



METRO

March 31, 1997

Deborah Schmitz
P. O. Box 82141
Portland, Or. 97282-0141

Dear Ms. Schmitz,

Enclosed are the names and addresses of the Board of Directors that govern Tri-Met. I hope this information is helpful to you.

Philip Bogue, District 3, president
Shirley Huffman, District 1
Valerie White, District 2
Donald S. McClave, District 4
Nita Brueggeman, District 5
Paul E. Kreider, District 6
George J. Passadore, District 7

All can be written to at: 4012 SE 17 Avenue, Portland, Or. 97202

Feel free to contact me if you need any additional information.

Sincerely,

Lisa Naito
Metro Councilor
District 6

ln;mb





METRO

April 1, 1997

Commission Tanya Collier
Multnomah County
1120 SW 5 Avenue #1500
Portland, Or. 97204

Dear Commissioner Collier,

Enclosed is my check for \$25.00 for the Fifth Anniversary Banquet of the ROSE Community Development on May 29, 1997. I would be honored and look forward to attending this event.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Lisa Naito'.

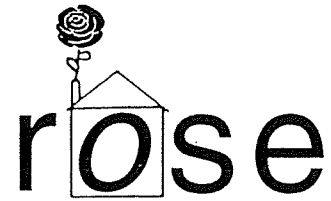
Lisa Naito
Metro Councilor
District 6

ln;mb
Enclosure

FFR 1 3 1997

February 14, 1997

Tanya Collier
Multnomah County
1120 SW 5th #1500
Portland, OR 97204



COMMUNITY
DEVELOPMENT
CORPORATION

Dear Tanya,

It hardly seems possible, but ROSE Community Development is ready to celebrate our fifth anniversary. Multnomah County is invited to join us as a sponsor of this very special event. The Fifth Anniversary Banquet will be Thursday, May 29 at the NCP Pantheon Banquet Hall. A highlight of the evening will be thanking you and all the other supporters who have helped ROSE grow and prosper over the last five years.

The organization's progress has been truly exciting. Forty-five units have been completed and are providing affordable housing for families. Construction is about to begin on the Lents Village Apartments at SE 104th and Holgate, a \$5 million residence with a brand new Loaves and Fishes Center. ROSE's Child Care Neighbor Network brings new resources together to help providers and parents improve the quality of child care here in outer southeast neighborhoods. For these efforts ROSE was named the winner of the "Organization of the Year" at the 1996 Mayor's Spirit of Portland Awards.

Your sponsorship supports more good work like this in the year ahead. All sponsors will enjoy dinner for eight, music and entertainment. Last year's auction was very well received, so we will do it again this year. Earl Blumenauer, a southeast native who is Portland's new Congressman, is the invited speaker. You may choose from four levels of sponsorship.

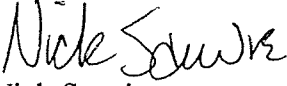
Gold Sponsors receive prestige seating, full page recognition in the event program, special floral centerpiece and table sign. The Gold Sponsor donation is \$1,000.

Silver Sponsors receive half-page recognition in the event program, special floral centerpiece and table sign. The Silver Sponsor donation is \$500.

Bronze Sponsors receive listing in the event program, floral centerpiece and table sign. The Bronze Sponsor donation is \$250; ~~\$200~~ for nonprofit organizations.

Clearly, this is one event you will not want to miss. We expect to sell out the hall, so you will want to reserve your table early. Please call 788-8052 to become a sponsor. Thank you.

Sincerely,


Nick Sauvie
Executive Director



Mike Peterson
Board of Directors

TANYA COLLIER
Multnomah County Commissioner
District 3



1120 SW Fifth St., Suite 1500
Portland, OR 97204
(503) 248-5217

Councilor Lisa Naito
Metro Regional Center
600 NE Grand Avenue
Portland, Oregon 97232-2736

March 17, 1997

Dear Councilor Naito: *1/18/97*

I am writing to urge your continued funding support for the good work of the Regional Arts and Culture Council. The Executive's budget recommendation of \$50,000, a 60% cut from last year's \$125,000 allocation, would seriously impair our regional partnership.

As a former Metro Councilor, I have maintained my absolute commitment to regional collaboration. That is why I worked so hard, with you and MERC, to keep our regional facilities together under Metro.

Our performing arts facilities are a key regional asset, but only one element of the regional vision embodied through many years of Metro sponsorship and participation in the Arts Plan, the Metro Regional Arts Funding Task Force and related planning efforts. Though our facilities make downtown vital, the myriad connections with our citizens that stem from RACC's planning, advocacy and program support, make our whole region livable.

Metro's funding for the last three years has supported programs that touch the lives of youth and families in their own neighborhoods and communities, parks and schools in every part of our region. These programs do much to mitigate the pressures of growth by giving our communities and neighborhoods character and identity and by drawing citizens out into the public realm. Metro support also helps to leverage private sector giving, funding from other governments in the region, and federal grants. This is a terrific investment in our regional quality of life.

Measure 47 necessarily casts a pall over our work together. In response, RACC is restructuring and reducing services in an attempt to do more with less. But their work and our regional partnerships remain critical. Please preserve as much of their funding as possible.

Warm regards,

Tanya Collier
Multnomah County Commissioner
District 3

c Multnomah County Commissioners
City of Portland Commissioners



METRO

April 8, 1997

Dear Regional Citizens and Local Government Partners,

We introduced a resolution to the Metro Council that would forge a strong link between regional transportation decisions and affordable housing. Enclosed is a copy of the draft resolution and a press release about the idea.

This proposed resolution requires that affordable housing is factored into the equation when Metro and the regional partners make decisions about funding for regional transportation systems. We both feel strongly that affordable housing is a serious problem in the region.

The Transportation Planning Committee is planning a hearing on this issue for June 3, 1997 at 1:30 p.m. We would appreciate any support or suggestions you have. You can send your ideas in writing or participate in the hearing. Any technical suggestions would be welcome. Your continued participation is encouraged and welcomed. Thank you for your time and support.

Sincerely,

Lisa Naito
Metro Councilor
District 6

Ed Washington
Metro Councilor
District 5

ln;mb




M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: Executive Officer Mike Burton, Alexis Dow, Doug Butler, Judy Gregory, John Fregonese, Bruce Warner, Charles Ciecko, Andy Cotugno, Mark Williams, Sherry Sheng

FROM: Lisa Naito, Chair Governmental Affairs 

DATE: April 8, 1997

As the legislature moves into high gear, it is important that we continue to coordinate Metro's message in Salem. Please be sure to notify me, Brad Higbee and the Councilor who chairs the Committee relating to the issue when there are meetings with legislators or testimony is planned.

Thank you.

cc: Metro Councilors
cc: Brad Higbee

**METRO****PUBLIC HEARING ANNOUNCEMENT**

May 5, 1997

Dear Regional Citizens and
Local Government Partners,

Recently, Metro's Government Affairs Committee held a public hearing for the purpose of receiving advice on how to improve our communication with citizens and local governments. One recommendation was to hold evening meetings to allow the public increased opportunity for participation. Therefore, I am scheduling an evening meeting of the Government Affairs Committee to continue gathering input on this important topic:

WHO: Government Affairs Committee
Lisa Naito, Chair
Patricia McCaig
Don Morissette
DATE: Thursday, June 5, 1997
TIME: 5:30 PM
PLACE: Metro Council Chambers
600 NE Grand Avenue

Summary of Testimony at the April 22, 1997 Government Affairs Public Hearing on This Issue:

CLARITY

Agenda items for Council and committees should more clearly reflect the content of the item.

Documents are too lengthy and technical. Accompany them with citizen friendly summaries.

ACCESS

Hold evening meetings.

Schedule local meetings so as not to conflict with local government events.

Have informal meetings between citizen advisory groups and council.

TIMELINESS

Mailings need to take place much more in advance of meetings or intended action.

COMMUNITY RELATIONS

Emphasize community relations/outreach over public relations.
Make more effort to reach neighborhood and civic organizations.
Rely more on actual dialogue than polls & surveys.
Get more high school students involved with Council.

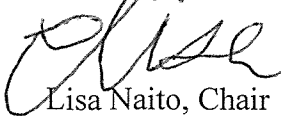
ORGANIZATION

Create a group (with local government representatives) that would meet every couple of months to discuss citizen involvement issues involving Metro.
Make better use of MCCI. It was meant to be a viable link to local level, not just one more committee. Have better councilor attendance at MCCI.
Build standing time slot on Council agenda for MCCI.
Formalize relationship, transfer of information and actions vis' a vis' MPAC.
Annual joint (strategic planning) meeting between Council and local governments.
Annual citizen involvement workshop.
Better involve cities with no seat on MPAC.
More neutral staffing for MPAC.
Be more attuned to local impact of Metro decisions and role of local governments of implementing or taking on the burden of Metro decisions.

PUBLIC POLICY

Good public policy will not be at odds with a substantial number of local governments.
Need better resolution of Metro authority vis' a vis' local control.

Sincerely,



Lisa Naito, Chair
Government Affairs Committee



METRO

May 9, 1997

Dear

Thank you for your recommendations concerning Metro process and communications. Your feedback is now part of the official record of the April 22, 1997 Government Affairs Committee public hearing. I am also scheduling an additional public hearing on this matter on Thursday, June 5th, beginning at 5:30 PM to allow for testimony from those who can't attend a daytime meeting. Please let others know about this meeting, and feel free to contact me at 797-1907 if you have further comments or questions.

I have attached a summary of suggestions from the April 22 meeting for your information.

Sincerely,

Lisa Naito, Chair
Government Affairs Committee

in the Metro Council Chambers

William A. Monahan, City Manager City of Tigard 13125 SW Hall Blvd. Tigard, Oregon 97223	letter (testimony by Liz Newton)
Bob Bothman, MCCI 7365 SW 87th Beaverton, Oregon 97225	oral testimony
Kay Durtsche, MCCI 2230 SW Caldew Portland, Oregon 97219	oral testimony
Peggy Lynch for Linda Peters, Washington Co. Chair 3840 SW 102nd Ave. Beaverton, Oregon 97005	oral testimony
Robert Akers, Chair Metro Parks & Greenspace Committee 1038 SE 224 Gresham, Oregon 97030	oral testimony
Aleta Woodruff, MCCI 2143 NE 95th Pl. Portland, Oregon 97220	oral testimony letter
Peggy Neff, MCCI 16564 Gordon Court Milwaukee, Oregon 97267	oral testimony
John Ayer 14511 SE River Road Milwaukee, Oregon 97267	oral testimony
Judy Hammerstad Clackamas County Commission 906 Main Street Oregon City, Oregon 97045-1882	letter
Terri Ewing Washington County Extension 18640 NW Walker Road, Ste. # 1400 Beaverton, Oregon 97006-1975	letter
Rob Drake, Mayor	letter

City of Beaverton
PO Box 4755
Beaverton, Oregon 97976

John Jackley
West Linn City Council
2010 Carriage Way
West Linn, Oregon 97068

letter

Gussie McRobert, Mayor
City of Gresham
1333 NW Eastman Parkway
Gresham, Oregon 97030-3813

letter

May 9, 1997

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COMMITTEE, APRIL 22, 1977, CONCERNING IMPROVED COMMUNICATION
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end

mm5/2/97

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end

mm5/2/97



3609 N.E. Flanders
Portland, OR 97232
June 19, 1997

Lisa Naito
600 NE Grand
Portland, OR 97232

Dear Ms. Naito,

I am concerned about possible city plans that threaten to increase the residential density of the Laurelhurst neighborhood. I do not believe that the area is appropriate for increased population and multifamily dwellings.

Our house, as are many others in Laurelhurst, is situated on a small lot. We have no backyard; our neighbors so close there is no room for expanding existing structures. Street side parking is heavy and requires the utmost in courtesy and defensive driving to navigate the narrow streets with cars parked on both sides. Increases in the number of families with cars to park and travel the streets seem counterproductive to the concept of creating better neighborhoods. According to 1990 census reports, Laurelhurst already is a high density neighborhood. It has double the average number of residents and housing units per acre in the city of Portland.

To replace the bigger houses (or several adjoining smaller) with apartment like structures would ruin the aesthetics of the neighborhood. When my relatives from Seattle visit, they comment on the wonderful older neighborhoods found in Portland. It is as much a recommendation of the city as our great park system. If new zoning were to be instituted, I worry that a developer would be able to place a multi-family dwelling in the middle of a nice neighborhood without any consideration for the surrounding architecture. This would most definitely detract from the quality of life of people who already live here.

I urge you to do what you can to protect Laurelhurst from this ill conceived plan.

Sincerely,



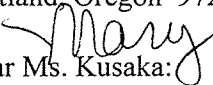
Colleen Jill Buss



METRO

July 21, 1997

Ms. Mary Kusaka
3641 NE Senate Street
Portland, Oregon 97232-1928


Dear Ms. Kusaka:

Thank you for your letter. I appreciate your interest in land use issues and neighborhood livability. As you know, Metro is responsible to plan for the growth in the region. To do this we must balance the need to maintain livability while also trying to change development patterns, so that we prevent urban sprawl and the resulting effects on farmland and air quality. I am enclosing some information from 1995 that I hope will explain Metro's 2040 Growth Concept. Last year, the Metro Council adopted a Functional Plan to carry out the Growth Concept. Local jurisdictions, including the City of Portland, agreed to meet density targets through infill and redevelopment to reduce the need to expand the urban growth boundary.

It is clear that increased density should only be required where it makes sense. I met with David Knowles, the City of Portland Planning Director, after I received your letter. He explained Portland's strategy to meet density targets and said the Laurelhurst neighborhood will not be greatly impacted, since it is already built out. They are planning for increased density on Burnside *west of E. 32nd* and will begin planning to accomplish that. This makes sense to me since Burnside has frequent bus service and Metro is trying to link transportation with growth in order to reduce car use. Mr. Knowles also said they will likely adopt a provision throughout the city to allow an accessory unit, such as a garage apartment, in all residential neighborhoods.

I live in Laurelhurst and care deeply about our neighborhood. I believe increased traffic has already negatively impacted our community and am concerned that traffic will only worsen as growth in our region continues. On that front, I will continue to support light rail and public transit. I also think more can be done to invest in barriers to prevent drivers from cutting through the neighborhood to avoid congestion.

Please feel free to call me at 797-1552 with any questions about the planning process or Metro's policies.

Sincerely,



Lisa Naito
Metro Councilor, District Six

LN:msm

Enclosed: Metro 2040 Framework Update

*Spring / Summer 1995
Fall 1996 / Winter 1997*



METRO

July 21, 1997

Ms. Jeanne Barthelmess
434 NE Laurelhurst Place
Portland, Oregon 97232

Dear Ms. Barthelmess:

Thank you for your letter. I appreciate your interest in land use issues and neighborhood livability. As you know, Metro is responsible to plan for the growth in the region. To do this we must balance the need to maintain livability while also trying to change development patterns, so that we prevent urban sprawl and the resulting effects on farmland and air quality. I am enclosing some information from 1995 that I hope will explain Metro's 2040 Growth Concept. Last year, the Metro Council adopted a Functional Plan to carry out the Growth Concept. Local jurisdictions, including the City of Portland, agreed to meet density targets through infill and redevelopment to reduce the need to expand the urban growth boundary.

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Sincerely,

Lisa Naito
Metro Councilor, District Six

LN:msm

Enclosed: Metro 2040 Framework Update

**METRO**

July 21, 1997

Mr. and Ms. Larry and Laurel Roberts
3236 NE Everett Street
Portland, Oregon 97232

Dear Mr. and Ms. Roberts:

Thank you for your letter. I appreciate your interest in land use issues and neighborhood livability. As you know, Metro is responsible to plan for the growth in the region. To do this we must balance the need to maintain livability while also trying to change development patterns, so that we prevent urban sprawl and the resulting effects on farmland and air quality. I am enclosing some information from 1995 that I hope will explain Metro's 2040 Growth Concept. Last year, the Metro Council adopted a Functional Plan to carry out the Growth Concept. Local jurisdictions, including the City of Portland, agreed to meet density targets through infill and redevelopment to reduce the need to expand the urban growth boundary.

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Please feel free to call me at 797-1552 with any questions about the planning process or Metro's policies.

Sincerely,

Lisa Naito
Metro Councilor, District Six

LN:msm

Enclosed: Metro 2040 Framework Update



METRO

July 21, 1997

Ms. Yvonne Buchanan
3297 NE Irving
Portland, Oregon 97232

Dear Ms. Buchanan:

Thank you for your letter. I appreciate your interest in land use issues and neighborhood livability. As you know, Metro is responsible to plan for the growth in the region. To do this we must balance the need to maintain livability while also trying to change development patterns, so that we prevent urban sprawl and the resulting effects on farmland and air quality. I am enclosing some information from 1995 that I hope will explain Metro's 2040 Growth Concept. Last year, the Metro Council adopted a Functional Plan to carry out the Growth Concept. Local jurisdictions, including the City of Portland, agreed to meet density targets through infill and redevelopment to reduce the need to expand the urban growth boundary.

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Sincerely,

Lisa Naito
Metro Councilor, District Six

LN:msm

Enclosed: Metro 2040 Framework Update



METRO

July 21, 1997

Ms. Ruth Fox
1944 NE 45th
Portland, Oregon 97213

Dear Ms. Fox:

Thank you for your letter. I appreciate your interest in land use issues and neighborhood livability. As you know, Metro is responsible to plan for the growth in the region. To do this we must balance the need to maintain livability while also trying to change development patterns, so that we prevent urban sprawl and the resulting effects on farmland and air quality. I am enclosing some information from 1995 that I hope will explain Metro's 2040 Growth Concept. Last year, the Metro Council adopted a Functional Plan to carry out the Growth Concept. Local jurisdictions, including the City of Portland, agreed to meet density targets through infill and redevelopment to reduce the need to expand the urban growth boundary.

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Please feel free to call me at 797-1552 with any questions about the planning process or Metro's policies.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Naito'. The signature is fluid and cursive, with the first name 'Lisa' being more prominent than the last name 'Naito'.

Lisa Naito
Metro Councilor, District Six

LN:msm

Enclosed: Metro 2040 Framework Update

*C drive
wind doc
~~Laurelhurst~~
Laurelhurst
letters*

3641 NE Senate Street
Portland, OR 97232-1928
June 10, 1997

Ms. Lisa Naito
Metro Councilor
600 NE Grand Avenue
Portland, Oregon 97232

Dear Ms. Naito:

I am writing to express my concern about how the East Portland Community Plan will affect my neighborhood of Laurelhurst.

If increased density is the goal, why target Laurelhurst, one of the densest neighborhoods in the city? Laurelhurst boasts 8.6 residents per acre--well above the city average of 5.5. It seems to me that a more reasonable course of action would be to look at census figures for every neighborhood covered by the plan and target those that are currently the least dense.

Being a Laurelhurst resident yourself, you must know that Laurelhurst residents have chosen this neighborhood for its livability, which is due in no small part to its single-family dwelling status. Already that livability is being infringed by traffic growth. Please don't make matters worse by rezoning our neighborhood.

Yours very truly,

Mary Kusaka

Mary Kusaka

May 26, 1997

Mrs. Lisa Nato, Metro Councilor
600 NE Grand
Portland, OR 97232

Re: Possible Increased Density - Laurelhurst

Dear Mrs. Nato:

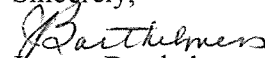
up to 32nd
I am writing to protest any attempt by the City to increase housing and/or retail density in the Laurelhurst community. Retail/commercial developments abound on all streets at the perimeter of Laurelhurst, sufficient to address any business need. Not only that, but streets not too far from the Laurelhurst area are heavily retail/commercial so that any business need is already amply served. I also understand that pursuant to the Metro 2040 Plan transit corridors and transit stations will also be planned in the East Portland sector and while I wholeheartedly support mass transit, it would not be appropriate to include such development in this community.

Laurelhurst is already at maximum density. For the most part, the lots are quite small, the houses quite large and the streets narrow and winding, already accommodating about all the local parking and traffic possible. We already are seriously impacted by traffic inasmuch as several of the City's most heavily traveled streets run through Laurelhurst. Adding multiple housing in this community and adding retail along the major streets would only exacerbate the traffic situation. In recent months we have noted a substantial increase in traffic on our own street (Laurelhurst Place), apparently because this street is now being used as a pass-through between Burnside and Glisan in an effort to avoid the heavy traffic on 32nd and 39th.

