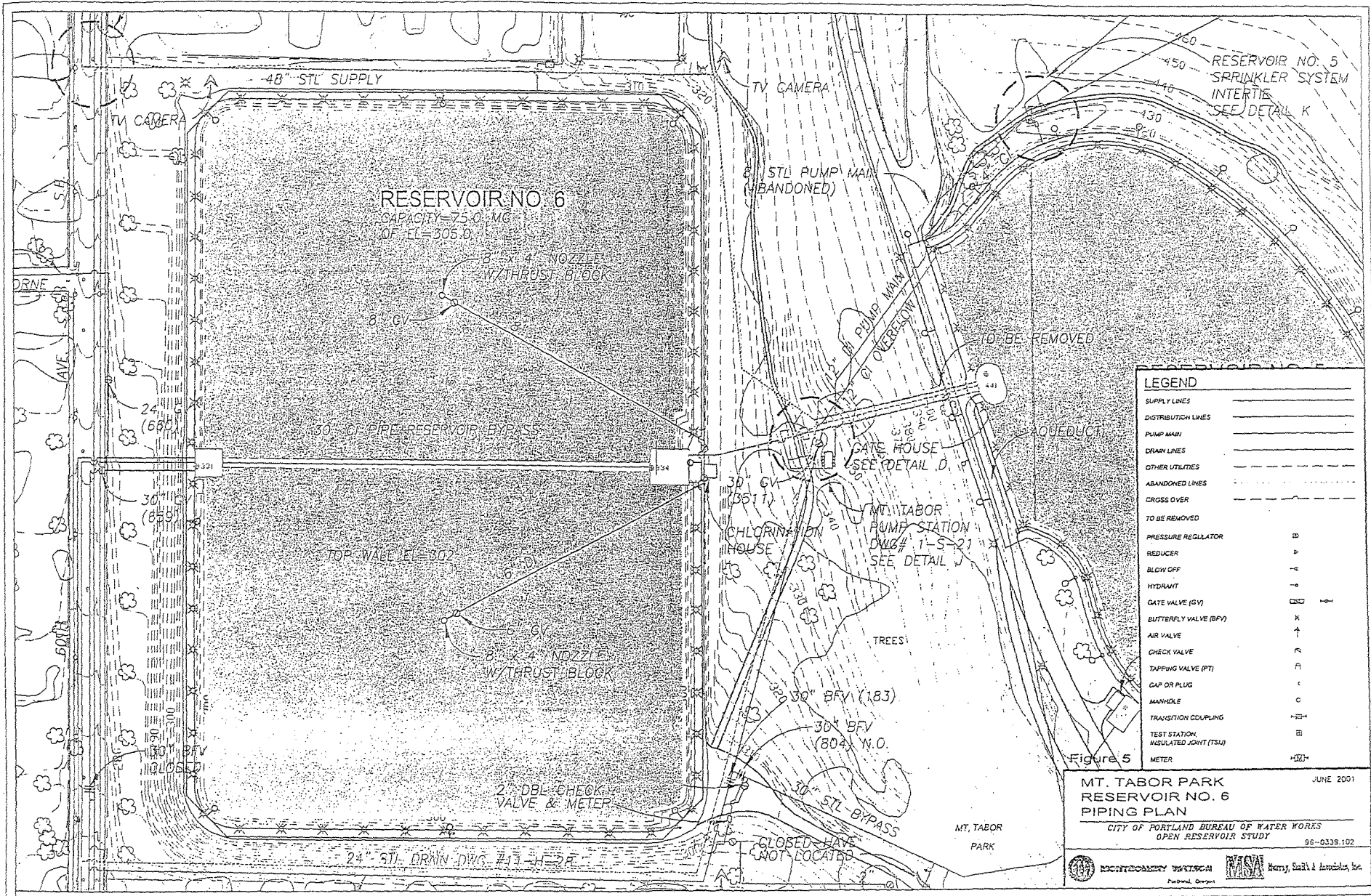


Figure 5

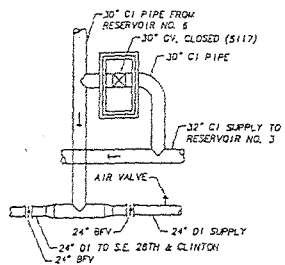
**MT. TABOR PARK
RESERVOIR NO. 6
PIPING PLAN**