Laurelhurst has managed to withstand past vicissitudes to survive relatively intact. The City should appreciate Laurelhurst as the unique treasure it is. Very few cities have retained such wonderful single family islands so near the city's heart. Let us not ruin it now - for Portland's sake, leave Laurelhurst alone.

The concept of disturbing Laurelhurst is patently ridiculous, when shabby areas which plead for gentrification can be found nearby. Such areas as Burnside west of 32nd are ideal for multiple housing and ancillary retail/commercial development. Please concentrate your increased density planning to areas such as that and leave Laurelhurst undisturbed.

Sincerely,


Jeanne Barthelmess

434 NE Laurelhurst Pl.
Portland, OR 97232

May 15, 1997

Mayor Vera Katz
1220 SW Fifth AV
Portland, OR 97204

Dear Mayor Katz,

I wish to address the issue of the city's plans to increase density and add rowhouses and accessory units to the transit corridor of my neighborhood of Laurelhurst. According to the city census of 1990, Laurelhurst has 11.37 residents per acre and 4.44 housing units per acre. This density is higher than the density of Southeast Portland, which, in 1990, had 8.6 residents per acre and 3.82 housing units per acre. We do not need to make Laurelhurst "better" as has been suggested at some of the planning meetings. Our neighborhood has plenty of main streets, two of which are among the city's busiest streets, Burnside and 39th, both of which intersect the Laurelhurst neighborhood.

My husband and I have been home owners and residents of Laurelhurst for almost thirty years and are proud of the pride taken in the homes here and the neighborhood involvement. Part of the reason we live in this neighborhood is that it is the most ideal urban neighborhood in the city. We are both firmly opposed to any increased density. The common goal of this neighborhood is to maintain the level of excellence it now enjoys. When this area was designed ninety years ago, it was designed to be a great neighborhood and it is still a great neighborhood. It does not need to be made "better."

Thank you for your consideration.

Sincerely,



Larry and Laurel Roberts
3236 NE Everett ST
Portland, OR 97232

cc: City Commissioners: Charlie Hales, Gretchen Kafoury
Jim Francesconi, Eric Sten

cc: Metro Councilor: Lisa Naito

cc: Laurelhurst Neighborhood Association Newsletter

May 19, 1997

Lisa Naito
Metro Councilor
600 NE Grand
Portland, Oregon 97232

RE: POTENTIAL IMPACT ON INCREASED DENSITY IN LAURELHURST

H. L. Mencken said, *"There's always an easy solution to every human problem -- neat, plausible, and wrong."* I have never written the City government about anything. However, recent discussion about planned increased density housing without consideration of existing neighborhoods has alarmed me. As a resident of Laurelhurst, my specific concerns are:

- **We don't need any more main streets in Laurelhurst.** Several main streets already impact our neighborhood although they don't run through our neighborhood. These include Hawthorne, Broadway, Belmont, Burnside and Glisan.
- **Laurelhurst is already quite dense. In fact, Laurelhurst is nearly twice as dense as the city of Portland is as a whole already.** While the city of Portland has an average of 5.53 residents per acre and 2.5 housing units per acre, Laurelhurst has 11.37 residents per acre and 4.4 housing units per acre. (1990 census figures)
- **Laurelhurst should be preserved as a model Portland neighborhood.** When Laurelhurst was designed 90 years ago, the original developers had this to say: *"It is perfectly natural that homeowners should take a greater interest in their homes and in improving the surrounding grounds than a renter would."* (Laurelhurst and its Park, Paul C. Murphy, Publisher, September 1916). This statement is more true than ever today.

Laurelhurst is a jewel in Portland's crown, and its residents are working hard to make sure it continues to shine. Drive through Laurelhurst. Or better yet, walk through. See how magnificent homes coexist perfectly with cozy bungalows. See the neighbors who not only know one another by name but look out for each other as well. See the continual improvements being made to maintain buildings and landscaping and to keep Laurelhurst a great place to call home. All this is at stake with the current "blanket" approach to increased density housing.

Don't diminish the beauty of Laurelhurst for the sake of progress. Don't let it be said that this was the City government that allowed this jewel to lose its luster.

Sincerely,



Yvonne Buchanan
3297 NE Irving
Portland, OR 97232

May 28, 1997

Mrs. Lisa Naito, Metro Councilor
600 NE Grand
Portland, OR 97232

Dear Mrs. Naito:

I am a realtor and, although currently residing in the Hollywood area, I do own property in Laurelhurst. The purpose of this letter is to register my disapproval of any attempt by the City of Portland to change Laurelhurst by increasing its density, either residential, commercial or retail.

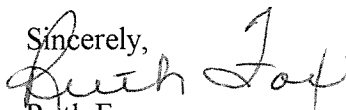
Laurelhurst already meets the definition of a "main street community", having a generous mix of residential in Laurelhurst itself with schools and ample retail and commercial businesses adjacent to or near the area. Several of the City's most traveled streets run through Laurelhurst so that the area is encumbered with its full share of traffic and parking problems. Forcing an increased residential density and afflicting the area with commercial and retail businesses would only make a bad traffic and parking situation worse.

It should be mentioned also, that Laurelhurst's density is not at all stagnant. In my business as a realtor I have observed that density is actually increasing as younger families with children are the primary purchasers of homes that have been sold in Laurelhurst over the past few years and indeed are being sold today. For example, my property in the area, though now a rental, was formerly occupied by only two adults and is now occupied by a family which includes two small children.

In fact, my daughter and family.

There are many shabby areas in this City and these areas would be greatly enhanced with new single and multi-family housing and the retail and commercial development that would naturally follow. Therefore, the City's planning efforts should be directed toward those areas, rather than Laurelhurst. A case in point is Burnside between 32nd and Grand, including the streets on either side. The transit corridors and transit stations embodied in the Metro 2040 Plan would certainly be more appropriate in such redeveloped areas than in Laurelhurst.

Laurelhurst must be left alone to function in the future as it has in the past as an attractive, close-in, single family residential area.

Sincerely,

Ruth Fox
1944 NE 45th
Portland, OR 97213



METRO

July 22, 1997

Mr. George Forbes
General Manager
The Governor Hotel
611 SW 10th Ave.
Portland, OR 97205

Dear Mr. Forbes:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

Lisa Naito
Metro Councilor
District Six

LN:msm



METRO

July 22, 1997

Mr. David Fuks
Executive Director
Edgefield Children's Center, Inc.
2408 SW Halsey
Troutdale, OR 97060

Dear Mr. Fuks:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Naito'. The signature is fluid and cursive, with a large initial 'L' and 'N'.

Lisa Naito
Metro Councilor
District Six

LN:msm



METRO

July 22, 1997

Ms. Paula Kinney
District Arts Administrator
Portland Public Schools
5310 N. Kirby
Portland, OR 97217

Dear Ms. Kinney:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

Lisa Naito
Metro Councilor
District Six

LN:msm



METRO

July 22, 1997

Ms. Carol Lewis
2628 SW Vista
Portland, OR 97201

Carol
Dear Ms. Lewis:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

Lisa Naito
Metro Councilor
District Six

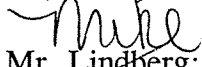
LN:msm



METRO

July 22, 1997

Mr. Mike Lindberg
President
Oregon Symphony Foundation
711 SW Alder
Portland, OR 97205


Dear Mr. Lindberg:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,



Lisa Naito
Metro Councilor
District Six

LN:msm



METRO

July 22, 1997

Ms. Marlene Bayless Mitchell
19321 SE River Drive Court
Milwaukie, OR 97267

Dear Ms. Mitchell:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lisa Naito'. The signature is fluid and elegant, with a large initial 'L' and a long, sweeping tail.

Lisa Naito
Metro Councilor
District Six

LN:msm

REGIONAL SERVICES

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

July 22, 1997

Ms. Lynne Hume Saxton
6187 SE Taylor Court
Portland, OR 97215

Dear Ms. *Lynne* Saxton:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Naito". The signature is fluid and cursive, with the first name "Lisa" being more prominent than the last name "Naito".

Lisa Naito
Metro Councilor
District Six

LN:msm



METRO

July 22, 1997

Mr. Bob Van Brocklin
Stoel, Rives LLP
900 SW 5th Ave., #2300
Portland, OR 97204

Dear Mr. Van Brocklin:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

A handwritten signature in black ink. The signature is fluid and cursive, with a large, prominent 'L' at the beginning and a series of loops and flourishes that extend to the right. The signature appears to be 'Lisa Naito'.

Lisa Naito
Metro Councilor
District Six

LN:msm



METRO

July 22, 1997

Mr. Joe Wyatt
Vice Principal
Meadow Park Middle School
12860 SW Camellia St.
Portland, OR 97005

Dear Mr. Wyatt:

Congratulations on your appointment to the Board of the Regional Arts and Cultural Council! Your leadership for the arts is appreciated.

Sincerely,

Lisa Naito
Metro Councilor
District Six

LN:msm



Regional Arts &
Culture Council

309 SW 6th Ave, #100
Portland, OR 97204
Tel: 503.823.5111
Fax: 503.823.5432
Email: info@racc.org
TDD#: 503.823.6868

July 9, 1997

FOR IMMEDIATE RELEASE

For further information contact:
Bill Bulick, RACC Executive Director 823-5405

REGIONAL ARTS & CULTURE COUNCIL ANNOUNCES NEW BOARD ROSTER

Mary Ruble, Marketing Manager for the Trust and Investment Management Group of U.S. Bancorp, has been appointed Chair of the Board for the Regional Arts & Culture Council (RACC) for 1997-98. Nine new community leaders are also joining RACC's Board this year.

Ruble, who has 17 years of experience in Marketing and Communications at U.S. Bancorp, joined the RACC Board in 1995. She has served on numerous other arts and non-profit boards, including The Nature Conservancy, Self Enhancement, Inc., Artquake and The Portland Rose Festival.

Joining Ruble on the Executive Committee is Tony Marquis, Vice Chair, George E. Bell, Secretary, Gary McGee, Treasurer, and Members at Large, Eric Friedenwald-Fishman, Julie Mancini, and Pam Baker.

New members of the RACC Board for 1997-98 are:

- George Forbes, General Manager of Portland's Governor Hotel
- David Fuks, Executive Director of the Edgefield Children's Center, Inc. in Troutdale

--more--

Suzanne
Please do a
letter of
congratulations on their
appointment. "Your
support of the arts
is appreciated
leadership for the
arts is
appreciated."

Do
that
first
then
well
will
more
than

Regional Arts & Culture Council Board - Page 2

- Paula Kinney, Vice President of Performing Arts at Jefferson High School
- Carol Lewis, community fund-raising volunteer and proprietor of Virginia Jacobs
- Mike Lindberg, former City Commissioner and President of the Oregon Symphony Foundation
- Marlene Mitchell, community volunteer with extensive professional history with Portland Public School system
- Lynn Saxton, Marketing Director/Project Manager for Barney & Worth
- Robert D. Van Brocklin, partner in the Portland law firm of Stoel Rives LLP
- Joe Wyatt, Vice Principal of Meadow Park Middle School in Beaverton, and former professional dancer and Director of the School for Oregon Ballet Theatre


The Regional Arts & Culture Council is a publicly funded, non-profit organization with a mission to provide leadership, funding and advocacy for arts and culture throughout the tri-county Portland region. RACC's four primary services are Public Art, Grants and Technical Assistance, Arts in the Schools, and Arts and Culture in Communities.

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METRO

TO: Doug Butler, Director of Administrative Services

FROM: Lisa Naito, Chair 
Government Affairs Committee

DATE: July 22, 1997

RE: "Friendly" Parking for Metro Advisory Committee Members

The Government Affairs Committee has had several hearings to determine how we can better involve the public in Metro and improve our relationship with advisory committees.

Now that we have changed the parking system, we need to make a few changes to support our citizen volunteers and individuals who wish to testify at Metro hearings.

Metro needs better signage for the parking lot so that it is clear that the parking is free for Metro business.

All individuals on Metro advisory boards and commissions should be given a free parking pass so that they don't need to get their ticket stamped each time.

Thanks!



METRO

TO: Jon Kvistad, Presiding Officer
Patricia McCaig, Finance Committee Chair
Mike Burton, Executive Officer

FROM: Lisa Naito, Chair
Government Affairs Committee 

DATE: July 22, 1997

RE: Budget Process and Public Involvement

The Government Affairs Committee held several hearing to solicit ideas on how Metro can better communicate with the public. One recommendation was that we improve public involvement in the budget process. I believe our current Code requires public hearings upon presentation of the Executive Officer's proposed budget and upon final adoption by the Council.

I would like to set up a meeting for us to discuss a budget process for next year that includes more public involvement at an earlier time in the process. I know that Multnomah County and the City of Portland are doing quite a bit of outreach on their budget process and using it as an opportunity to educate their constituents about the services they provide.

It is possible that we could consider contacting each county within the Metro boundary and join in some way with their budget process to better involve the public or set up our own listening posts or hearings around the region.

Michael Morrissey will be contacting you to set up a meeting to discuss this.



METRO

July 28, 1997

Colleen Jill Buss
3609 NE Flanders
Portland, OR 97232


Dear Ms. Buss:

Thank you for your letter. I appreciate your interest in land use issues and neighborhood livability. As you know, Metro is responsible to plan for the growth in the region. To do this we must balance the need to maintain livability while also trying to change development patterns, so that we prevent urban sprawl and the resulting effects on farmland and air quality. I am enclosing some information from 1995 that I hope will explain Metro's 2040 Growth Concept. Last year, the Metro Council adopted a Functional Plan to carry out the Growth Concept. Local jurisdictions, including the City of Portland, agreed to meet density targets through infill and redevelopment to reduce the need to expand the urban growth boundary.

It is clear that increased density should only be required where it makes sense. I met with David Knowles, the City of Portland Planning Director, after I received your letter. He explained Portland's strategy to meet density targets and said the Laurelhurst neighborhood will not be greatly impacted, since it is already built out. They are planning for increased density on Burnside *west of E. 32nd* and will begin planning to accomplish that. This makes sense to me since Burnside has frequent bus service and Metro is trying to link transportation with growth in order to reduce car use. Mr. Knowles also said they will likely adopt a provision throughout the city to allow an accessory unit, such as a garage apartment, in all residential neighborhoods.

I live in Laurelhurst and care deeply about our neighborhood. I believe increased traffic has already negatively impacted our community and am concerned that traffic will only worsen as growth in our region continues. On that front, I will continue to support light rail and public transit. I also think more can be done to invest in barriers to prevent drivers from cutting through the neighborhood to avoid congestion.

Please feel free to call me at 797-1552 with any questions about the planning process or Metro's policies.

Sincerely,



Lisa Naito
Metro Councilor, District Six

LN:msm

Enclosed: Metro 2040 Framework Update

3609 N.E. Flanders
Portland, OR 97232
June 19, 1997

Lisa Naito
600 NE Grand
Portland, OR 97232

Dear Ms. Naito,

I am concerned about possible city plans that threaten to increase the residential density of the Laurelhurst neighborhood. I do not believe that the area is appropriate for increased population and multifamily dwellings.

Our house, as are many others in Laurelhurst, is situated on a small lot. We have no backyard; our neighbors so close there is no room for expanding existing structures. Street side parking is heavy and requires the utmost in courtesy and defensive driving to navigate the narrow streets with cars parked on both sides. Increases in the number of families with cars to park and travel the streets seem counterproductive to the concept of creating better neighborhoods. According to 1990 census reports, Laurelhurst already is a high density neighborhood. It has double the average number of residents and housing units per acre in the city of Portland.

To replace the bigger houses (or several adjoining smaller) with apartment like structures would ruin the aesthetics of the neighborhood. When my relatives from Seattle visit, they comment on the wonderful older neighborhoods found in Portland. It is as much a recommendation of the city as our great park system. If new zoning were to be instituted, I worry that a developer would be able to place a multi-family dwelling in the middle of a nice neighborhood without any consideration for the surrounding architecture. This would most definitely detract from the quality of life of people who already live here.

I urge you to do what you can to protect Laurelhurst from this ill conceived plan.

Sincerely,

Colleen Jill Buss

Colleen Jill Buss



METRO

July 31, 1997

Beverly Stein
Multnomah County Commission Chair
Portland Building
1120 SW Fifth Ave.
Portland, OR 97204

Dear Bev:

Thank you for your leadership in hosting the summit for schools to find solutions to adequately fund our schools. The impacts of growth on schools was identified by most of the school districts as a major issue. The increasing student enrollment will impact class size and facility capacity.

Metro has been attempting to include schools as a major component of land use planning for new development, as well as for planning for added capacity within the existing Urban Growth Boundary.

An excellent public education system is a key component for maintaining livability in our region.

Please let me know if I can assist your efforts to ensure that we provide adequately for our schools.

Sincerely,

Lisa Naito
Metro Councilor
District Six

LN:msm

cc: Jack Bierwirth, Portland School Dist. Superintendent
Portland School Board
Ronald Russell, David Douglas School Superintendent



FILE



METRO

July 31, 1997

The Honorable Senator Gordon Smith
United States Senate
SD B-34
Washington, DC 20510

Dear Gordon:

I attended a meeting of the Foster Powell Neighborhood Association recently and a letter from you was read indicating support for extending the notification requirements of "Megan's law" to their neighborhood situation. You may recall that a group home for the criminally insane was placed in their neighborhood with scant notice to the community. Under the ADA, it appears that the State may not discriminate in housing based on a mental disability, and that includes the criminally insane.

I am offering my support for your idea. Please let me know if I can be of any help.

Sincerely,

Lisa Naito
Metro Councilor
District Six

cc: Tom Kearns
Jack Peek

LN:msm

*Thanks -
Hope things are
going well for ya in D.C.!*



METRO

July 31, 1997

Mark Williams
General Manager, MERC
777 NE Martin Luther King Jr. Blvd.
Portland, OR 97232

Dear Mark:

I recently received a call from David Bernstein about the policy of prohibiting all beverage containers at the stadium. The policy is so strict that even an empty water bottle cannot be brought in.

It seems like there should be an easier way to police improper alcoholic drinking in the stadium without impacting the majority of customers.

Please let me know your thoughts on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Naito', written over a circular stamp or seal.

Lisa Naito
Metro Councilor
District Six

cc: David Bernstein

LN:msm

8/8

Councilor Natto -

Attached is a draft of The letter of support we discussed last week. St. Vincent de Paul has reviewed & approved this draft & I wanted to have you give me feedback before I sent a signature copy to you. I'd like to have the final signed and ready to go during the week of August 18 if at all possible. Please give me a call if you'd like to discuss this further. ~

I hope you had a
great trip & Thanks
again for your
support of This program.

Timothy Erickson
REM

ext. 1047

TO Jennife DRAFT 8/8
Enrique x 1647
This is
good.

OK JHW

August 1, 1997

Dear Manager:

I would like to take this opportunity to express my and Metro's support of the St. Vincent de Paul Food Train program. Not only will your business help to feed many of Oregon's hungry, but you will help us recover edible food that would have otherwise ended up in our landfills.

Your participation in this program has multiple benefits. You will develop positive partnerships, contribute to ending hunger in Oregon, decrease the amount of waste you produce and pay to dispose of, and your customers will appreciate your willingness to give back to the community that supports you.

Metro's mission is to work towards creating livable communities and ensure that the people of the region have resources for present and future generations. Metro is pleased to be a partner in St. Vincent de Paul's efforts to increase the quality of life for many of the region's citizens. Please join us in our efforts to feed the hungry and reduce the waste of our valuable resources.

Sincerely,

Lisa Naito
Metro Councilor, District 6

* St. Vincent de Paul has reviewed and approved
this draft language.



METRO

August 25, 1997

Richard Yarnell
8126 SE 52nd Ave
Portland, OR 97206-0817

Dear Mr. Yarnell:

Thank you for the copy of your letter to Steven Kraten. I looked into the matter and regret that Metro's response to your information was not satisfactory. Certainly illegal dumping is unsightly, and as you point out, harm can be caused by hazardous substances.

Part of the mix-up appears to have resulted from staff scheduling. I understand some changes have been made to address that issue.

I do appreciate your involvement in seeking retribution for the illegal dumpers.

Sincerely,

Lisa Naito
Metro Councilor
District Six

LN:msm

RICHARD YARNELL
8126 Southeast 52nd Avenue
Portland, OR 97206-0817
(503) 775-3816
ryarnell@orednet.org

*Lead
Investigation
response*

Steven Kraten
METRO
600 NE Grand Ave.
Portland, OR 97232-2736
10 July, 1997

Dear Sir,

Your letter of July 8 can only be interpreted as an attempt to save face. You're correct to the extent that you attribute to me utter frustration, no, disgust with the lack of performance by Metro.

To correct the record, since you have chosen to paper the city with your version:

- a) after the inability of the receptionist (I'm told you don't have a receptionist, but I refer to the person who answers the phone at the primary Metro number accessible by the public) to assist me with reporting illegal dumping on the Beggar's Tick property;
- b) after the inability of Exec's assistant to direct me as to how to dispose of the material I had collected from the illegal dumping;
- c) after discovering the absence of personnel at Solid Waste Disposal, to which I had been referred by the Metro Office (it was, I recall, a lovely day before noon on a Friday. The first voice mail message intimated that the person I was directed to call had left for the day as had his backup.)

I wrote to Mr. Burton and provided him with several addressed and dated pieces of correspondence and photographs recovered from the dump site. I left most of the trash in place for recovery by Metro (you would have been able to use it to cite the offending parties). Several days later, I received a call from him and we discussed the problems. I confirmed for him the detailed description of the site. It sounded as though he was preparing to send someone to investigate.

I received a call from someone who said she was at the site I had described. She said there was no trash there. It turned out she was not at the location I'd described at all. She'd first looked for the trash east of 111th street (which is not even part of Beggar's Tick, is it?). Then she'd toured the developed trails at the SE corner of the property. It was very clear in my letter and in my discussion with Burton that the trash had been dumped out of sight of the road at the cable-protected entrance in the NE corner of the property at the edge of the seasonal lake. Although I took the time to describe in detail the layout of the property, your deputy was unaware of that entrance and seemed to contest that it even existed.

I had been preparing to leave when I received her call. When it appeared she wanted to debate the matter further, I told her that, if she looked for it, I was sure

she'd find the trash, should be able to figure out what to do with it, but that I saw no further reason for me to be involved. I excused myself, and yes, I hung up the phone.

My estimation of Metro is at an even lower ebb than it had been. It is a shame that more effort is expended defending poor performance than encouraging citizen participation in maintaining a public resource. When I was involved in enforcement, many years ago, we made sure that citizens who provided us with information were thanked, encouraged to continue their vigilance, and were left with a positive impression of our agency. I'm left with the impression that you feel put upon to have been given the opportunity to do your job.

I presume that the bog on Beggar's Tick is a biologically sensitive and isolated resource which would suffer harm if certain toxic or persistent materials were dumped there. Without considering the unsightliness of the trash which I reported, if such dumping is permitted without sanction, it will, in future, attract other dumping which may include articles which are not so benign. The attitude I have detected during this incident reminds me of the one which pervades large and ineffective agencies in NY from which I returned to Portland several years ago. A marked contrast to the helpful and constructive attitudes I have encountered in Portland and even in State agencies. I think you have lost track of who your clients are - more accurately, for whom you are working. I doubt if I will be as quick, in the future, to support Metro as I have been in the past.

Had you responded to my original report in a timely manner, you would have been able to discipline the people who dumped the material. After your agent told me she had been looking for the trash in the wrong place, I took time to stop by the site. The material was no longer in the large mounds I had first seen. Whether someone else picked it up or whether your agent found it and removed most of it, I don't know. But unless your employees observed the material in place, further investigation is useless. If I were you, I'd spend my time reacting constructively to the next report you get from a concerned citizen.

Sincerely,


Richard Yarnell

Bce Lisa Natto

cc: Mike Burton, Bruce Warner, Roosevelt Carter, Vera Katz

RY\pb\12\7SK0710

I'm sure Mike will be pleased to share the file on this with you.

My summary, from
talking with Steven
Kraten

August 4, 1997

RE: Yarnell letter, Illegal dumping at Beggar's Tick.

Timeline of Events

I spoke with Steven Kraten, REM Enforcement, about Richard Yarnell's letter. Here's the scenario he gave me:

Mr. Yarnell originally called Parks, and spoke to someone who was unfamiliar with the REM Enforcement department, and there was a delay in giving him the name of the person he needed to contact.

He then called the Enforcement Dept. on a Friday afternoon. At that time, Steven Kraten and his deputies were working 4 10-hour days, in order for them to contact people before they left for work in the morning, etc. (since then, their schedules have been changed). In addition, their secretary worked 1/2 days on Fridays, so Mr. Yarnell received her voice mail.

Quite frustrated, Mr. Yarnell wrote a letter to Mike Burton (dated June 20, 1997, copy attached). The final paragraph of the letter accused Metro of corruption and mentioned a prior contact with Metro. Apparently, Mr. Yarnell unsuccessfully bid for a contract from Metro years ago.

Steven Kraten sent a deputy out to the illegal dump site. She could not find the site, and called Mr. Yarnell. He refused to help and hung up on her.

Steven Kraten wrote to Mr. Yarnell on July 8 (copy attached), apologizing for the difficulty he'd experienced.

Mr. Yarnell responded to Mr. Kraten's letter on July 10 (copy attached). This is the letter that you received a copy of.

RICHARD YARNELL

8126 Southeast 52nd Avenue

Portland, OR 97206-0817

(503) 775-3816

ryarnell@orednet.org

RECEIVED

JUN 26 1997

EXECUTIVE OFFICER

MIKE —

- VICKIE REID (OUR MAIN RECEPTIONIST) TOOK THIS CALL; SHE IS VERY KNOWLEDGEABLE, CUSTOMER-ORIENTED, AND EFFICIENT
- SHE SAYS YARNELL CALLED AND ASKED FOR MAGGIE DOOLIN (WITHOUT EXPLAINING WHY)
- VICKIE LOOKED EVERYWHERE & COULDN'T FIND A REFERENCE; IT DID NOT TAKE 20 MIN.
- WHEN HE EXPLAINED WHAT HE WANTED, HE WAS FORWARDED TO VOICEMAIL IN REM BECAUSE NO ONE WAS AVAILABLE.

Mike Burton
600 NE Grand
Portland, OR 97232
20 June, 1997

Dear Mr. Burton,

DO YOU WANT ME TO DO ANYTHING FURTHER?

I'd much rather congratulate you on the nice job which has been done putting together the "park" cum bike path that runs from McLoughlin out through Gresham. It's the second best use of that strip of land. The first would have been to use it as part of the light rail system, connecting Milwaukee and Oregon City to the East part of the region. But maybe that can be done in the future. Doug

Instead, I have to tell you your office was unable to deal with a simple question: how does a citizen, unhappy that someone (apparently Maggie Doolin) has made Beggars Tick their private dumping ground. The receptionist hadn't a clue. I was on the phone waiting for her to find out for over 20 minutes. When she finally got me a number (it took her four tries to realize solid waste enforcement might want to do something) I was connected to voice mail because no one was around to handle the question. I know it was Friday, just before noon. It was a sunny weekend almost.

So I called your office and your receptionist couldn't field the question either. So here it is. Evidence. The rest of the trash, dumped well into the site from the NE access point (111th St.) in what would be water except for the season, is still their for your gumshoes to find. I hope you take enforcement seriously. A few publicized collars and fines should discourage folks trashing the open spaces most of us encourage you to preserve.

I've heard Metro isn't very well organized. My one other direct contact (several years ago) suggested it was corrupt. This incident lends weight to the former.

Sincerely,



Richard Yarnell

Encl: Bits of trash dumped in Beggar's Tick greenspace (NE corner) including photos and mail addressed to Maggie Doolin, and material suggesting the source may be Pine Square Apts, managed by SimmCo.

cc: City of Portland
RY\pb\12\7MB0620

**REGIONAL ENVIRONMENTAL MANAGEMENT ILLEGAL DUMPING
INCIDENT REPORT**

Date reported 6/30/97 Incident number 97-0801
Complainant: Richard Yarnell Law enforcement # /Agency 1
Phone number: 775-3816

Address _____

Witness' names & address: _____

Date and time of reported violation _____

Specific address or location description: 768 111th & Beggs Trk

Location where material disposed County: Clackamas ☐ Multnomah ☒ Washington ☐ Other ☐

Description of incident dump

Suspected Violator/Hauler Name _____

Description of suspect(s) _____

Type of vehicle _____ Lic # _____

Evidence found at site See Log

Other information Sent Rae to Pick-up - She could not find so gave her phone # - He hung up on her - so crew walked - both directions from 111th only found 2 small bags of stuff / no evidence in it

Report received by B. Doolin

Lic # _____	Year _____	Make _____	Model _____
Name(s) _____	DOB _____		
Name(s) _____	DOB _____		
Address _____			

Case Disposition: Suspended 7/15 - Doolin can't be located

INVESTIGATION LOG

MSD #

CITATION #

ACTIVITY

DATE TIME

Called Lockwood & left message 7/8 9:57 AM

Spoke w/ Lockwood. She was very cooperative. 7/8
 Doolin lived w/ her until she kicked Doolin
 out about 1-1/2 years ago. Lockwood
 stated that Doolin was guilty of traveler's
 check fraud. Doolin used to work at
 Internall Yogurt & had a boyfriend
 named Rogelio (Jose) Ramirez who worked
 at Leatherman Tool. Lockwood heard
 that Doolin moved to Kentucky.

EVIDENCE LOG

DATE: 6/30/97

INCIDENT #: 97-0801

DESCRIPTION OF EVIDENCE

1	picture			
2	papers \ Lisa Lockwood			
3	mail \ Maggie Doolin	719 NE 178	PDX 97030	
4		PO Box 2334	"	"
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

IN/OUT LOG

NAME	OUT DATE INT/TIME/DATE	IN DATE INT/TIME/DATE



METRO

July 8, 1997

Richard Yarnell
8126 SE 52nd Ave.
Portland, OR 97206

Dear Mr. Yarnell:

I just received your letter of June 20 regarding the difficulty you experienced when calling in an illegal dumping complaint to Metro. I'm sorry that the receptionist in the department you called was not familiar with the Regional Environmental Management Department's enforcement program and required some time to connect you to the appropriate extension. We did send a crew to the site to clean it up and collect evidence. It is my understanding, however, that when the Corrections Deputy found the site free of trash and called you up to confirm the location, you expressed further frustration with Metro and hung up on her. We will, however, pursue an investigation of the dumping as far as we can based on the evidence you included with your letter.

Sincerely,

Steven Kraten, Enforcement Unit Supervisor

cc: Mike Burton, Executive Officer
Bruce Warner, Regional Environmental Management Director
Roosevelt Carter, Business and Regulatory Affairs Manager

letters/yarnell

RICHARD YARNELL

8126 Southeast 52nd Avenue

Portland, OR 97206-0817

(503) 775-3816

ryarnell@orednet.org

RECEIVED

JUN 28 1997

EXECUTIVE OFFICER

Mike Burton
600 NE Grand
Portland, OR 97232
20 June, 1997

Dear Mr. Burton,

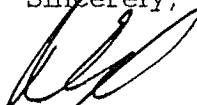
I'd much rather congratulate you on the nice job which has been done putting together the "park" cum bike path that runs from McLoughlin out through Gresham. It's the second best use of that strip of land. The first would have been to use it as part of the light rail system, connecting Milwaukee and Oregon City to the East part of the region. But maybe that can be done in the future.

Instead, I have to tell you your office was unable to deal with a simple question: how does a citizen, unhappy that someone (apparently Maggie Doolin) has made Beggars Tick their private dumping ground. The receptionist hadn't a clue. I was on the phone waiting for her to find out for over 20 minutes. When she finally got me a number (it took her four tries to realize solid waste enforcement might want to do something) I was connected to voice mail because no one was around to handle the question. I know it was Friday, just before noon. It was a sunny weekend - almost.

So I called your office and your receptionist couldn't field the question either. So here it is. Evidence. The rest of the trash, dumped well into the site from the NE access point (111th St.) in what would be water except for the season, is still their for your gumshoes to find. I hope you take enforcement seriously. A few publicized collars and fines should discourage folks trashing the open spaces most of us encourage you to preserve.

I've heard Metro isn't very well organized. My one other direct contact (several years ago) suggested it was corrupt. This incident lends weight to the former.

Sincerely,



Richard Yarnell

Encl: Bits of trash dumped in Beggar's Tick greenspace (NE corner) including photos and mail addressed to Maggie Doolin, and material suggesting the source may be Pine Square Apts, managed by SimmCo.

cc: City of Portland
RY\pb\12\7MB0620

RICHARD YARNELL

8126 Southeast 52nd Avenue
Portland, OR 97206-0817
(503) 775-3816
ryarnell@orednet.org

RECEIVED

JUL 14 1997

**METRO REGIONAL
ENVIRONMENTAL MANAGEMENT**

Steven Kraten
METRO
600 NE Grand Ave.
Portland, OR 97232-2736
10 July, 1997

Dear Sir,

Your letter of July 8 can only be interpreted as an attempt to save face. You're correct to the extent that you attribute to me utter frustration, no, disgust with the lack of performance by Metro.

To correct the record, since you have chosen to paper the city with your version:

- a) after the inability of the receptionist (I'm told you don't have a receptionist, but I refer to the person who answers the phone at the primary Metro number accessible by the public) to assist me with reporting illegal dumping on the Beggar's Tick property;
- b) after the inability of Exec's assistant to direct me as to how to dispose of the material I had collected from the illegal dumping;
- c) after discovering the absence of personnel at Solid Waste Disposal, to which I had been referred by the Metro Office (it was, I recall, a lovely day before noon on a Friday. The first voice mail message intimated that the person I was directed to call had left for the day as had his backup.)

I wrote to Mr. Burton and provided him with several addressed and dated pieces of correspondence and photographs recovered from the dump site. I left most of the trash in place for recovery by Metro (you would have been able to use it to cite the offending parties). Several days later, I received a call from him and we discussed the problems. I confirmed for him the detailed description of the site. It sounded as though he was preparing to send someone to investigate.

I received a call from someone who said she was at the site I had described. She said there was no trash there. It turned out she was not at the location I'd described at all. She'd first looked for the trash east of 111th street (which is not even part of Beggar's Tick, is it?). Then she'd toured the developed trails at the SE corner of the property. It was very clear in my letter and in my discussion with Burton that the trash had been dumped out of sight of the road at the cable-protected entrance in the NE corner of the property at the edge of the seasonal lake. Although I took the time to describe in detail the layout of the property, your deputy was unaware of that entrance and seemed to contest that it even existed.

I had been preparing to leave when I received her call. When it appeared she wanted to debate the matter further, I told her that, if she looked for it, I was sure

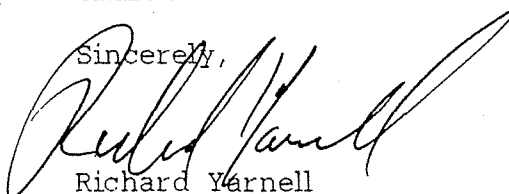
ATEN\Yarnell
July, 1997
pg 2

she'd find the trash, should be able to figure out what to do with it, but that I saw no further reason for me to be involved. I excused myself, and yes, I hung up the phone.

My estimation of Metro is at an even lower ebb than it had been. It is a shame that more effort is expended defending poor performance than encouraging citizen participation in maintaining a public resource. When I was involved in enforcement, many years ago, we made sure that citizens who provided us with information were thanked, encouraged to continue their vigilance, and were left with a positive impression of our agency. I'm left with the impression that you feel put upon to have been given the opportunity to do your job.

I presume that the bog on Beggar's Tick is a biologically sensitive and isolated resource which would suffer harm if certain toxic or persistent materials were dumped there. Without considering the unsightliness of the trash which I reported, if such dumping is permitted without sanction, it will, in future, attract other dumping which may include articles which are not so benign. The attitude I have detected during this incident reminds me of the one which pervades large and ineffective agencies in NY from which I returned to Portland several years ago. A marked contrast to the helpful and constructive attitudes I have encountered in Portland and even in State agencies. I think you have lost track of who your clients are - more accurately, for whom you are working. I doubt if I will be as quick, in the future, to support Metro as I have been in the past.

Had you responded to my original report in a timely manner, you would have been able to discipline the people who dumped the material. After your agent told me she had been looking for the trash in the wrong place, I took time to stop by the site. The material was no longer in the large mounds I had first seen. Whether someone else picked it up or whether your agent found it and removed most of it, I don't know. But unless your employees observed the material in place, further investigation is useless. If I were you, I'd spend my time reacting constructively to the next report you get from a concerned citizen.

Sincerely,

Richard Yarnell


cc: Mike Burton, Bruce Warner, Roosevelt Carter, Vera Katz

RY\pb\12\7SK0710



METRO

TO: Beth Anne Steele

FROM: Lisa Naito 

DATE: September 16, 1997

SUBJECT: Presentations to Local Governments

As we have discussed, I want to make brief (5-10 minute) presentations to some of the local governments about Metro. Some local government officials have extensive knowledge of Metro functions and the Framework Plan, but others have a more limited awareness of the work we are doing. At these presentations, we will have a five-minute slide show and then discuss the Framework Plan, inviting their questions, comments, and participation. I believe at least two Councilors would attend each presentation. Please contact the local governments, requesting a 10-15 minute time slot for the following dates:

October 9	9:30 am	Multnomah County Commissioners
October 13	6:30 pm	Beaverton City Council
October 14		Washington County Commissioners
		Try for 8:30 am to accommodate Councilor McLain if they have a work session. If not, try for the 10:00 am regular meeting.
October 21	7:00 pm	Gresham City Council
October 22	9:30 am	Portland City Council
October 23	10:00 am	Clackamas County Commissioners

cc: Metro Councilors -- to save the dates of any presentations they want to attend.



METRO

October 1, 1997

Michael Henderson
10605 SW Terwilliger Place
Portland, OR 97219

Dear Michael,

Thank you for your invitation to the Hope in the Cities conference.
Unfortunately, I won't be able to attend. I will make sure that a copy of your
letter and brochure are distributed throughout the office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Naito'. The signature is fluid and cursive, with a large initial 'L' and 'N'.

Lisa Naito
Metro Councilor
District Six

LN:msm

10605 SW TERWILLIGER PLACE
PORTLAND, OR 97219
(503) 636-5454
Fax (503) 636-0446

September 27, 1997

Dear Lisa,

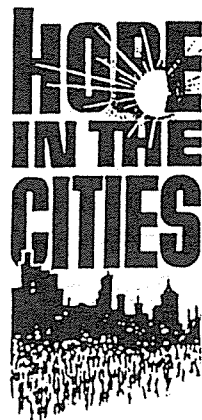
I thought that you would want to know about
this important conference on race relations at
Portland State University November 1-2.

If you cannot attend personally I hope someone
from your office can do so.

Sincerely,

Michael Henderson

*Suzanne -
Please send him
a thank you letter -
RSVP regrets, but
circulate in the office.
Lise*



An honest conversation on

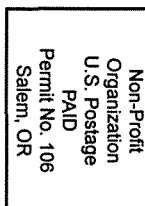
*Race
Reconciliation
and
Responsibility*

Harrison Hall
Portland State University
Free Parking in PSU Parking Structure 3
(SW 12th & Market)

November 1 ~ 2, 1997

Initiated by
Moral Re-Armament (MRA)

In association with
**Portland State University
The Urban League of Portland
Ecumenical Ministries of Oregon
The Institute for Judaic Studies
The Office of Neighborhood Associations**



An honest conversation must go beyond information to transformation...

THE PURPOSE of this conference is to establish an ongoing dialogue among the diverse ethnic, racial and religious communities in our area. Participants will be invited to come to grips with subtle racism, latent anti-Semitism, stereotyping, urban-rural divisions, and the collision of values as newcomers move into the community. It will build on the work of the Richmond (VA) based Hope in the Cities, which is an inter-racial, multi-faith coalition of individuals in business, government, education, media, religious and community organizations.