CITY OF PORTLAND BUREAU OF WATER WORKS
OPEN RESERVOIR STUDY 96-0339.102

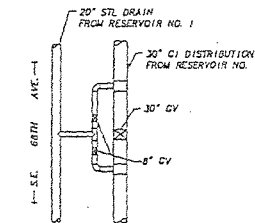
JUNE 2001

Montgomery Watson
Portland, Oregon

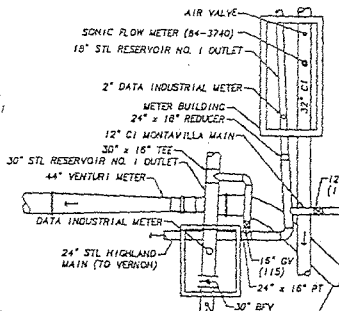
M&A
Henry, Smith & Associates, Inc.
Portland, Oregon



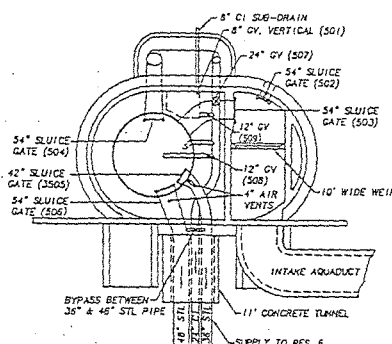
DETAIL A - 30" GATE CHAMBER
NTS



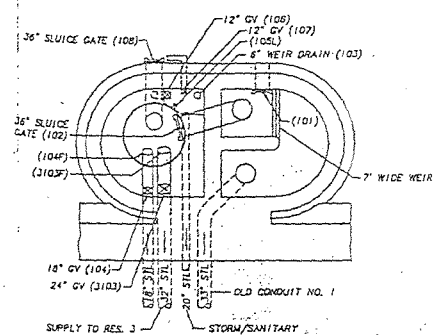
DETAIL B - 30" GV & BLOW OFF
NTS



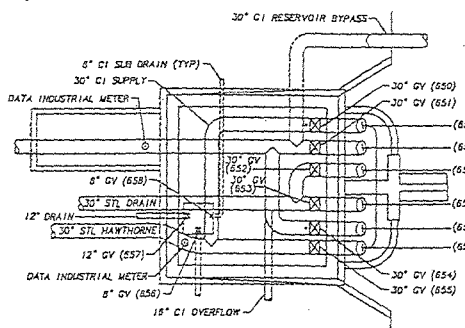
DETAIL C - METER BUILDING & VAULT
NTS



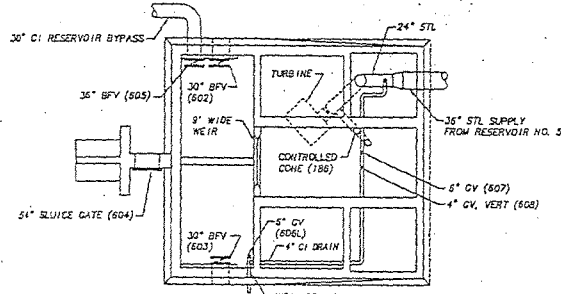
DETAIL D - RESERVOIR NO. 5 GATE HOUSE
NTS



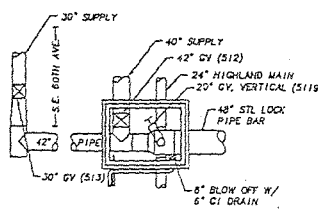
DETAIL E - RESERVOIR NO. 1 GATE HOUSE
NTS



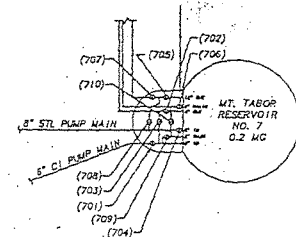
DETAIL F - RESERVOIR NO. 6 OUTLET GATE HOUSE
NTS