In an article in "USA Today" Professor Christopher Edley, Jr., who directed the White House review of affirmative action, wrote of the work of Hope in the Cities in Richmond, "After years of distrust, local officials from racially polarized areas are working together on housing, transportation and municipal finances...They are spreading their approach to dozens of other cities."

Participants are asked to consider being present for the entire two-day conference. We encourage you to bring friends and acquaintances who will contribute to the widest variety of perspectives.

These days together are a contribution to the "great national conversation on race" which is now taking place in the country.

We would like to express our gratitude to the Rose E. Tucker Charitable Trust for a generous grant toward the expenses of the conference. Additional tax deductible contributions can be made out to Moral Re-Armament, Inc.

REGISTRATION: to ensure participation and meals please apply by October 20, 1997. Later applications will be dependent on space available.

OMRA *Initiatives for Change*

Moral Re-Armament (MRA) is a way of life whose goal is global transformation carried forward by people of different convictions and faiths who seek God's inspiration for individual and common action. As agents of change they work for new motives and relationships at all levels of society beginning in their own lives. It is recognized as a publicly supported charity by the Internal Revenue Service.

For more information about this conference please call:

Michael Henderson: (503) 636-5454 or fax (503) 636-0446



HOPE IN THE CITIES

*Healing our cities through an honest conversation on
race, reconciliation and responsibility*

Saturday, November 1, 1997

8:00 am ~ Registration: Harrison Hall

9:00 am ~ Program begins

- **Case Studies** will be presented from other parts of the United States and overseas.
- **Small Groups:** Facilitated discussions, will provide a chance to get to know each other.
- **Video:** "Healing the Heart of America" ~ Richmond, Virginia's walk through its history.
- **Video:** "Local Color" ~ past African-American experiences in Oregon.

Program will continue with speakers through lunch ~ box lunches will be available.

Presenters include

- Maria Elena Campisteguy-Hawkins, Executive Director, OCHA
- Rev. Paige Chargois, Associate National Coordinator, Hope in the Cities
- Rob Corcoran, National Coordinator, Hope in the Cities
- Lawrence J. Dark, President and CEO, the Urban League of Portland
- Commissioner Charlie Hales, Portland
- Commissioner Gretchen Kafoury, Portland
- Warren Kennedy, President, NAACP, Richmond, Virginia
- Carolyn Leonard, Coordinator, Multicultural Education, PPS
- Avis Ransom, Chair, BUILD, Baltimore United in Leadership Development
- Richard Ruffin, Executive Director, MRA Inc., Washington, DC
- Alice Schlenker, former Mayor, Lake Oswego
- Hari Shukla, former head of community relations in Newcastle upon Tyne, England
- Bob Webb, former Washington, DC, bureau chief, "Cincinnati Enquirer"

7:30 pm ~ Dinner: Ballroom, Portland State University

Speakers include

David A. Leslie, Executive Director, Ecumenical Ministries of Oregon
Rabbi Joshua Stampfer, Executive Director, Institute for Judaic Studies
Joel E. Vela, President, Mt. Hood Community College

Sunday, November 2, 1997

9:00 am ~ Program continues: Harrison Hall

2:30 pm ~ Joseph Carter Concert: "A Song in the Night"

JOSEPH CARTER

presents

"A Song in the Night"

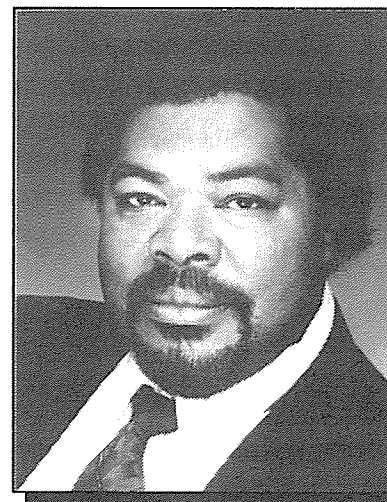
Sunday, November 2, 1997

2:30 pm

Neveh Shalom Synagogue

2900 SW Peaceful Lane

A grandson of slaves and a great nephew of Mary McLeod Bethune, Carter was 19 when he gave up a scholarship to the New England Conservatory of Music to work with poor people in Haiti. He has toured the United States in a musical portraying the life of Paul Robeson and performed widely in Europe, Russia and India. Currently, Carter directs the Center for Intercultural Harmony in Minneapolis.



The powerful baritone presents the history of his people and gives a message of pain and forgiveness through his music.

CONFERENCE REGISTRATION

Quantity	Name	Address	Phone	Amount enclosed \$
_____	Conference Registration			\$10.00
_____	(any or all sessions)			
_____	Saturday Box Lunch			\$ 6.00
_____	Saturday Night Banquet			\$15.00
_____	Sunday Afternoon			
_____	Joseph Carter Concert			\$ 7.50
_____	Seniors & students			\$ 5.00

☐ *please indicate if
vegetarian meal is required.*

/Mail to:
Hope in the Cities
10605 SW Terwilliger Pl.
Portland, OR 97219

(make check out to MRA)

A CALL TO COMMUNITY

This working document is designed to inspire honest dialogue and create a vision that transcends our divisions. Its launching is a contribution to the national debate drawing on experience across America. It is supported by a bi-partisan leadership group and was launched at the National Press Club on May 23, 1996.

America is at a crossroads. One road leads to community; the other to chaos of competing identities and interests. We have all hurt one another, often unconsciously, in ways we would never intend. We need each other. We need to eradicate the scourge of racial division. We must demonstrate that our diversity is our greatest strength and that out of this diversity is rising a new American community. We can offer hope to a world torn by divisions of every kind.

We invite everyone to join us in a renewed commitment to an American community based on justice, reconciliation and excellence. The original promise of this country, that out of a rich diversity of peoples a great nation would rise, has only partially been fulfilled. This unique experiment remains incomplete because the promise of equal opportunity and dignity for all has not been fully realized. Much of the distrust, resentment and fear in America today is rooted in our unacknowledged and unhealed racial history.

For many of us, race determines where we live, where we send our children to school and where we worship. Because racism is deeply embedded in the institutions of our society, individuals are often insulated from making personal decisions based on conscious racial feelings and do not experience the daily burden that their brothers and sisters of color have to carry. We must change the structures which perpetuate economic and racial separation. But no unseen hand can wipe prejudice away. The ultimate answer to the racial problem lies in our willingness to obey the unenforceable.

The new American community will flow from a spirit of giving freely without demanding anything in return. In the new American community, when any one individual is injured, exploited or demeaned, all of us will feel the pain and be diminished. It will be a place where hearts can put down roots and where each feels accepted and at home. Some painful memories cannot be erased. But forgiving is not forgetting; it is letting go of the hurt.

To build this new American community, we must empower individuals to take charge of their lives and take care of their communities. In cities across America, bold experiments are taking place. Citizens have initiated honest conversations--between people of all backgrounds--on matters of race, reconciliation and responsibility. They have chosen to move beyond blame and guilt, beyond hatred and fear, deciding to face the past with courage and honesty. They are demonstrating that through honesty, a willingness to embrace each other's painful experiences, and with God's power to change us, the wounds of the past can be healed and our nation become one community.

This approach calls us to a new concept of partnership and responsibility. It means:

- ♦ Listening carefully and respectfully to each other and to the whole community.
- ♦ Bringing people together, not in confrontation but in trust, to tackle the most urgent needs of the community.
- ♦ Searching for solutions, focussing on what is right rather than who is right.
- ♦ Building lasting relationships outside our comfort zone.
- ♦ Honoring each person, appealing to the best qualities in everyone, and refusing to stereotype the other group.
- ♦ Holding ourselves, communities and institutions accountable in areas where change is needed.
- ♦ Recognizing that the energy for fundamental change requires a moral and spiritual transformation in the human spirit.

Together we will share our lives and the resources God has given us to make America a community of hope, security and opportunity for all.

Victor Atiyeh, former Governor
Representative Earl Blumenauer
State Representative Margaret Carter
Congresswoman Elizabeth Furse
State Senator Avel Gordly
Commissioner Charlie Hales
Mark O. Hatfield, former US Senator
Mayor Vera Katz, Portland
Commissioner Gretchen Kafoury
Governor John A. Kitzhaber

Mayor Bill Klammer, Lake Oswego
Mike Lindberg, former Commissioner, Portland
Kristine Olson, US Attorney
Barbara Roberts, former Governor
Alice Schlenker, former Mayor, Lake Oswego
State Representative Rev. Frank Shields
Senator Gordon H. Smith
Commissioner Erik Sten
Joseph Tam, Portland School Board
Joel E. Vela, President, Mt. Hood Community College

Daniel O. Bernstine, President, Portland State University
Maria Elena Campisteguy-Hawkins, Executive Director, OCHA
Lawrence J. Dark, President and CEO, the Urban League of Portland
State Senator Verne Duncan, former Superintendent of Public Instruction
Charles Jordan, Director, Portland Parks & Recreation
Marvin Kaiser, Dean, PSU College of Liberal Arts & Sciences
Carolyn Leonard, Coordinator, Multi-Cultural, Multi-Ethnic Education, PPS
Clay Myers, former State Treasurer & Secretary of State
Rev. Rodney Page, Deputy General Secretary, National Council of Churches
Victor Propes, Executive Director, Oregon Commission on Black Affairs
Bill Ray, Development Director, Affiliated Tribes of Northwest Indians
Charles Schiffman, Executive Director, Portland Jewish Federation
Rabbi Joshua Stampfer, Executive Director, Institute for Judaic Studies
Commissioner Bev Stein, Chair, Board of Multnomah County Commissioners
Jigme Topgyal, President, Northwest Tibetan Cultural Association
Nohad Toulan, Dean, PSU College of Urban and Public Affairs
Mary Jo Tully, Chancellor, Catholic Archdiocese of Portland in Oregon




M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: Alexis Dow, Auditor

FROM: Lisa Naito, Councilor 

DATE: October 2, 1997

SUBJECT: September 1997 Report on Urban Growth Boundary Planning Processes

I received a copy of this "report" and want to respond directly to some of your assertions and also point out what I believe is a major flaw in your understanding of the planning process.

Let me preface my remarks by pointing out that it is difficult to determine what it is exactly that you are "auditing." Your "report" actually appears to be an editorial comment about events surrounding the Urban Growth Report from an uncertain time period (possibly 1995-1996) and is based on random, anecdotal statements from a few individuals and industry groups. Most of these groups and individuals have stated their information was ultimately considered by the Council and that the staff was actually cooperative.

One of the major themes running through this alleged audit is your suggestion that Metro do a better job of identifying "stakeholders," your recommendation that these "stakeholders" try to reach consensus, and your assumption that this would result in the best possible planning formula. It is this theme that underlies a basic disagreement we have about the role of government.

The true "stakeholders" in this process are the citizens of this region, the people I am elected to represent. Local government officials, industry representatives, concerned citizens and others who are actively involved with Metro are much appreciated for their contributions and input, but they should not be viewed as the only ones with an interest in the outcome of our deliberations. Other people in my district care deeply about the future of this region. They may not be as informed about the details of the Urban Growth Report, but they have opinions on density, expansion of the urban growth boundary and other matters that impact livability for themselves and future generations. They may stop me at soccer games, at the store, or pick up the phone and call me with their views and ideas. These true stakeholders may, in fact, be too

busy to participate at all, but they trust that I will sort through all of the data, testimony, and evidence to comply with state law and promote good public policy.

I disagree with your assertion that building “consensus” among “stakeholders” is the only objective. I do agree that consensus can be very valuable in a political process. However, the public has a right to hear divergent views and debate on issues. The public should not be limited to a “deal” that may be struck by some special interest groups behind closed doors.

Metro’s outreach to the true “stakeholders” has actually been extensive. From late May to September of this year, Metro sought suggestions and comments from the public and received over 11,500 responses with 7,000 written comments. Metro staff has conducted dozens of workshops and open houses throughout the region. Metro’s Executive Officer also speaks to industry and citizen groups throughout the region to inform them about the planning process. The Council has held hearings throughout the region and members of the Council have gone to neighborhood groups and other organizations to actively involve our citizenry in this discussion.

The two other major suggestions in your report are that Metro should recognize more fully a wider range of future uncertainties and discuss different potential outcomes in more detailed form. I do not find that the “evidence” you cite in this report supports the assertion that Metro is not doing these very things. In fact, on pages 25-26 you point out that Metro’s report clearly acknowledges the range of uncertainty involved in making projections and that different scenarios are discussed.

In the time that I have been at Metro, I have never heard a presentation by Metro staff on the Growth Report without an accompanying qualifying remark that we are dealing with the future and we cannot make predictions with certainty. This has always been made very clear. Options and ranges with different potential outcomes are always presented.

You also recommend that we narrow the level of contentiousness about the acres of possible expansion of the UGB for the next several years. That has in fact been done through better analysis of the data and early implementation of Metro policy. Previously, there was a range of 0 to 25,000 acres under discussion. The bulk of testimony this year has ranged from 3,000 to 10,000 acres. That is quite an accomplishment.

You describe an event on page 29 in which an individual was asked to clarify if he was speaking on behalf of his governmental employer or as a private citizen. I think it is very important for witnesses to be clear when they are speaking for their employer or an industry group, or whether they are voicing their own opinions. This is a particularly sensitive issue with respect to government employees, who need to be careful that they advocate their personal views like any other citizen and avoid the appearance that they have any special status as government employees.

On pages 30-31 you cite some examples of complaints from the real estate industry, homebuilders and individual members of MPAC. Certainly all of these groups and individuals had access to the press to air their disagreements and present any contradictory evidence to the Council, where it was no doubt given the probative weight it deserved, if any. You should also know that many steps have been taken over the last several months to improve the relationship between the Council and MPAC in the future.

Finally on page 32, you address points made at the PSU Leadership Symposium. The points you make in this section are valid, but they do not relate to the suggestions for improvement you ultimately make in this report. These points are more concerned with the public understanding of Metro's activities and I have already described all of Metro's efforts to involve the public over the last few months.

Metro's data must be accurate and reliable and I do agree with your recommendations with respect to the database called the Regional Land Information System (RLIS). This information is already contained in another audit, however.

In short, I believe that your report jumps to conclusions and is not based on sound evidence. I believe we should continue to encourage public debate on these very important decisions for our future. I commend our planning staff for all the public outreach they have done and for the excellent work they do.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: John Fregonese
FROM: Lisa Naito *Lisa*
DATE: October 6, 1997
SUBJECT: Urban Growth Report

I believe there was testimony that twice as much land was set aside for parks and open spaces as projected and roughly 1,000 more acres should be needed for parks or open space. Please provide me with more detailed information on this and a more precise number, if possible.

I agree with MPAC that we can do more to link schools and parks. However, I also think some usable land will be set aside as greenspaces or parks where the land is not really desirable to build on.

Also, as I stated at the hearing, we may want to revisit the idea of whether or not we want to provide for development of all existing farm and forest land within the existing UGB. Places such as Alpenrose Dairy and some pumpkin patches may want to stay as productive agricultural uses with close proximity to their markets. Neighborhoods may in fact want to preserve some as community gardens. I would like more information on what our options are with respect to Variable 7.



METRO

October 9, 1997

Peggy Lynch
for Linda Peters, Washington Co. Chair
3840 SW 102nd Ave.
Beaverton, OR 97005

Dear Peggy,

Thank you for your suggestions on ways for Metro to improve its communication with the citizens of the region. Enclosed is a copy of Resolution No. 97-9552 which incorporates many of the recommendations made to the Governmental Affairs Committee last spring. This resolution has passed the Council. A key feature of the resolution is that the Council will hold four evening meetings each year.

The Governmental Affairs Committee also gave recommendations to the Presiding Officer and the Executive Officer concerning some of the day-to-day matters of the Metro organization, such as clarity and timeliness of written communications.

Please feel free to call with any additional ideas or suggestions you have.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lisa Naito', written over a printed name.

Lisa Naito

Enclosed: Resolution No. 97-9552

William A. Monahan, City Manager City of Tigard 13125 SW Hall Blvd. Tigard, Oregon 97223	letter (testimony by Liz Newton)
Bob Bothman, MCCI 7365 SW 87th Beaverton, Oregon 97225	oral testimony
Kay Durtsche, MCCI 2230 SW Caldew Portland, Oregon 97219	oral testimony
Peggy Lynch for Linda Peters, Washington Co. Chair 3840 SW 102nd Ave. Beaverton, Oregon 97005	oral testimony
Robert Akers, Chair Metro Parks & Greenspace Committee 1038 SE 224 Gresham, Oregon 97030	oral testimony
Aleta Woodruff, MCCI 2143 NE 95th Pl. Portland, Oregon 97220	oral testimony letter
Peggy Neff, MCCI 16564 Gordon Court Milwaukee, Oregon 97267	oral testimony
John Ayer 14511 SE River Road Milwaukee, Oregon 97267	oral testimony
Judy Hammerstad Clackamas County Commission 906 Main Street Oregon City, Oregon 97045-1882	letter
Terri Ewing Washington County Extension 18640 NW Walker Road, Ste. # 1400 Beaverton, Oregon 97006-1975	letter
Rob Drake, Mayor	letter

City of Beaverton
PO Box 4755
Beaverton, Oregon 97076

John Jackley
West Linn City Council
2010 Carriage Way
West Linn, Oregon 97068

letter

Gussie McRobert, Mayor
City of Gresham
1333 NW Eastman Parkway
Gresham, Oregon 97030-3813

letter

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF IMPROVING)	RESOLUTION NO 97-2552
COMMUNICATION WITH CITIZENS)	
THROUGHOUT THE METRO REGION)	Introduced by the Government Affairs
AND INCREASING EFFECTIVENESS)	Committee
OF ADVISORY BODIES IN THE METRO)	
ORGANIZATION		

WHEREAS, Metro has won recognition in many areas of policy and management, and desires to continue to bring all activities to the highest standards; and

WHEREAS, Metro desires to encourage maximum public involvement; and

WHEREAS, Metro advisory groups should be utilized to the fullest extent, and recognized for their effort; and

WHEREAS, the Government Affairs Committee has held public hearings on these matters and received written and verbal communication from the public, citizens advisory committees and elected officials; and


WHEREAS, Metro desires to communicate as clearly and effectively with its citizens as possible; and

WHEREAS, the public are invited to testify before the Metro Council at all Council meetings; now, therefore

BE IT RESOLVED:


That the Metro Council directs that the principles and recommendations in attachment A to this resolution will be put into effect throughout the Metro organization.

ADOPTED by the Metro Council this 11th day of September 1997.



Jon Kvistad, Presiding Officer

APPROVED AS TO FORM:


Daniel B. Cooper, General Counsel

B:\RESOLUT.MST

Exhibit A to Resolution 97-2552 **A**


- Council Evening Meetings
The Council shall hold periodic evening council meetings so that people who work during the day are able to participate in council deliberations. The frequency of evenings meetings will be quarterly--the fourth Thursday of February, May, July and September--and they will commence at 7:00PM.
- Council Meetings in Councilor's Districts
The Council shall hold one council meeting in each Metro Council district per year, upon request of the councilor for that district. This will increase citizen awareness of Metro's responsibilities and increase each Councilor's understanding of issues outside their own district.
- Recognition of Volunteers' Contribution
An annual recognition event will be scheduled to honor all members of Metro's advisory committees.
- Meetings with Metro Boards Advisory Groups
The Council will hold annual joint meetings with each of the following advisory committees:
 - * Metro Policy Advisory Committee (MPAC) and Water Resources Policy Advisory Committee (WRPAC),
 - * Metro Committee for Citizen Involvement (MCCI),
 - * Friends of the Zoo (FOZ),
 - * Greenspaces Policy Advisory Committee,
 - * Solid Waste Policy Advisory Committee and Rate Review Committee (Regional Environmental Management),
 - * Metro Exposition-Recreation Commission.
- Metro Council Agenda
A standing time slot on the Metro Council agenda will be available for the MPAC. Other advisory committees are welcome to reserve a time slot on request.
- Elected Officials Orientation
An elected officials orientation will be held following each election year.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: Metro Councilors
FROM: Lisa Naito 
DATE: October 20, 1997
SUBJECT: National Optimum Population Commission

Please find attached information on a National Optimum Population Commission.