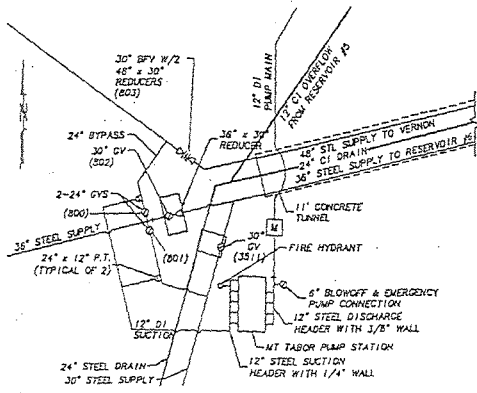
DETAIL G - RESERVOIR NO. 6 INLET GATE HOUSE
NTS



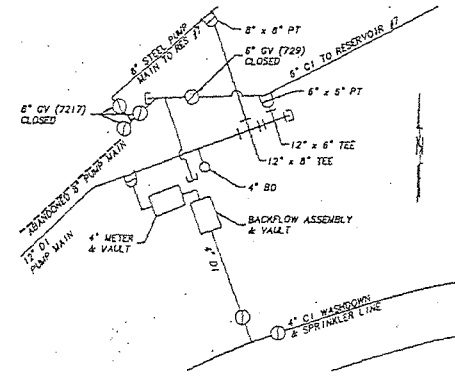
DETAIL H - 30" GATE CHAMBER
NTS



DETAIL I - RESERVOIR NO. 7 VALVING
NTS



DETAIL J - MT. TABOR PUMP STATION
NTS



DETAIL K - RESERVOIR NO. 5 SPRINKLER SYSTEM INTERF
NTS

Figure 2
JANUARY 1992

**MT. TABOR
RESERVOIRS NO. 1, 5, 6 & 7
PIPING DETAILS**

CITY OF PORTLAND BUREAU OF WATER WORKS
OPEN RESERVOIR STUDY

98-0339.102

MONTGOMERY WATSON
Portland, Oregon

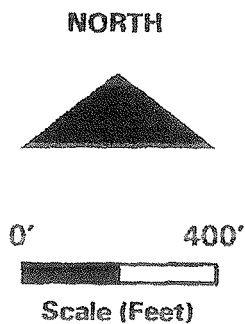
MSA
Murray, Smith & Associates, Inc.

C:\95\0339.102\TARDDET 1-15-92 10:23:23 am EST





Proposed Environmental Map Correction Bureau of Planning - City of Portland, Oregon



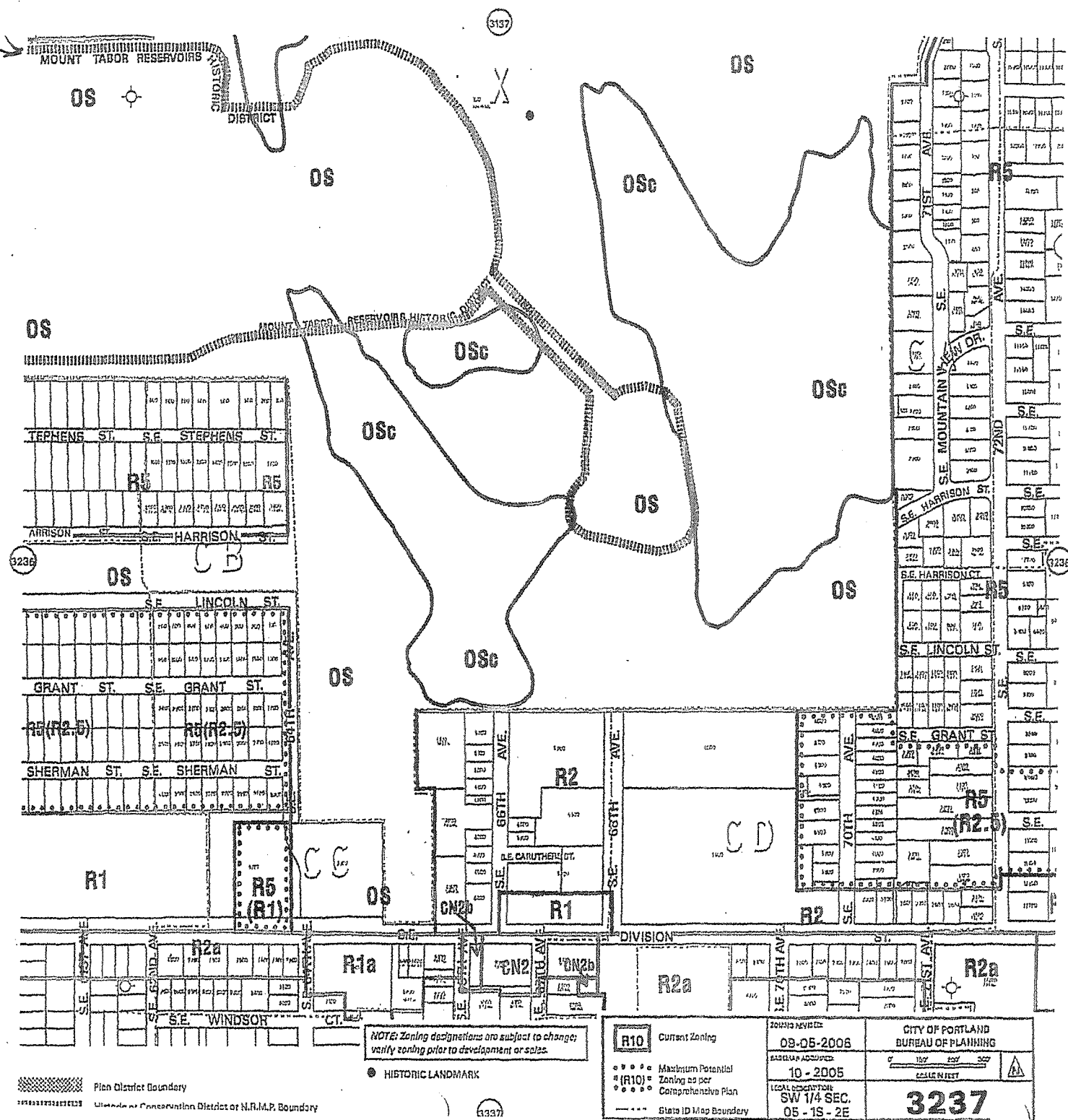
- c = Environmental Conservation Overlay
- p = Environmental Protection Overlay
- City Boundary

Adopted: June 24, 1998

Map 1/4 Section 3237

2008 Revised Zoning Map / Outline of NH District

7



Plan District Boundary
Wetland Conservation District or N.R.M.P. Boundary

NOTE: Zoning designations are subject to change;
verify zoning prior to development or sales.

HISTORIC LANDMARK

R10 Current Zoning
Maximum Potential Zoning as per Comprehensive Plan
State ID Map Boundary

09-05-2006	CITY OF PORTLAND BUREAU OF PLANNING
10-2005	SCALE: 1" = 100'
SW 1/4 SEC. 05 - 1S - 2E	3237

MT. TABOR PARK RESERVOIRS NOS. 1, 5, 6 & 7 PIPING PLAN

JANUARY 1998

CITY OF PORTLAND BUREAU OF WATER WORKS
OPEN RESERVOIR STUDY

96-0339.102



MONTGOMERY WATSON

Portland, Oregon



Murray, Smith & Associates, Inc.