I would appreciate it if you could review the information and let me know if you think Metro should push for this. I will prepare a resolution if there is enough interest.

Thanks!

10-8-91

N O P C

NATIONAL OPTIMUM POPULATION COMMISSION -proposal
1070 SE Denman Avenue; Corvallis, OR 97333-2006 <wilcoxmb@peak.org>

From the cluttered desk [and mind?] of M. Boyd Wilcox:

Hello Lisa!

We almost met in March, 1966 (at the LWU event in Salem) but you had to cancel when flooding postponed the session.

Anyhow, I saw your name mentioned in today's OREGONIAN piece entitled "Builders oppose affordable home plan".

Is there any chance you could convince Metro to get behind SR-2? We need lots of (influential) people to contact Vitzke asking him to:

1- Sign an executive order in support of SR-2.

2- Agree to introduce NOPC at the next Governors conference & push for its adoption.

Let me know if you need more info. There is much documentation I could send.

Sincerely,

Boyd

NOPC: Contraceptive for a nation that has no population policy.

15. Will you be attending the "Alternatives to Growth" Conference
Oct 17-18??

Time to disarm population bomb

Oregon can either take steps to ease growth or stumble into future as a better-planned LA

by M. BOYD WILCOX

The excellent Reader Forum piece that pointed out some of the errors on which planning decisions are based did not include some relevant history and a push that we consider engaging a more fundamental issue, as we decide what to do about the Portland metro urban growth boundary.

There are numerous reasons why people move from one region to another, and among these is the overall effect of population pressure. As national and global population increases, the forces for migration are enhanced both within and between nations.

The 1972 Rockefeller Commission concluded there would be no benefits to a growing population, that the health of our economy does not depend upon it, that the life of the average citizen is not enhanced by it, that democratic representation is diluted by it and that most of our serious problems would be easier to solve if we stopped growing." This was presented over 25 years and 57 million people ago, and we are still avoiding the issue of national population pressure.

Here at home, the Oregon Values and Beliefs Survey, commissioned by the Oregon Business

Council, was designed to expose core values, or those not likely to change over time. It revealed that overpopulation is Oregonians' biggest fear, and that about 62 percent believe the state's growth is undesirable. With this as background, I would hope that Metro can understand why so many citizens in this state

“

I for one believe we have a choice and do not have to let our future be decided by default.

”

are aghast, perplexed, discouraged, dumfounded and truly angry that so much growth management effort is put forth without at least making the connection.

It is already beyond the time to require the establishment of a national population policy designed to place this nation on the pathway — during a long transitional period of 100 to 125 years that would be fair to all intervening

generations — that would help us achieve a population level or range deemed sustainable for the long-term future.

It is by all means desirable to continue the discussion and analysis as to what is best for Portland's urban growth boundary, but also to take the steps necessary to insure that our national demographic future is a reasonable one.

Citizens should get involved with efforts to craft a population policy. The Oregon Legislature had the chance recently. The 1997 state Senate missed its opportunity to go on record in support of a process to engage a population policy. On two resolutions, senators put their collective heads in the sand. But the population-pressure time clock is ticking away. The nation's population is projected to reach nearly half a billion people by the middle of the next century, with no end in sight.

If we like the prospect of approaching the same situation the Chinese have today, and if we want the Willamette Valley to be just a better-planned Los Angeles, then so be it. But I for one believe we have a choice and do not have to let our future be decided by default, which is our present course.

Those who share this concern should urge Gov. John Kitzhaber to support a population policy.

Or should we just spend forever trying to manage growth?

M. Boyd Wilcox lives in Corvallis.

BY MAIL

The Oregonian Opinion Pages
1320 S.W. Broadway
Portland 97201

BY PHONE

Inside Line: 225-5555,
Category 3348
Editorial Department 221-8150

BY FAX

Reader Response: 294-4193
"In My Opinion" and other
op-eds: 294-4179

BY e-MAIL

letters@news.oregonian.com
oped@news.oregonian.com

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Give us your
OPINION

THE OREGONIAN, THURSDAY, SEPTEMBER 25, 1997

Vice President Al Gore
Old Executive Office Building
Washington, DC 20501

Date:

Dear Mr. Vice President,

Most of the major issues this nation is struggling to address—health care, jobs, natural-resource management, inner city conflicts, economic progress, alienation, loss of personal freedoms, and overall quality of life—are *heavily* impacted by population pressure. We ask that you begin to reverse this nation's denial toward the issue of population pressure, and move expeditiously to establish a National Optimum Population Commission (NOPC) as briefly described on the reverse side of this letter.

We appreciate this administration's willingness to deal with difficult and complex issues and we realize the NOPC process will not be easy. But it will be far more difficult if we allow our population future to be decided by default, which is our present course. Furthermore, the expertise developed through engaging a NOPC would be a most valuable tool for helping *any* nation or bioregion to determine its optimum, sustainable population. This could truly be a worldwide precedent for promoting sustainability.

Please initiate a National Optimum Population Commission. We would appreciate a reply to this request.

Hopefully and sincerely yours,

Signature(s)

Name(s)

Organization (if applicable)

Address

City, State, Zip

- Please see reverse side -

What:

Proposal for a National Optimum Population Commission (NOPC)*

How:

This national commission, to be established by the Clinton/Gore administration, would analyze and debate the question, "What *is* our optimum population?" After a 3- to 5-year information-gathering period, the commission would summarize the input and then design a package of non-coercive educational, legislative, and public policy initiatives to place the USA on the path, during a long transitional time of 100–125 years, to achieving an optimum, sustainable population.

Who:

Commission members, chosen by Vice President Al Gore, would receive input from:

- All the federal cabinet members
- Business, environmental, and religious organizations
- Selected Ph.D. candidates focusing their research on how "optimum population" relates to their respective fields of inquiry
- Psychologists, demographers, and others deemed crucial to the process

Overall emphasis should be placed upon assessment of the nation's climate, geography, renewable resource base, cultural preferences and other factors crucial to the achievement of long-term sustainability.

Why:

Most present-day human populations have tended to *maximize* rather than *optimize*. They are artificially supported by unsustainable or nonrenewable resources and technologies. We must move the population-pressure debate beyond denial and into the open light of public discourse. We must frame this discussion in new terms, understanding that "slowing growth" or "stabilizing" represent only transitional phases on the path to seeking an optimum, sustainable population. The key question must be *How many people can we support in perpetuity under the most favorable circumstances with the highest quality of life?*

Historically we have thought we *should* do whatever we *could* do, with little regard for long-term consequences. We must now consider making profound changes—especially in the U.S.—in our lifestyle and in the ways we "do business with" the planetary resources that support us. By integrating the political, social, environmental and psychological effects of population pressure, this commission would involve us in a process to determine what is essential for our collective well-being.

By focusing on the search for optimum, NOPC would *not* be computing a "magic number" to be coercively applied, but rather determining the criteria for judging sustainability that is most likely to insure long-term success.

When:

Now! Write Clinton/Gore urging them to establish a National Optimum Population Commission. Future generations will thank you.

Mail to:
M. Boyd Wilcox
1070 SE Denman Ave.
Corvallis, OR 97333

*Formerly National Optimum Population Effort (NOPE)

Please see reverse side

Senate Resolution 2

Sponsored by Senator TROW; Senators BROWN, BURDICK, CASTILLO, DWYER, LEONARD, LIM (at the request of M. Boyd Wilcox, Janet S. Wilcox, David D. Kliewer, M.D., Scott C. Stouder, Jim Noel, Allen Throop, Janet Throop)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Endorses proposal to form national commission to study population issues and formulate long-range public policy for achieving optimum sustainable population.

SENATE RESOLUTION

Whereas many of the conflicts in the State of Oregon arising from diverse approaches and philosophies regarding natural resource use, property rights, education, crime, housing, employment, water, and land use and development are magnified or indirectly affected by pressures brought to bear by a growing population; and

Whereas our state is not alone in its struggle to cope with population growth; and

Whereas no single state is in a position to determine national policy regarding population, nor can any state formulate its own policy apart from national concerns; and

Whereas the United States does not now have a comprehensive population policy designed to achieve a secure future, nor does the Federal Government have a deliberative body dedicated to serious debate or implementation of a plan of action regarding the impact of population on our future; and

Whereas proponents of a National Optimum Population Commission propose that such commission be appointed by the Vice President of the United States to analyze and debate the question, "What is our optimum population?"; and

Whereas after a three- to five-year period of gathering information, the commission would summarize its findings and propose noncoercive educational, legislative and public policy initiatives to place the United States on the path, during a transition period lasting from 100 to 125 years, toward achieving an optimum sustainable population; now, therefore,

Be It Resolved by the Senate of the State of Oregon:

That we, the members of the Senate of the Sixty-ninth Legislative Assembly, endorse the proposal to form a National Optimum Population Commission.



METRO

TO: Councilors Morrisette and McCaig
FROM: Councilor Naito
RE: Issues for discussion at January 20th Growth
Management Committee meeting
DATE: January 14, 1998

There are three major issues to be discussed at the January 20th meeting.

The first relates to the process for amending the Urban Growth Boundary. As you know, state law requires that the Council bring in 50% of the land necessary to accommodate 20 years of growth (32,300 units) in 1998 and the other 50% in 1999.

Mark Turpel will make a presentation this process and provide some suggestions for how this process could go forward. Attached is a memo from Mark Turpel.

This will be an excellent opportunity to ask questions of staff regarding the process of amending the boundary, the status of local governments' urban reserve planning efforts and the legal requirements relating to boundary expansion. The committee should also discuss the extent of Metro's involvement (financial and technical) in urban reserve planning.

The second issue is performance measures. An MPAC subcommittee on Performance Measures issued a preliminary report in December. It provides a starting point for discussion on the Performance Measures relating to the Urban Growth Boundary. Significant work still needs to be done on the issue of corrective action. This preliminary report is attached. Mark Turpel will make a presentation and be available for questions. Mark will also discuss the subcommittee's progress on Regional Framework Plan Performance Measures.

Finally, MPAC has requested a list of priorities and timelines for upcoming issues. A list of these issues is attached.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: Ed Washington
FROM: Lisa Naito *LN*
DATE: January 21, 1998
SUBJECT: Affordable Housing Task Force

This is to confirm our conversation that you will update the Council, Executive Officer Burton, and MPAC directly on the progress of the Affordable Housing Task Force.

There is great interest in affordable housing issues by all members of the Council, so the Growth Management Committee will not monitor the progress of the Task Force. Instead, the committee will evaluate the recommendations adopted by the Task Force.

This is also to confirm that recommendations of the Task Force will follow that usual process. Recommendations of the Task Force will be sent to MPAC (and MTAC) and also to the full Council and the Growth Management Committee.

cc: Council
Mike Burton
MPAC
MCCI



METRO
 TO: Councilor McCaig, Councilor Morissette and Councilor McLain
 FROM: Lisa Naito *LNA*
 RE: Growth Management Committee Schedule
 DATE: January 22, 1998

Here is a preview of the agenda items coming up in the next few weeks. Of course, items will be added as they come up.

February 3	General Business/Ordinances
February 17	Title 3: Stream and Floodplain Protection Plan Staff presentation, public hearing, work session
March 3	Overall "Vision" Discussion Work session, with staff presentations by: <ul style="list-style-type: none"> • Elaine Wilkerson (newly appointed Growth Management Department Head) • Andy Cotugno; and • Charlie Cieko <p>I am also inviting all Councilors and Executive Director Mike Burton to participate.</p>
March 17	Performance Measures

Attached is a copy of a memo to MPAC on Title 3.

Thank you,

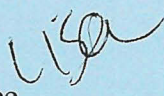
Lisa Naito

C: MPAC
 MCCI
 Elaine Wilkerson
 Andy Cotugno
 Charlie Cieko



METRO

TO: Judie Hammerstad, Chair
MPAC

FROM: Lisa Naito, Chair 
Growth Management Committee

DATE: January 22, 1998

RE: Stream and Floodplain Protection Plan (Title 3)

The Council and MPAC are both embarking on final action regarding Stream and Floodplain Protection, Title 3 of the Urban Growth Management Functional Plan. I am hoping with this memo to coordinate our efforts for the sake of timeliness, and to assist all parties in directing their input in the most efficient manner:

1. The Growth Management Committee will put this matter on its Tuesday, February 17 agenda at 1:30. There will be a staff presentation, public hearing and committee work session.
2. The Metro Council will hold its regularly scheduled meeting Thursday, February 26, at 7:00 PM. A public hearing will be listed on that agenda for Stream and Floodplain Protection.

I know that MPAC is taking this issue under consideration. I would appreciate it if MPAC could make recommendations to the council prior to the February 26th meeting. This would allow public testimony to be directed to MPAC recommendations, as well as other concerns.

3. **I would also appreciate it if MPAC would consider, discuss and make a recommendation on the desirability of changing the 24 month implementation for this section of Title 3 to 1 year. This process has been very thorough, and the model ordinance is written. It seems to me that a 1 year time-frame is realistic, but I will only pursue making that change if MPAC agrees.**

c. Metro Council
Metro Executive Mike Burton
WRPAC



METRO

TO: Mike Burton
FROM: Lisa Naito
RE: March 3 Growth Management Committee
DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Transportation, Regional Parks and Greenspaces and Growth Management, as well as the entire Metro Council, to participate.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

I look forward to hearing your comments. Thank you.

**METRO**

TO: Charlie Ciecko

FROM: Lisa Naito

RE: March 3 Growth Management Committee

DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future. I have reserved 15 minutes for you to make a presentation and answer questions regarding your perception of Metro's vision as it applies to Regional Parks and Greenspaces at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Growth Management and Transportation, as well as the Executive Officer and the entire Metro Council.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

Thank you for all of your hard work. I look forward to hearing your comments.



METRO

TO: Andy Cotugno
FROM: Lisa Naito
RE: March 3 Growth Management Committee
DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future. I have reserved 15 minutes for you to make a presentation and answer questions regarding your perception of Metro's vision as it applies to Transportation at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Growth Management and Regional Parks and Greenspaces, as well as the Executive Officer and the entire Metro Council.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

Thank you for all of your hard work. I look forward to hearing your comments.

**METRO**

TO: Councilor Kvistad

FROM: Lisa Naito

RE: March 3 Growth Management Committee

DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Transportation, Regional Parks and Greenspaces and Growth Management, as well as the Executive Officer and the entire Metro Council, to participate.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

I look forward to hearing your comments. Thank you.



METRO

TO: Councilor McFarland
FROM: Lisa Naito
RE: March 3 Growth Management Committee
DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Transportation, Regional Parks and Greenspaces and Growth Management, as well as the Executive Officer and the entire Metro Council, to participate.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

I look forward to hearing your comments. Thank you.



METRO

TO: Councilor McLain
FROM: Lisa Naito
RE: March 3 Growth Management Committee
DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Transportation, Regional Parks and Greenspaces and Growth Management, as well as the Executive Officer and the entire Metro Council, to participate.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

I look forward to hearing your comments. Thank you.



METRO

TO: Councilor Washington

FROM: Lisa Naito

RE: March 3 Growth Management Committee

DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Transportation, Regional Parks and Greenspaces and Growth Management, as well as the Executive Officer and the entire Metro Council, to participate.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

I look forward to hearing your comments. Thank you.



METRO

TO: Elaine Wilkerson

FROM: Lisa Naito

RE: March 3 Growth Management Committee

DATE: February 24, 1998

Please accept this invitation to participate in a round table discussion about Metro's vision for the future. I have reserved 40 minutes for you to make a presentation and answer questions regarding your perception of Metro's vision as it applies to Growth Management at the March 3 meeting of the Growth Management Committee. A copy of the agenda is attached for your information.

I am also inviting the department heads from Transportation and Regional Parks and Greenspaces, as well as the Executive Officer and the entire Metro Council.

I would like the format of this meeting to be rather informal so that we can have a productive conversation about the direction we would like to see Metro take and what steps are needed to accomplish it.

Thank you for all of your hard work. I look forward to hearing your comments.

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

MEETING: METRO COUNCIL GROWTH MANAGEMENT COMMITTEE
DAY: Tuesday
DATE: March 3, 1998
TIME: 1:30 P.M.
PLACE: Metro Council Annex

Note:
Different location
this week only.

APPROX. TIME		PRESENTER
1:30 P.M.	CALL TO ORDER AND ROLL CALL	
1:30 P.M. (5 min.)	1. CONSIDERATION OF THE FEBRUARY 20, 1998, GROWTH MANAGEMENT MEETING MINUTES	
1:35 P.M. (10 min.)	2. HAPPY VALLEY COMPLIANCE PLAN ASSISTANCE REPORT Provisions of the Urban Growth Management Functional Plan require local jurisdictions to make changes in their comprehensive plans. This report, prepared by Growth Management staff, contains an analysis of Happy Valley's comprehensive plan and implementing ordinances, and includes recommended amendments. The Metro Council has two weeks to review and comment on the document, but formal action is not required.	Bernards
1:45 P.M. (40 min.) (15 min.) (15 min.)	3. DISCUSSION OF METRO VISION <ul style="list-style-type: none"> • GROWTH MANAGEMENT • PARKS AND GREENSPACES • TRANSPORTATION 	Wilkerson Ciecko Cotugno
2:55 P.M. (5 min.)	4. COUNCILOR COMMUNICATIONS	
3:00 P.M.	ADJOURN	

1998 COMMITTEE MEMBERS: Lisa Naito (Chair), Patricia McCaig (Vice Chair), Don Morissette

- NOTE:**
- All times listed on the agenda are approximate; items may not be considered in the exact order listed.
 - For questions about the agenda, call Council staff Meg Bushman 797-1918, Michael Morrissey 797-1907, or Suzanne Myers 797-1543.
 - For assistance per the Americans with Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

**METRO**

March 18, 1998

Ray Jaendl
Project Coordinator
Natural Resource Program
Natural Resources Division
Department of Agriculture
635 Capitol Street, N.E.
Salem, OR 97310-0110

Re: Upstream Protection of Water Quality

Dear Mr. Jaendl:

Thank you for your participation at the March 17, 1998, meeting of the Metro Council Growth Management Committee. Your explanation of SB 1010 and the Department's efforts to develop Water Quality Management Plans for most watersheds in the Metro area was encouraging. From that presentation, the Department seems to be taking a more voluntary approach to protect water quality on farmland than Metro's Title 3 within the Metro region.

As we discussed, there are concerns on the Growth Management Committee about the impact of upstream erosion and pollution coming into the Metro region where Title 3 will be implemented by cities and counties. As we have all learned, effective protection of water quality must be based on basin and watershed levels of analysis.

Metro's development of the Water Quality Area Model Ordinance for cities and counties has been based, in part, on the experience of Unified Sewerage Agency with the Tualatin River. You have worked with them in developing your Tualatin River Water Quality Management Plan. Metro has participated in protecting water quality for the Tualatin. Prior to a state law, Metro banned phosphates in laundry products to help reduce phosphate loading of that river.

There is an obvious relationship between your Department's water quality efforts on farmland, mostly outside the Metro region, and Metro's standards for city and county land use regulations inside Metro. As we discussed, Metro and your Department should coordinate their efforts on a watershed basis, to the extent possible. I have proposed, on behalf of the Growth Management Committee, that Metro's Title 3 standards be amended to require coordination between city and county ordinances implementing Title 3 and your Department's Water Quality management Plans. This provision will be forwarded to MTAC this week, and MPAC next week, for their consideration. Your written or in person comment at the 5:00 p.m., March 25, 1998, MPAC meeting on their Title 3 recommendation would be appreciated.

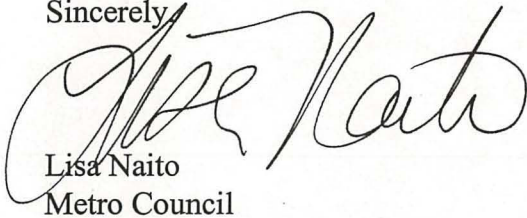
Mr. Ray Jaindl
March 18, 1998
Page 2

As you know, "coordination" in land use jargon means that cities and counties would have to contact you and appropriate attempts to avoid conflicts in approaches should be made. This would assure that the city or county and state processes would be aware of the contents of each other's planning and the impacts of each on the other would be considered.