LEGEND

SUPPLY LINES	_____
DISTRIBUTION LINES	_____
PUMP MAIN	_____
DRAIN LINES	_____
OTHER UTILITIES	-----
ABANDONED LINES
CROSS OVER	-----
PRESSURE REGULATOR	⊞
REDUCER	▷
BLOW OFF	⊖
HYDRANT	⊙
GATE VALVE (GV)	⊞ ⊞ 1-2
BUTTERFLY VALVE (BFV)	⊞
AIR VALVE	↑
CHECK VALVE	⊞
TAPPING VALVE (PT)	⊞
CAP OR PLUG	⊞
MANHOLE	⊞
TRANSITION COUPLING	⊞
TEST STATION, INSULATED JOINT (TSIJ)	⊞
METER	⊞

Figure 3

MT. TABOR PARK RESERVOIR NO. 1 PIPING PLAN

JUNE 2001

CITY OF PORTLAND BUREAU OF WATER WORKS
OPEN RESERVOIR STUDY

96-0339.102



MONTGOMERY WATSON

Portland, Oregon



Murray, Smith & Associates, Inc.





End of Lincoln & upper nursery

2008

13

Proposed 4" Pipe



105

14

Subject: [mttaborpx] reservoir update
From: "Stephanie Stewart" <stewartstclair@gmail.com>
Date: 5/7/2013 4:51 PM
To: <mttaborpx@lists.riseup.net>

Sounding the alarm

As we speak, the Portland Water Bureau is digging in preparation to disconnect the Tabor reservoirs. This is unexpected, and sooner than called for, and it is a move that unequivocally forces the citizens to accept Water Bureau's push to close the open reservoirs and launch expensive new building projects. Friends of the Reservoirs sounded an alarm late yesterday, broadcasting the news of this move. If you are invested in the effort to keep Portland's drinking water clean, affordable, and out of the hands of expensive consultants then **you need to call or write your city council and Mayor Hales in the next 24 hours, requesting that they stop the work on Mt. Tabor.**

Not a Federal Mandate Anymore

What is between Portland and a sensible water system? For years local officials have affirmed, along with a majority of citizens, that they believe the scientific data showing our water is some of the purest in the country. They've stated the mandate to cover our reservoirs was from the Feds, not from anyone that actually knows our water system. Together we've bemoaned the incredible waste of scarce public monies this rule represents.

But this isn't a Federal mandate anymore. The Feds are allowing states to decide for themselves how to structure and enforce their LT2 compliance. States can allow a city (and they have) to defer all construction projects required by this rule, for years and years. They've allowed New York to permit Rochester a deferral of all construction spending for a decade; that decade will prove very valuable, as this rule will in all likelihood be revised in this next decade to contain a mitigation option that allows cities like Portland to test their way into compliance. I recently asked EPA officials why the LT2 rule has been so inconsistent in its application across the nation; producing such different rulings in two cities (Portland and Rochester) with such similar economies, debt and most importantly, finished water storage facilities. In fact, all of Rochester's case is even stronger here – we're in more debt, we have a worse economy, we've got cleaner water coming into our system to begin with (Bull Run is recognized for its purity and protected watershed). EPA's answer was pretty simple: it isn't us that decides this anymore, it's your state officials. If you are invested in the effort to keep Portland's drinking water clean, affordable, and out of the hands of expensive consultants then **you need to call or write Governor Kitzhaber this week, asking him to prioritize this issue by setting a meeting with the Oregon Health Authority. Insist local stakeholders like the Friends of the Reservoirs are at this meeting, to provide the decades of research they've put into this issue.** OHA has for the second time denied Portland's request for a project timeline delay, and this is unacceptable. OHA's stated reasons are weak and illogical; at one point they cite our unfiltered Bull Run water as the reason they won't allow the reservoirs to stay open, when they are the same body that declared our unfiltered Bull Run water safe enough for its own LT2 variance.

So why are Portland's unnecessary and expensive reservoir replacement plans continuing? Because the people who make money on massive projects are better connected than we are. Unless you stop and write.

Contacts:

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503 823-4120
Noah Siegel, Water Bureau Liason, noah.siegel@portlandoregon.gov

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Patti Howard, Patti.Howard@portlandoregon.gov

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Nick Fish nick@portlandoregon.gov 503-823-3589

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Mt. Tabor Neighborhood Association Land Use Chair
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www.mtna-landuse.blogspot.com

Information from ESET Smart Security, version of virus signature database 8307
(20130507)

The message was checked by ESET Smart Security.

<http://www.eset.com>