Beyond local-state coordination, I would request that your Department consider the benefits of the approach taken by the region in Title 3 for inclusion in your Water Quality Management Plans. The vegetated buffers, erosion control during construction and limitations on new, uncontained areas of hazardous materials, and new construction inside the buffer areas may be less costly to implement on farmland than in urban areas. The benefits to all citizens in improved water quality would be significant if these measures can be implemented on both urban and rural lands in watersheds where water quality has become degraded.

Thank you for your consideration and cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Naito", written over a horizontal line.

Lisa Naito
Metro Council

LSS:pm

I:\DOCS#07.P&D\04-2040I.MPL\03UGMFNC.PLN\02STREAM.NATJAINDL.M18



METRO

DATE: March 19, 1998

TO: Presiding Officer Kvistad and
Finance Committee Chair McCaig

FROM: Councilor Naito *lis*

RE: Request to attend meetings by phone

I will be unable to attend next week's Budget/Finance Committee meeting on March 25th and Council on March 26th. I would like to request to be included in these meetings by phone.

Thank you for your consideration.



METRO

DATE: April 3, 1998
TO: Metro Councilors
FROM: Lisa Naito, Growth Management Committee Chair *LN*
RE: Title 3 Amendments
CC: Michael Morrissey, Elaine Wilkerson, Rosemary Furfey, Ken Helm, Judie Hammerstad

For your information, the following is the schedule for public hearings for Title 3, the Stream and Floodplain Protection Plan, of the Urban Growth Management Functional Plan.

4/7	Growth Management Committee	Presentation of MPAC-approved language
4/21	Growth Management Committee	Work session – consideration of Councilor amendments to the ordinance
5/7	Council	2 nd reading

Obviously, this schedule is tentative. Issues may arise which lengthen the timeline.

The ordinance will be first read on April 16 at Council. I have attached a copy of the ordinance for your review. The maps and model ordinance will not be available until April 9.

If you have amendments you would like to present, the April 21 Growth Management Committee work session would be the best time to do so.

Thank you.



METRO

MEMORANDUM

DATE: April 6, 1998
TO: Executive Officer Mike Burton
FROM: Government Affairs Committee
RE: Legislative Agenda

In anticipation of the 1999 Legislative Session, the Government Affairs Committee would like to begin preparing a legislative agenda for Metro. The Committee would greatly appreciate it if you would take the time to sit down with your staff and identify issues to be addressed for Metro at the 1999 Legislative Session.

Upon receipt of your suggestions, the Committee will review them and compile an appropriate package for our lobbyist to carry to Salem.

Thank you for your assistance in this very important matter. Please return your suggestions to the Committee's analyst, Meg Bushman.

**METRO**

April 20, 1998

Kristin Thomas, Senior Planner
Randall Realty Corporation
9500 SW Barbur Blvd. , Ste. 300
Portland, Oregon 97219

Dear Ms. Thomas,

I am responding to your letter of April 2, which posed several questions related to Metro's Stream and Floodplain Protection Plan. This piece of legislation (Ordinance No. 98-730) has just been first-read at the Metro Council, will receive attention from the Growth Management Committee of the Council on April 21 and May 5, and be adopted by the Council by mid-May.

I am sending you the MPAC recommended performance standards and other information which I hope will be helpful to you. The Model Ordinance is still working its way through the advisory committee process and will be reviewed by MPAC on Wednesday April 22.

You should know that the final version of the performance standards, model ordinance and maps will have been extensively reviewed by local jurisdictions and other partners through our advisory and public input process. Draft language may very well have changed since your letter was written. In addition, you will find many examples of flexibility in this document, for local jurisdictions and property owners. However, it will ultimately be through local comprehensive plan and code changes that application of these measures will take place.

In regard to your questions;

1. Application will be limited to Metro mapped areas within Metro boundaries. Local jurisdictions may create and use their own field verified maps, if they are consistent with Metro maps
2. The map is being created by Metro and local jurisdiction partners. A process is identified in the performance standards for map correction after the passage of Ordinance 98-730.
3. Standards are designated for flood management, water quality and erosion control. Table 1, which resides both in the performance standards and the model ordinance, demonstrates the specific standards for vegetated corridor width, related to water

quality.

4. There is no urban density loss inherent in this plan, at least with regard to density planned by Metro. This is because Title 3 lands were taken out of Metro's buildable lands inventory (see purple sheet, attached--"The Relationship Between the Streams and Floodplain Protection Plan and Metro's Urban Growth Calculations", January, 1998). Metro has allocated no growth to these areas in its capacity analysis for future urban growth.
5. Again, there is quite a bit of flexibility in this document, including a capacity for substantial compliance (see section 3C). Also see section 4B(3) for lots or parcels which are fully or predominantly within the Water Quality Resource Area.

I hope this information is helpful and clarifying, and welcome your testimony before the Growth Management Committee or the full Council. Please feel free to contact Rosemary Furfey in Metro's Growth Management Department at 797-1726, if you have further questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Naito".

Lisa Naito, Chair
Growth Management Committee



METRO

The Relationship Between the Stream and Floodplain Protection Plan and Metro's Urban Growth Calculations

There are approximately 232,670 total acres or 364 square miles inside the Urban Growth Boundary.

How many acres are vacant? Of those, how many are *buildable*?

There are 53,450 acres of vacant, unimproved land within the Urban Growth Boundary (in 1994); 37,500 acres are considered "buildable."

How many acres are considered *unbuildable*?

For the purpose of calculating household and job capacity inside the urban growth boundary, Metro removed lands considered *unbuildable* or *environmentally constrained* to determine the actual number of buildable acres. There are approximately 15,950 total environmentally constrained vacant acres (in 1994) within the following categories defined by the state of Oregon:

- Slopes over 25 percent
- 100-year Floodplains (as defined by FEMA)
- Flood Prone Soils
- Wetlands (defined by the National Wetlands Inventory & local inventories)
- Riparian Corridors (200-foot buffer)

How many of the environmentally constrained acres will be protected by the Stream and Floodplain Protection Plan (Title 3)?

The Stream and Floodplain Protection Plan will protect approximately 7,680 acres of the 15,950 acres (based on 1994 vacant lands inventory). The balance of the 8,270 constrained acres will be dealt with under future protection measures addressing regionally significant fish and wildlife habitat and steep slope hazards. Local jurisdictions may currently be protecting some of these areas, but it is not being protected in a comprehensive regional manner.

Total Vacant Acres	Environmentally Constrained Vacant Acres (removed from vacant land)	Environmentally Constrained Vacant Acres Protected by Title 3
53,450	15,950	7,680



RANDALL REALTY CORP

April 2, 1998

Metro Council Growth Management Committee
Lisa Naito, Chair
Patricia McCaig, Vice Chair
Don Morissette
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Council Members:

This letter is in response to the presentation and information provided at the February 17, 1998 hearing regarding the proposed stream and floodplain protection plan. After reviewing the information provided, a number of concerns are apparent that we would like to bring to your attention.

The Performance Standards require, in part, that development within water quality and flood management areas be prohibited or limited subject to no greater adverse impacts to the flood elevation or proven benefit to flood mitigation. Title 10 defines a water quality and flood management area as follows:

***Water Quality and Flood Management Area** means an area defined by Metro Water Quality and Flood Management Area Map, to be attached hereto. These are areas that require regulation in order to mitigate flood hazards and to preserve and enhance water quality. This area has been mapped to generally include the following: stream or river channels, known and mapped wetlands, areas with floodprone soils adjacent to the stream, floodplains, and sensitive water areas. The sensitive areas are generally defined as 50 feet from top of bank of streams for areas of less than 25% slope, and 200 feet from top of bank on either side of the stream for greater than 25% slope, and 50 feet from the edge of a mapped wetland.*

The restriction to development within a water quality and flood management area raises as number of concerns: (1) Is the restriction limited to the map created by Metro? (2) Who develops the map? (3) What are the specific standards for designation? (4) How will urban density loss be mitigated on a parcel by parcel basis? (5) How will property owners be compensated when property can no longer be developed to planned density?

The adopted standards are written with a fair amount of vagary which makes implementation difficult for local jurisdictions and compliance with criteria unclear and frustrating for developers. In addition, the Metro Council has invested significant time and energy into establishing urban density provisions. The proposed Ordinance results in a further reduction in available developable land.

.....

An example of where an Ordinance like this directly conflicts with other land use goals is the existing Shadow Hills apartments in Hillsdale. The Randall Realty Corp built the 220 unit complex during the early 1970's. Recently, the site was rezoned to R1 which would permit the addition of 319 units to the site. Unfortunately, the site contains a drainage way that is designated with an environmental protection overlay zone with wide buffers on either side that preclude any infill development. Portions of the existing development are actually within areas that would now be unbuildable. Thus, the City has effectively created a site with a density that can not be achieved due to site characteristics and environmental restrictions. Nonetheless, the new site density is being counted toward the City's required supply of urban residential inventory.

There appears to be no clear and equitable remedy for property owners adversely affected by the proposed plan and no remedy for the loss of urban land area. We ask that the Council consider the real impacts associated with this proposal, not only from the environmental perspective, but also from the perspective of property owners whose land values will be adversely affected. Consider further, that urban densities will likely not be recovered even with the most aggressive attempts at density transfer and zone capacity analysis.

Thank you for your time and consideration of the points contained in this letter. A response to the questions and concerns raised herein would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristin Thomas', with a stylized, flowing script.

Kristin Thomas
Senior Planner



METRO

April 27, 1998

The Honorable Chair Beverly Stein
Multnomah County
Portland Building
1120 SW Fifth Avenue
Portland, Oregon 97204

Dear Beverly,

As you know, Metro is responsible for the region's solid waste and proper disposal of hazardous wastes. Because of this, I am interested in getting more information about the removal of the lead paint from the Hawthorne Bridge and the disposal of the hazardous wastes generated.

My understanding is that County specifications provide that an expendable abrasive blast method is to be used for paint removal with 15% Blastox added. The result of this Blastox additive is that the toxic waste is then "masked" and rendered non-hazardous under EPA standards, to be then used as a raw material in making cement blocks.

I would like to know why the County decided to use the abrasive blast method with expendable abrasives rather than the abrasive blast cleaning method with recyclable abrasives. My information is that both methods are highly effective, but that the method using expendable abrasives generates roughly 80% more waste. The other method generates substantially less waste, because metallic abrasives are used and are then recycled. It strikes me that the recyclable abrasives would be the preferred alternative.

I also have learned that the method of using expendable abrasives creates substantial dust and debris, circulating high levels of dust in the work area due to the pulverized paint. The method using recyclable abrasives creates only moderate dust. Is there a pollution control plan that will address air quality and the safety of the public and the workers in place? If so, will there be independent monitoring of the containment of the dust to make sure there is no leakage?



The Honorable Beverly Stein

April 27, 1998

Page 2

There is also the issue of mixing the Blastox with the sand. I understand that this must be done properly, and I am interested in whether there will be independent sampling of the mixing processing. Apparently, copper slag is used in the sandblasting, a byproduct of copper mining that is in itself a hazardous waste material because of arsenic levels.

Once the material is removed, have there been provisions for proper storage at the site or will the materials be transported somewhere else? I believe the Blastox additive that "masks" the toxicity is a fairly new product, and I am interested in whether there is a chance that the material will break down over time. Once the material is put into concrete, will it be put in a landfill or will the county sell the material? If the material is to be sold, will buyers be told about the lead content and the masking agent?

If all these matters are dealt with in the pollution control plan, I would appreciate a copy.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Naito', with a stylized flourish at the end.

Lisa Naito
Metro Councilor
District 6

cc: Mike Burton, Metro Executive Officer
Metro Council
Gary Hansen, Multnomah County Commissioner
Sharron Kelley, Multnomah County Commissioner

~~Letter to same person~~
From Lisa

~~Hope is a draft, could you make factual~~
~~corrections or add points I'm sure~~
TO: Suzanne

April 25, 1998

The Honorable Chair Beverly Stein
Multnomah County
address

Dear Beverly,

As you know, Metro is responsible for the region's solid waste and proper disposal of hazardous waste. Because of this, I am interested in getting more information about the removal of the lead paint from the Hawthorne bridge and the disposal of the hazardous wastes generated.

My understanding is that County specifications provide that ^{an expendable} ~~an open~~ abrasive blast ~~with expendable abrasives~~ method is to be used for paint removal with 15% Blastox added. The result of this Blastox additive is that the toxic waste is then "masked" and rendered nonhazardous under EPA standards, to be then used as a raw material in making cement blocks.

I would like to know why the County decided to use the ~~open~~ abrasive blast method with expendable abrasives rather than the ~~open~~ abrasive blast cleaning method with recyclable abrasives. My information is that both methods are highly effective, but that the method using expendable abrasives generates roughly 80% more waste. The other method generates substantially less waste, because metallic abrasives are used and are then recycled. It strikes me that the recyclable abrasives would be the preferred alternative.

I also have learned that the method using expendable abrasives creates substantial dust and debris, circulating high levels of dust in the work area due to the pulverized paint. The method using recyclable abrasives creates only moderate dust. Is there a pollution control plan that will address air quality and the safety of the public and the workers in place? If so, will there be independent monitoring of the containment of the dust to make sure there is no leakage?

Page 1

There is also the issue of mixing the Blastox with the sand. I understand that this must be done properly, and am interested in whether there will be independent sampling of the

Once the material is removed, have there been provisions for proper storage at the site or will the material be transported somewhere else? I believe the Blastox additive that "masks" the toxicity is a fairly new product, and I am interested in whether there is a chance that the material will break down over time. Once the material is put into concrete, will it be put in a landfill or will the county sell the material? If the material is to be sold, will buyers be told about the lead content and the masking agent?

Thank you.

Sincerely,

Lisa

111 SW Nantux Pky PDX
97204

bcc Jonathan Poiser, Oregon League of Conservation Voters

Ross Williams, Stereo Club, 426 SE 19th, PDX 97214
Managing News Etc.

John Schrag, William He Weir (BAS)
Schrag - cell

US Rep. Earl Blumenauer

Bob Young

Beth Ann Steele

Bowie Warner

David Austin, Oregonian

Greg Nokes

and/or

Bill Stewart has written on Bridge

~~Joan Jewett Envirocean + River~~

~~Benjamin~~ ~~Donson~~ ~~Russell~~

- Ask BA -

Call - who is right person?

Is he co. issues, or
just election
not campaignish

Michiski
429-8029 Bomb
695-3399- Group
Group
olumbic ~~Group~~
231-0507
cc: Mike Burton
Metro Council
Gary Hansen } Mult.
Sharon Kelly } Co.
bccc 227-8073
Jonathan

238-0442

238-0442
3701 SE Milwaukee
POB 972
Spokane

Spelling

221-8100
Oregon News Room
1320 SW Broadway
POB 97201

~~Dr. Galt~~
Co Memo



METRO

May 14, 1998

Sandy Van Bemmell
14753 SE Monner Road
Portland, OR 97236-5804

Dear Sandy,

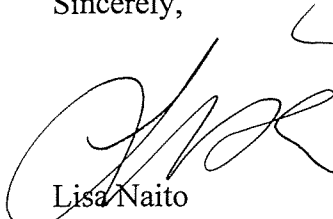
Thank you for writing in support of a strong Metro Stream and Floodplain Protection Plan (Title 3). I agree that creating a regional blueprint to protect clean water and prevent development in floodplains is vital to our region's livability.

The Growth Management Committee will complete work on Ordinance No. 98-730 during a special meeting on Thursday, May 28 at 2:30 P.M. The committee recently defeated a number of proposed amendments that would have weakened the plan.

Title 3 will go to the full Metro Council for a vote in early June.

Thank you for taking the time to write. If you have any questions or would like to discuss the Stream and Floodplain Protection Plan further, please feel free to call me at 797-1552.

Sincerely,



Lisa Naito
Metro Councilor, District 6

LN:msm



From: SWiker32
To: chales@ci.portland.or.us,jfrancesconi@ci.portland....
Date: 1/22/98 9:05pm
Subject: Metro's Title 3

If we don't do something quickly about current development patterns it will be too late to reverse environmental degradation--including loss of fish and wildlife habitat. Please resist the stiff resistance from the development community that is interested in their short term gain rather than the long term livability of our beautiful Metro area. Streams and floodplains need protection and buffers need to be wisely restricted. I support expediting the Goal 5 inventory of natural areas and wildlife habitat and development of a plan for their protection. Please give careful attention to these items.

Sara Wiker Baker

From: Marty and Bob Wallauer
To: naitol@metro.dst.or.us
Date: 1/16/98 2:57pm
Subject: Fw: Title 3 of the UGMFP

> From: Marty and Bob Wallauer <wallauer@earthworld.com>
> To: burtonm@metro.dst.or.us
> Cc: R. McFarland <mcfarlandr@metro.dst.or.us>
> Subject: Title 3 of the UGMFP
> Date: Friday, January 16, 1998 2:14 PM
>
> Dear Mr. Burton and Councilors:
>
> We are concerned about the effects of growth and development on wildlife
> and the environment, and ultimately on the quality of life for all
> Oregonians. Therefore, we strongly support Metro's Title 3 maps and the
> measures which protect riparian areas: streams, floodplains, wetlands,
> water quality, and fish and wildlife habitat. We also urge carefully
> planned use of land inside the UGB to include many greenspaces, walkways,
> and self-contained neighborhoods which reduce the need for cars.
>
> Very truly yours,
>
> Bob and Martha Wallauer

From: Bob Stacey
To: naitol@metro.dst.or.us,kvistadj@metro.dst.or.us,mc...
Date: 2/5/98 9:24am
Subject: Re: Title Three

Dear Commissioners:
From Adrienne Stacey

I support Title 3's provisions that will provide added protection
to all streams in the region and will provide a 50' to 200' zone
on

both sides of the stream (the steeper the slope the wider the
"buffer"). Require "balanced cut and fill" in all floodplains and
discourage development in floodplains.

I support standards that govern what can and cannot happen
inside

that "buffer" and what adjacent land uses must do to
protect the 50'to
200' stream corridor.

I support Metro's Title 3 maps which depict all of the
region's
streams, floodplains, wetlands and steep slopes
(slopes over 25%).

I support Metro expediting the process of conducting a
regional
Goal 5 inventory of natural areas and wildlife habitat and
developing a plan for their protection.

Metro and local jurisdictions have already agreed to
accelerate

policies that ensure we use land more efficiently
inside the Urban Growth

Boundary. I am supportive of that part of
planning "package."

the regional

Without the rest of the "package"

however---the
protection of urban streams, including their water quality, wetlands and
floodplains---this region will become less viable for humans and wildlife.

From Adrienne Stacey

From: Jhgpdx
To: naitol@metro.dst.or.us
Date: 1/8/98 5:58pm
Subject: Title 3

Dear Ms. Naito,

I would like you to support Metro's Title 3 of the Urban Growth Management Functional Plan. Specifically:

- *Support Title 3's provisions that will provide added protection to all streams in the region and will provide a 50' to 200' zone on both side of the stream.

- *Require "balanced cut and fill" in all floodplains and discourage development in floodplains.

- *Support standards that govern what can and cannot happen inside that "buffer" and what adjacent land uses must do to protect the 50' to 200' stream corridor.

- *Support Metro's Title 3 maps which depict all of the region's strems, floodplains, wetlands and steep slopes.

- *Support Metro expediting the process of conducting a regional Goal 5 inventoru of natural areas and wildlife habitat and developing a plan for their protection.

Without protection of urban streams, including their water quality, wetlands and floodplains, this region will become less viable for humans as well as wildlife. Please promote the above measures.

Thank you,

Julia Gibson
4045 SW Council Crest
Portland, OR 97201

From: Jere W. Retzer
To: vkatz@ci.portland.or.us,jfrancesconi@ci.portland.o...
Date: 2/2/98 1:24pm
Subject: Protection of Metro Portland Water Quality

February 2, 1998

Dear Mayor Katz and Portland City Council and Metro Council,

The current Metro Title 3 and Model Ordinance represent a critical first step toward improving water quality and fish habitat in the water of the Portland Metropolitan area and I urge that you not only insure the immediate passage of these measures but that you also demand their immediate full implementation.

However, I firmly believe that the current Title 3 documents do not go nearly far enough to ensure the protection of area waters from excessive stormwater from development and silt. Unmanaged stormwater and silt are the greatest threats to aquatic habitat and sources of pollution in our region. The worst of this silt comes from construction work during the rainy season. While the DEQ and area governments have extensive requirements for construction site erosion control these plans are very often completely ineffective to protect water quality and aquatic habitat. First, the DEQ currently permits and monitors only those sites that are five acres or larger. Given continuing infill development, this is an increasingly smaller percentage of active construction sites in the region. Second, even those sites monitored include a high number of serious violations and the lone DEQ inspector in the region cannot hope to adequately cover all active five acre sites.

Even in those cases where the contractor should be extremely motivated to provide effective erosion control, the reality is that effective control during our winter weather is very difficult. This is being dramatically illustrated with the construction of the Southwest Community Center in Portland's Gabriel Park.

Ground was broken of this controversial project early this Fall and it has been the source of continual violations of its NPDES permit since. This situation came to a head in December as a result of continued complaints by citizens demanding that something be done. While I personally have always supported the siting of the community center in Gabriel Park I became personally involved as turbidity reported in the North Fork of Vermont Creek rose repeatedly from its normal range of under 20 NTU to 300 and on at least one occasion to 645.

It was apparent by this point that even with multiple detention ponds that the project would not be able to handle all the runoff on site as required by the permit. As a result, I encouraged the Portland Parks Bureau to reach an agreement with the Bureau of Environmental Services to allow the project to discharge their silty runoff into the sanitary sewer system through a pumping station conveniently located on site when required to lower the level in the

ponds.

This new erosion and sediment control plan was announced on January 7, 1998 and it was reported in a press release by Portland and in the Oregonian that week that "the problem was solved." Unfortunately, this statement was far from accurate. While I personally advised the contractor and Portland Parks project manager in the January 7 meeting that even allowed to pump to the sanitary system, it was going to take great discipline for the contractor to prevent additional discharges, to include daily inspection and repair of the facilities as required by the city's permit, that discipline has not been demonstrated.

Incredibly, despite all the visibility being given this project and the special dispensation to pump runoff into the sanitary system, the project has discharged excessively muddy runoff into Vermont Creek as a result of every major rain since the new plan was begun and DEQ has just issued a third letter of noncompliance. The sources of these discharges include such simple things as allowing ponds to overflow, at least one unrepaired leak in a pond, and failure to adequately maintain straw cover on the mounds of excavated soil.

It should have been simple for the contractor to meet the requirements of the new plan and I can only interpret their failure to comply to a lack of motivation. The simple fact is that local governments and contractors are not taking erosion control seriously and that fact is seriously impairing water quality and fish habitat in the Metro area. That is a situation that we need to change if it means that as citizens we have to sue over every major violation. This will be no small exercise as there are several major violations right now in the Fanno Creek basin alone. I visited one site in Washington County off Oleson road that I found extremely hard to believe it was so bad. Lawsuits are not a trivial exercise and as a taxpayer I hate to see my tax dollars go to fighting lawsuits and paying fines. However, as the history of the Tualatin River cleanup demonstrated, perhaps costly lawsuits will be the only way to get our environmental laws enforced.

There is an alternative to costly lawsuits, however that Portland and Metro could choose to end this senseless pollution of our waterways every winter, and that is to adopt an immediate and total ban on construction activities in areas with separated sewer systems which require the exposure of bare earth between October 1 and April 1 each year. I recommend October 1 as the starting date so that grass cover planted in exposed earth will have time to take hold before the heaviest fall rain storms.

Given that steelhead, salmon and other valuable fish that live and spawn in area streams are becoming increasingly endangered I believe that we cannot afford to wait to take decisive action on this issue. I have discussed this issue with specialists responsible for water quality issues for the Oregon Plan.. As currently written, the Oregon Plan does not address the issue of silty construction runoff. This problem is uniquely severe in the Portland Metro activity

because a high percentage of construction state wide is concentrated in the metro area. Therefore it is up to Metro to act. It would be a simple, proactive step that Metro and Portland can take right now to improve the survivability of our endangered fish.

There is one other critical action that needs Metro's immediate attention but will take more time to implement and that is to develop and implement ordinances to manage stormwater in a manner that does not degrade our streams. Unmanaged runoff from urban impervious surfaces becomes worse with each passing month and each new development. Many urban streams are already badly overloaded during winter storms to the point of severe erosion. We desperately need policies and facilities that will allow us to collect and manage this stormwater in a manner that does not degrade our streams and fish habitat. While Portland is making a good start with its Stormwater Policy Advisory Committee, it is just a start and it needs to be addressed regionally. Therefore, I would urge Metro to make stormwater management a budget priority for immediate attention.

I strongly believe that immediate implementation of Metro Title 3, an immediate winter time ban on construction activities that expose bare earth, and an aggressive effort to develop improved stormwater management are the minimum steps needed to protect water quality and fish habitat in the Portland Metro area.

Sincerely,

Jere Retzer
Crestwood Headwaters Group
5115 SW Alfred St
Portland, OR 97219
Phone (503) 245-8641

CC: will.stelle@noaa.gov, furfeyr@metro.dst.or.us, DEANM...

From: "jean edwards" <blueberi@worldstar.com>
To: MetCen.Met2 (burtonm)
Date: 2/26/98 3:02pm
Subject: Title 3

Dear Council members,

We are writing to urge you to support of strong Title 3 measures. As farmers and rural residents in Washington county, we are critically aware of land erosion, water quality and flooding. We have lived and farmed blueberries along McKay Creek, near North Plains for 20 years. With the increase in development in the surrounding area, soil, runoff and water quality problems have become more frequent and severe in recent years. The incidence of flooding has increased on our farmland, roads, and throughout the surrounding farming community.

We have witnessed increases in the amount and frequency of heavy sediment in roadside ditches in this area. These ditches, in turn, flow into McKay Creek. There is no question that the water quality has declined with the increases in run-off and sediment. Many of the aquatic animals and fish are no longer present. We used to have trout and salmon in this creek. We have not seen any in recent years however. We do not eat crawfish out of the creek anymore because we are concerned about chemical and other contamination by pollutants.

We ask you and the other Metro representatives to enact Title 3 in the hope that it will help control some of these problems.

Sincerely,

Jean and Phil Muir
30350 Scotch Church Rd.
Hillsboro, OR 97124

From: "Kasandra Griffin" <kas@orcouncil.org>
To: MetCen.GWIA("Metro.Council@orcouncil.org")
Date: 2/26/98 3:17pm
Subject: Title 3 vote

The Oregon Environmental Council strongly urges (all Metro councilors) to vote in favor of Title 3 which is coming before you tonight. This policy is a significant step toward improving and protecting our urban water quality through more thoughtful development in the watershed and better protection of the riparian and floodplain areas.

It is our responsibility to respect those who live downstream of the Metro area and not worsen the water quality or flooding problems. Instead we should work to prevent pollution, reduce erosion and restore natural storage and filtration wherever possible.

Thank you for your concern.

on behalf of OEC and Water Program Director Gayle Killam,

From: Oregon Chapter Sierra Club <orsierra@spiritone.com>
To: MetCen.Met1(naitol,mccaigp)
Date: 5/6/98 8:38am
Subject: Title 3

Dear Councilors McCaig and Naito,

I strongly encourage you stand firm in supporting Title 3 AS IS. Do not be persuaded to soften its language and allow greater flexibility for local jurisdictions in their compliance with Title 3. This could potentially undermine Title 3's effectiveness. Title 3 as currently written offers a better chance of ensuring the region's ability to meet the challenges around water quality, floodplain protection, and wildlife protection, than if we weaken its language by incorporating more "flexibility." Furthermore, strong Title 3 provisions will better facilitate steelhead restoration as we begin to look at how this region will meet protection provisions and restoration goals mandated by their recent listing under ESA.

Thank you both for your on-going leadership as Metro councilors in protecting and restoring our region's environment. Please support a strong Title 3 and demonstrate again the need to make strong environmental protection a regional priority.

Jill Fuglister
3725 SE Francis
Portland OR 97202
503-235-3962

- Ore. Chapter Sierra Club

From: Jack Newlevant <jnewl@rain.com>
To: Patricia McCaig <mccaigp@metro.dst.or.us>, Lisa Na...
Date: 5/3/98 10:21am
Subject: Title 3, with No amendments

Dear Ms. McCaig and Ms. Naito,

We would like you to support Title 3 next week, as is. Please defend it from the addition of any amendments with weakening language!

Thanks,

Jack Newlevant (also speaking for Marion & Hazel)

The Newlevants
1904 SE Hemlock Ave.
Portland, OR 97214
tel: 503.236.4920

CC: Marion Sturtevant <mSturt@rain.com>

✓

From: "Peter Lavigne" <watershed@igc.org>
To: MetCen.Met1(mccaigp,naitol)
Date: 4/30/98 10:40am
Subject: Support for Title 3

Dear Councilor Naito and Councilor McCaig,

I'm writing as a concerned citizen and as a member of the city of Portland's Willamette River Task Force, and as an individual who has spent the last twenty years working on river and watershed protection law and policy throughout the United States and Canada, to urge you to support a strong Title 3 to protect and restore our regions water resources and to protect homeowners and taxpayers from the entirely avoidable flood damage that comes from development in floodplains. We can work to mitigate past unwise floodplain development while preventing future additional human damages and taxpayer subsidies for cleanup and restoration in these areas with the regulations being put forward to Metro. Please support them strongly without the weakening amendments being proposed by Councilor Morrisette.

Sincerely,

Peter Lavigne

Peter Lavigne
Watershed Consultants
3714 SE 11th Ave.
Portland, OR 97202-3724
(O) 503-236-4496
(Fax) 503-232-2887
email: watershed@igc.org

From: Diane M. Ross <dross@imagina.com>
To: "Lisa Naito" <naitol@metro.dst.or.us>
Date: 4/30/98 4:30pm
Subject: Support Title 3

Support Title 3 as it is, with no amendments.

Diane Ross
4405 Sundew Court
Lake Oswego OR 97035
503-635-9551

From: Jim Johnson <jimjohn@teleport.com>
To: MetCen.Met1(naitol,mccaigp)
Date: 4/30/98 9:29pm
Subject: Title 3

Councilor Naito and Councilor McCaig,

I simply want to inform you that as a Portland resident who feels it is important to protect the remaining wetlands of the Metropolitan Area, I support Title 3 as it is, with no amendments.

Thank you,

Jim Johnson
6303 S.E. Ramona Street
Portland, OR 97206
jimjohn@teleport.com

✓

From: J.Greve <gorge@teleport.com>
To: MetCen.Met1(naitol)
Date: 5/1/98 10:34am
Subject: Please support Title 3

1 May 1998

Councilor Naito,

In the interests of protecting Portland's wetlands, I urge you to support Title 3 as it is, with no amendments.

Thank you for your attention to this matter.

James Greve
613 SE 19th Ave
Portland 97214
gorge@teleport.com.

✓

From: DPSEXTON <DPSEXTON@aol.com>
To: Lisa Naito <naitol@metro.dst.or.us>
Date: 5/5/98 10:54am
Subject: Title 3

Just to let you know that we support Title 3 with no amendments to protect area wetlands. Please resist against any weakening.

Thank you.

David & Joan Sexton
3820 SW Kanan Dr
Portland 97221
2-3431

✓

May 11, 1998

Lisa Naito, Chair Growth Management Committee
600 NE Grand Avenue
Portland, OR 97232-2736

RE: Title 3

Chair Naito,

I write to encourage you to fight for the strongest Title 3 language possible. Also, counties should have the option of implementing Title 3 immediately, especially on development plans just being submitted. Title 3 is critical to Clackamas County retaining its natural resources and beauty, the reason many wish to move here. We have the opportunity to avoid and learn from the mistakes of Multnomah and Washington County. We can avoid the restoration and clean-up costs they are and will be facing. Please, don't let extreme pressure from the development community weaken an ordinance that is considered the best study METRO has done.

Title 3 is protection for wet lands and stream corridors, not dollars for developers who build and leave.

Please, keep Title 3 strong, voted on, and implemented!

Sincerely,

A handwritten signature in blue ink that reads "Sandy Van Bemmell". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sandy Van Bemmell
14753 SE Monner Road
Portland, OR 97236-5804



METRO

May 14, 1998

Donna Shilts
7454 N Huron Avenue
Portland, OR 97203

Dear Donna,

Thank you for taking the time to write about the importance of adequately funding our schools. I agree that schools are a vital part of our community.

The Metro Council is currently looking at ways in which we can support schools while remaining true to state laws and Metro's land use and transportation planning mission. Currently we are investigating the possibility of purchasing surplus school district property if it meets the criteria of the region's open spaces, parks and streams bond measure.

Thank you for your advocacy for our children. Please call me at 797-1552 if you wish to discuss this further.

Sincerely,

Lisa Naito
Metro Councilor
District 6

LN:msm

Enclosure



Position Paper -- Clarification of Metro's Role in Portland School District Budget

Metro commends the district for looking at all sources for funding. Schools are an important part of our communities.

Metro is a regional government. We serve 1.3 M people, 24 cities and 23 school districts. The majority of our funding is dedicated meaning it can only be used for specific purposes such as operating the zoo and solid waste disposal.

Metro's primary mission is to manage growth. This critical mission is mandated by federal regulations, state land use laws and a voter-approved charter. The agency is accountable for growth management services, regional transportation planning, regional solid waste management including recycling, and regional parks and greenspaces. Metro owns and operates the Expo Center, the Oregon Zoo, and the Oregon Convention Center as well as overseeing operation of the Civic Stadium and Portland Center for the Performing Arts.

The Portland Metropolitan Area's rapid growth currently presents tremendous challenges for the 24 cities we serve. During the next budget cycle, we are obligated by our charter to pay for necessary planning to achieve the region's 2040 vision and minimize the need to expand the urban growth boundary.

Now when it comes to schools, we understand they also have many challenges facing them. It's not easy for any of the 23 school districts in Metro's region.

However, Metro's funding sources do not allow for funding schools. Unlike the city or county, we have no general fund dollars for this purpose.

It's absolutely critical Metro remains true to its mission. We use dedicated funds for specific programs and services that voters and local jurisdictions in the entire region are counting on us to provide.

With that said, we are currently partners with the City of Portland, its parks bureau and the school district to research the possibility of buying surplus school district property if it meets the rigorous criteria of the region's open spaces, parks and streams bond measure. Voters passed this bond measure which includes targeted geographic target areas for land purchases. Another purchase parameter is that we do not purchase property for more than fair market value.

We are still in the research phase of this idea. But through the surplus school property task force, Metro may be able to support schools while remaining accountable to its critical regional mission.

###

-- May 1, 1998
-- Mike Burton, Metro Executive
Officer

7454 N. Huron Ave.
Portland, OR 97203
(503) 286-0569

April 29, 1998

Metro Council
600 NE Grand
Portland, Oregon 97232

To *Lisa Naito,*

I learned just today that the Portland Public Schools is planning to close the HeadStart/Title 1 PreKindergarten Programs in order to save money. Evidently, seventeen classrooms will be lost. Why is this so? Why is this wonderful program even being considered for the "chopping block?" Headstart programs are one of the few government funded programs that have proven to be effective-time and time again.

As a concerned citizen, I find this plan to cut HeadStart appalling. As the caretaker of a foster child, I find it pathetic. The HeadStart program has essentially been the only constant in the child's life. At four-and-a-half, he has been moved four times since coming into the state's care nine months ago.

The administrators of our public service systems and the many gatekeepers of public policy, are well aware of the fact that we have pressing and escalating social problems on our hands: poverty, substance abuse, unaffordable housing, low working wages, the lack of quality childcare. The foster care system in Multnomah County is the catchall for the children who fall victim to the chaos of such erosion, and it is a terribly overburdened system. Working with the various social systems, and attending to the care needs of the children - mental health, safety, physical health, nutrition, housing, clothing - is a lot. Foster parents simply cannot provide for these children the intellectual experiences and rich social encounters that the HeadStart programs do.

Children are not valued in America, but why must this be so in Oregon as well? Please do not cut the HeadStart programs.

Sincerely,
Donna Shilts
Donna Shilts

Joan McEchron
4641 NE 74th Avenue
Portland OR 97218

Councilor Lisa Naito
Metro Council
600 NE Grand Ave
Portland OR 97232

Dear Councilor Naito,

As a former Portland Public Schools Head Start parent, I am writing to advocate strongly for the retention of this important early childhood program. This program is unique in the State for a number of reasons: the teachers are certified; the entire teaching staff is trained and kept current in early childhood development and practices; the program serves, overall, 578 families at any one time, filling classrooms from a waiting list as spaces open through the year; it offers ESL support in ten languages to culturally diverse classes. There is a very strong family services component, which offers parent support and parenting classes. English as a second language and basic computer skills are offered to parents through the Literacy Program. Medical information, appointments and follow up are arranged for children. Even rides to the doctor are provided to children to see to it their medical needs are met.

Special needs children are referred regularly through the Portland Early Intervention Program. Other children may be referred and observed by professionals, and often a diagnosis can then be made of a specific problem. This happened in our case with our son, and we were able to get a medical referral to a specialist.

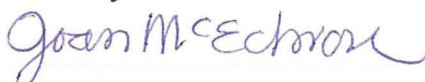
The program is not endangered because of budget concerns! It costs the District less than \$170,000 per year to qualify for over 3 million Federal dollars to run the Head Start program. That is money and resources that will be lost to the District if the Program is abandoned.

PPS Head Start provides a strong liaison between families and the elementary schools through the transition to kindergarten. Medical documentation, skills assessments and anecdotal records are forwarded to schools all over the district.

If this program is closed now, these slots for Portland's children may be lost forever, as the slots and funds will be put up for bid. They cannot simply be directly transferred to another local program.

The commitment, compassion and quality of the staff in this program is too great to be dismissed without good cause. Please do all you can to ensure Portland Public Schools Head Start will continue to serve the needs of low income and special needs children and their families.

Thank you.


Joan McEchron

From: <jharaken@concentric.net>
To: "Chair Beverly Stein" <mult.chair@co.multnomah.or....>
Date: 4/26/98 7:08pm
Subject: Education Funding

April 26, 1998

The following testimony was prepared for a Portland City Council hearing on April 25. Because Portland Public Schools will require support from all local government agencies to prevent further damage and begin to rebuild its reputation as a worthy urban school district, I am sending this to each of you. I appreciate your serious consideration of the request for greater financial support for our schools.

TESTIMONY:

My name is Ann Kendellen and I live at 2915 NE 49th Avenue in Portland. 97213-1842
Thank you for continuing to show your very real and deep concern for Portland Public Schools. I'm here to ask you to show even more concern by increasing the amount designated for the district.

Last night I had the privilege of watching middle schoolers at Beaumont performing "The Unsinkable Molly Brown." These children are enormously talented. These are the times we need to foster an enthusiasm and love of learning. Thanks to incredibly dedicated teachers, and parents and local businesses who now directly subsidize these activities, those children learn poise, speech, music, drama and team work. How many more might have benefited from this if their families could pay the activity fee, or were willing to ask for financial help? We are PUBLIC schools. Since my oldest son entered kindergarten in 1990, I have taken on two volunteer roles for the schools - helping my schools' teachers and fighting for stable funding. After more than 7 years and 3 legislative sessions, I have little faith in Salem's willingness to solve this problem. Three things have sustained me: a local community that cares, as local elected officials demonstrate; our teachers, who continue to work though staffing shrinks and class sizes rise; and mostly, our children. I think of my own; those in both elementary and middle school that I tutor; the gifted Grant High School Royal Blues who return to Alameda to sing and inspire younger children.

I know education is just one important part of the fabric of our community. I believe in the park system, the arts, transportation, and many other services our city supports. But our schools - our children - are so critical to sustaining our city, to building our future, to enriching our neighborhoods. They are so dependent on us now. Please consider increasing your support. Help give us hope by assuring us that we can once again move forward. Thank you.

Ann Kendellen

From: Tim Scott <tim@europa.com>
To: MetCen.Met1(myerss)
Date: 4/28/98 12:40pm
Subject: Full School Funding

Dear Commissioner Naito- I am writing to beg your support for full school funding. No cuts in September! Don't sacrifice public education for our children.

Sincerely,

Annie and Tim Scott
7814 SE 36th Ave.
Portland OR 97202

From: Carey Booth <Carey.Booth@directory.reed.edu>
To: MetCen.Met2 (burtonm) , MetCen.Met1 (myerss, stonej, ray...
Date: 4/29/98 2:11pm
Subject: money for schools

Please give your full support for \$15 million from local government to avoid additional cuts to our schools next September.

Whether or not people decide to have children, everyone has benefited from the public school system in this country. People who do not support funds for education are being very short sighted. Who do they think will be their doctor when they are old?

Carey Booth
1603 SE Maple Ave.
Portland, OR 97214

4/30/98

Dear Councilor Lisa Naito,

I am writing to express my great concern regarding the possible closure of the Portland Public Schools Head Start Program. I believe it would be a huge mistake to allow the district to stop its long term commitment with this high quality federally and state funded program.

I am a past parent, and through the program I learned the value of education. Sixteen years ago my son was in the program. Sam's teacher invited me to volunteer in his classroom quite often. I enjoyed helping and my son liked having his mom in the class room. This teacher's encouragement helped me to get involved with my children's school's and lives. I didn't start getting involved with my older son's school until after my Head Start experience. I have always volunteered at all the school's my son's went to and I believe it helped them become better student's and adults. Both boy's were involved in student government all through High School, in fact both were Student Body President's. Sam was also Freshman class VP, Sophomore class President, and Junior class President. They are both in college now, the oldest will graduate this spring. He will attend two more years of college (on a scholarship) to receive another degree. They have learned the value of education. I am proud of them and will brag whenever I can.

The PPS Head Start program offered several different classes, many of which I have taken. When children see their parent's educating themselves I believe it show's the child how it should be. We did set good examples for our children to follow. I thank PPS Head Start Program for showing me the right thing to do.

I hope you will give them a chance to speak with you and allow them an opportunity to show you who they are and what they do.

Sincerely,

Marjean Calkins

Marjean Calkins

8015 SE Main

Portland, 97215

From: Megan Taylor <mtaylor@hevanet.com>
To: MetCen.Met2 (burtonm), MetCen.Met1 (myerss, stonej, ray...
Date: 4/24/98 12:15pm
Subject: PPS needs more money to avoid teacher layoffs!

>To:Mike Burton, Metro Executive Officer, Councilor Patricia McCaig,
Councilor Ruth McFarland, Councilor Don Morrisette, Councilor Jon Kvistad,
Councilor Susan McLain, councilor Ed Washington, Councilor Lisa Naito

Dear Metro Members: This is a copy of a letter I sent to the Mayor and City Council Members re: the need for local governments to come up with more money for the Portland Public Schools next year. Thanks for your time.

Megan Taylor

mayorkatz@ci.portland.or.us, chales@ci.portland.or.us, gkafoury@ci.portland.o
r.us, erik@ci.portland.or.us, jfrancesconi@ci.portland.or.us

>From: mtaylor@hevanet.com (Megan Taylor)

>Subject: PPS needs more money to avoid teacher layoffs!

>

>Dear Mayor Katz and City Council Members: I'm writing to urge you to meet Diana Snowden half way. As a concerned parent and activist, I attended her budget presentation last night and was impressed with the care and hard work that went into doing a very painful task, i.e., trying to come up with the 1998-1999 school budget. I appreciate the fact that you've helped the schools before and that you plan to do so again. Thank you so much for your commitment to kids and to the schools. Thanks for your commitment to the future of this community. But, I sincerely hope you will do more. We need \$12-\$15 million dollars in city and county aid just to stay in survival mode next year.

>

>My son is an eight year old. He's very bright. He has a marvelous teacher with over 25 years of experience and is very lucky. But, he is also one of 28 first and second graders in a very busy, stimulating mixed-age class. I love the classroom and I know how much he's grown there but there are times when, due to the number and varying needs of all those kids, he doesn't get adequately challenged. That's not the teacher's fault. That's the fault of an defective system, in this state, of funding the public schools. She simply doesn't have the time or resources to adequately meet the needs of every child, all the time. That class should have twenty kids in it. Not twenty-eight. At Grant High, an honors physics class already has forty-three kids in it, an honors english class has forty-seven or so. Those kids are educating themselves. We can't afford any more layoffs.

>

>I still believe my son is getting an excellent education, mostly because he's had such wonderful and dedicated teachers to learn from. But as a community, we can't expect our children and our teachers to deal with the consequences of poor education funding alone. We have to keep showing them that we're invested in children, in public education, and that we value our teachers. I don't want Portland to experience the kind of mass exodus from the public school system that so many other communities in this country have experienced. I don't want to see middle class parents pulling their middle class kids out of the public schools and enrolling them in private schools. I don't want a two-tiered system of "the haves and the have nots". That kind of system divides the community. That's not what I envision for Portland.

>
>Again, thanks for your commitment to public education, your pledge to help.
I hope that you, in conjunction with the county, will decide to commit the
\$12-\$15 million needed to help Portland Public Schools bridge the budgetary
gap next year. That's what's needed. We're not just fighting for our kids,
we're fighting for the future of this community. There is no greater
priority.

>
>Sincerely,

>
>Megan Taylor
>2315 N.E. 32nd Ct.
>Portland, Oregon 97212
>(503) 281-8222

>
>
>
>

From: Megan Taylor <mtaylor@hevanet.com>
To: MetCen.Met2(burtonm)
Date: 4/24/98 12:29pm
Subject: school budget shortfall

Dear Mr. Burton--I'm writing because I'd like Metro to do its best to help the PPS with their budget deficit next year and to advocate for Portland school children. I'm assuming that a community that's willing to put out \$45 million to renovate the Civic Stadium will come up with the funds to avoid further teacher layoffs in the public schools. Surely the education of our children must be a greater source of pride and commitment than a recreational facility?

(By the way, what is Metro's role in the Stadium project? Where exactly is the funding for that project coming from?)

Most importantly, what can Metro do to help fund our schools next year?

Please let me know your thoughts on this matter.

Thank you.

Megan Taylor
2315 NE 32nd Ct.
Portland, Oregon 97212
(503) 281-8222

CC: MetCen.Met1(myerss,stonej,rayl),MetCen.GWIA("emmer...

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: Jon Kvistad, Presiding Officer

FROM: Lisa Naito, Chair
Growth Management Committee

DATE: June 1, 1998

SUBJECT: Affordable Housing Task Force

A handwritten signature in dark ink, appearing to read 'L Naito', is written over the 'FROM' line of the memorandum.

The affordable housing issue is in mediation. What that process is complete, I anticipate that there will be a recommendation for Council approval and a proposal for a Task Force to be appointed and begin work.

I request that the proposal and Task Force ordinance and resolution go directly to the full Council for a vote as soon as possible. There is no need for additional committee work.

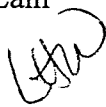
cc: Metro Council

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

TO: Susan McLain
FROM: Lisa Naito 
DATE: June 1, 1998
SUBJECT: Request to reschedule Title 3 vote

Thank you for your request. I do believe staff should be able to prepare the amendments as adopted by the Growth Management Committee by June 4.

I expect to be sworn in as a County Commissioner on June 23, which means June 18 will be my last Council meeting. Therefore, I set the Title 3 vote for that day.

Additionally, I understand the Wilsonville prison issue is scheduled for June 25.

TRANSACTION REPORT

P. 01

JUN-01-98 MON 04:40 PM

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
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TOTAL : 40S PAGES: 2

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

Council Office Facsimile

Date: June 1, 1998

To: Susan McLain

Fax number: 359-9533

Company/Agency:

From: Suzanne Myers, Council Assistant

Phone number: 797-1543

Total # of pages: 2 (including cover page)

Subject: Lisa Naito's response to request to reschedule Title 3 vote

Please notify immediately if not received properly.



METRO

June 3, 1998

Steven L. Shain
Vice President
TRIANGLE PARK, LLC
3121 SW Moody Avenue
Portland, Oregon 97201

Dear Mr. Shain:

Thank you for your letter of June 2, 1998, requesting removal and exemption of Triangle's North Portland yard site from the requirements of Title 3. I sincerely regret that I cannot accommodate your request. Title 3 is scheduled for a vote at the full Council on June 4, 1998, with final adoption on June 18, 1998. The maps have been public for some time and considerable review has been done for accuracy. Metro staff has informed me that your property would fit their criteria for removal, but there is no time for public review or comment on this recommendation. Other map changes have been subject to review and comment by Metro advisory committees and advocacy groups.

The proposed ordinance directs local jurisdictions to create a process to consider map changes, and I understand you have the support of the City of Portland in this matter. I believe this matter should be considered at the local level.

Sincerely,

Lisa Naito, Chair
Metro Council Growth Management Committee

LN:mm

cc:	Elaine Wilkerson	Rosemary Furfey	Susan Payne
	Patricia McCaig	Don Morissette	Jon Kvistad
	Ruth McFarland	Ed Washington	Susan McLain
	Mike Burton		
	Mayor Vera Katz	Charles Hales	Erik Sten
	Gretchen Kafoury	Jim Francesconi	
	David Knowles		





METRO

Council Office Facsimile

Date: June 3, 1998
To: Steven L. Shain, Vice President
Fax number: 228-6750
Company/Agency: TRIANGLE PARK, LLC
Phone number: 228-8691
From: Lisa Naito, Metro Councilor
Phone number: 797-1543
Total # of pages: 2 *(including cover page)*
Subject: Triangle's North Portland Yard and Title 3

Please notify immediately if not received properly.

TRIANGLE PARK, LLC

3121 SW Moody Avenue
Portland, Oregon 97201-4500
Phone 228-8691 Fax 228-6750

June 2, 1998

Lisa Naito, Chair
Growth Management Committee
METRO
600 NE Grand Avenue
Portland, Oregon 97232

Dear Councilor Naito:

Triangle Park, LLC (Triangle) requests that METRO with the acceptance of the City of Portland amend the Title 3 baseline maps by removing and exempting Triangle's North Portland Yard site (formerly known as the Riedel property) from the requirements of Title 3.

The North Portland Yard is located at the foot of North Van Houten Place, the property comprises approximately 34.76 acres of Willamette River industrial waterfront with approximately 2,250 of lineal feet of river frontage. This property is zoned IHi. IH is one of the three zones that implements the Industrial Sanctuary map designation of the city's Comprehensive Plan. The "i" represents the River Industrial Willamette Greenway Overlay Zone, which is the zone that *"encourages and promotes the development of river-dependent and river-related industries which strengthen the economic vitality of Portland as a marine shipping and industrial harbor, while preserving and enhancing the riparian habitat and providing public access where practical"* according to the City of Portland's Zoning Code. This site has been used for waterfront industrial uses since at least 1900. At present the site is being used for river dependent uses with barge and other vessel moorage.

Triangle, prior to acquiring this site from the United States Bankruptcy Court for the District of Oregon, entered in to a Prospective Purchaser Agreement (Agreement) with Oregon Department of Environmental Quality which identifies certain responsibilities and public benefits that Triangle is obligated to perform. Those responsibilities include certain environmental and remediation activities and public benefits based on proposed uses for the property. Those uses identified in the Agreement Section 1.E. include *"revitalize an abandoned property, maintain industrial zoned and industrial sanctuary property within the city of Portland's Urban Growth Boundary; create industrial and other jobs within the City of Portland's Enterprise Area; and to potentially provide a new location for the operation of Zidell Marine Corporation, currently located on the south*

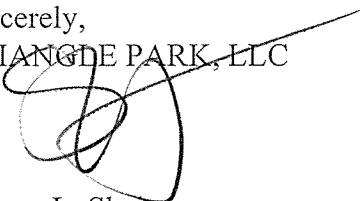
*Michael
Morrissey
2 yrs
exceptions
map*

waterfront, near downtown Portland." Additionally, Section 1.F. states that DEQ consulted with the city's land use planning department and considered reasonably-anticipated future land uses at the property. Other sections of the Agreement of interest are Section 2.R. and Attachment B, Letters of Support. Letters of support are from Oregon Economic Development Department and Portland Development Commission.

METRO's March 5, 1998 memo *Criteria for Amending the Stream & Floodplain Protection Maps (Title 3) for Initial Adoption by Metro Council* establishes criteria for amending the maps. Three points were established for deletion from flood management areas and/or water quality management areas. The established criteria that is germane to this property is: *#2 Areas with existing water dependent uses or areas with existing plans or agreements for water dependent uses.*

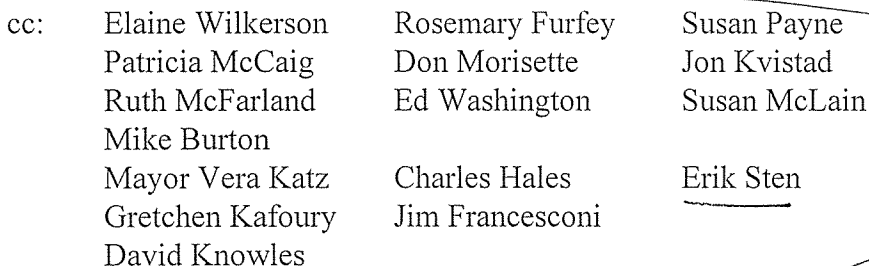
Based on the above information and established policy considerations the Triangle North Portland Yard should be exempted from the requirements of Title 3 with the necessary map amendments. Please feel free to contact me at your earliest convenience if you have questions regarding this matter.

Sincerely,
TRIANGLE PARK, LLC



Steven L. Sham
Vice President

Attachments: Prospective Purchaser Agreement
March 5, 1998 Memo Regarding Criteria For Amending Title 3 Maps
Title 3 DRAFT Section 1n1e18 map



cc: Elaine Wilkerson Rosemary Furfey Susan Payne
Patricia McCaig Don Morisette Jon Kvistad
Ruth McFarland Ed Washington Susan McLain
Mike Burton
Mayor Vera Katz Charles Hales Erik Sten
Gretchen Kafoury Jim Francesconi
David Knowles

AFTER RECORDING RETURN TO:

Steven L. Shain
Triangle Park LLC
3121 SW Moody Avenue
Portland, Oregon 97201

PROSPECTIVE PURCHASER AGREEMENT

DEQ No. 97-03

BETWEEN: Oregon Department of Environmental Quality

AND: Triangle Park, L.L.C.

EFFECTIVE DATE: _____ (date of last signature below)

This Agreement is entered between the Oregon Department of Environmental Quality (DEQ) and Triangle Park, L.L.C. (Triangle), pursuant to ORS 465.260 and 465.327. This Agreement contains the following provisions:

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1. RECITALS

A. The North Portland Yard site (also known as the Riedel property) is located at 5828 North Van Houten Place in Portland. The North Portland Yard site (the Property) comprises approximately 34.76 acres of Willamette River industrial waterfront with approximately 2,250 lineal feet of river frontage. The legal description of the Property is set forth in Attachment A to this Agreement. Any reference to "the Property" in this Agreement includes not only above-water soils, but also sediments above or below water that are within the legal boundaries of the Property.

B. The Property has been used for industrial purposes since 1900. Currently, approximately twenty structures remain on the Property. The majority of the historic lumber, manufacturing, and ship building structures have been removed from the Property. A pump-station is located on the southern-most corner of the Property and the below-ground pipeline passes along the full southeast width of the Property. Substances detected in soils at the Property include: polychlorinated biphenyls (PCBs); total petroleum hydrocarbons (TPH); volatile organic compounds (VOCs), including naphthalene, xylenes, alkyl-substituted aromatics, methylene chloride and PCE; polycyclic aromatic hydrocarbons (PAHs), both carcinogenic and non-carcinogenic PAHs; antimony; arsenic; cadmium; lead; chromium, nickel, copper; and zinc. Substances detected in groundwater at the Property include: TPH; PAHs; volatile organic compounds (VOCs), including chlorinated solvents, BTEX; 1,1-DCA, 1,1,1-TCA, PCE, 1,2-DCE, c-1,2-DCE, VC, chloromethane, benzene, toluene; antimony; arsenic; beryllium; chromium; copper; lead; nickel; and zinc. Substances detected in the river sediments include

tributyl tin and arsenic. These substances are "hazardous substances" within the meaning of ORS 465.200(15). The presence of hazardous substances at the Property constitutes a "release" of hazardous substances within the meaning of ORS 465.200(21), and makes the Property a "facility" within the meaning of ORS 465.200(12). Removal or remedial action is necessary at the Property to protect human health or the environment.

C. On October 10, 1996, Triangle Park, L.L.C. (Triangle), applied to DEQ for entry of this Agreement, and paid an advance deposit of \$2,500.00 to reimburse DEQ's costs of technical review and agreement preparation.

D. Triangle is a limited liability corporation registered in Oregon, and a "person" within the meaning of ORS 465.200(20). Triangle's prospective interest in the Property is to acquire and develop the Property for industrial uses consistent with current City of Portland IH zoning and/or other approved conditional uses. According to information provided by Triangle, Triangle is not liable under ORS 465.255 for the release of hazardous substances existing at or from the Property as of the date of this Agreement.

E. Triangle shall perform the investigation and remediation activities described in Section 2 of this Agreement (*Measures to be Undertaken*). Triangle shall provide the additional public benefits described in Section 2 of this Agreement, in addition to the public benefits to be provided based on the proposed uses for the Property. These additional public benefits related to use may include: revitalize an abandoned property; maintain industrial zoned and industrial sanctuary property within the City of Portland's Urban Growth Boundary; create industrial and other jobs within the City of Portland's Enterprise Area; and potentially provide a new location

for the operation of Zidell Marine Corporation, currently located on the south waterfront, near downtown Portland, thereby helping to make the south waterfront property available for mixed use, consistent with the City of Portland's long term land use plans. In addition, as of April 1997, Triangle has already expended over \$52,000. in site environmental investigations, and has incurred over \$8,000. in DEQ oversight costs, and is making these environmental reports available to DEQ at no cost to the public. DEQ has determined that Triangle's proposed activities at the Property consistent with this Agreement will not contribute to or exacerbate existing contamination, increase human health or environmental risks, or interfere with remedial measures necessary at the Property. The Portland Development Commission and the Oregon Economic Development Department support this Agreement for the public benefits that it will provide (Attachment B to this Agreement). DEQ, therefore, has determined that a "substantial public benefit" will result from this Agreement, within the meaning of ORS 465.327 (1)(d).

F. In determining to enter this Agreement, DEQ has consulted with the City of Portland's land use planning department and has considered reasonably-anticipated future land uses at the Property and surrounding properties.

G. Triangle recognizes that implementation of remedial measures at the Property might interfere with Triangle's use of the Property.

2. MEASURES TO BE UNDERTAKEN

A. (1) Subject to Subsection 2.B., Triangle shall perform a focused remedial investigation and feasibility study (RI/FS) in accordance with ORS 465.200 through 465.455 and

related regulations, and in accordance with the terms and schedule set forth in the Scope of Work (SOW) attached to and incorporated by reference into this Agreement as Attachment C. Subject to Subsection 2.B., Triangle further shall perform any remedial actions for surface and subsurface soil contamination at the Property, selected or approved by DEQ in accordance with ORS 465.200 *et seq.* and related regulations, based on the results of the RI/FS.

(2) Soils, for the purposes of this Agreement and attached SOW, shall include all contaminated media in the area above the ordinary high water line, excluding groundwater and air.

B. Triangle shall commit, but shall not be obligated to spend more than, \$750,000 to perform the investigation and remedial activities for surface and subsurface soils at the Property in accordance with the SOW and this Agreement. Remediation of surface and subsurface soils (soils) if necessary, shall include any measures necessary to prevent leaching or migration of soil contamination to any other media. Triangle shall submit proposed costs for each phase of soils investigation and remediation to DEQ for review and approval, prior to commencement of the proposed activities or obligation of any funds. Triangle's monetary commitment of \$750,000 is in addition to any other monies spent by Triangle related to investigation or remedial activities at the Property before the effective date of this Agreement, or beyond that work specified in the SOW or a DEQ-approved soils remedy. This \$750,000 must be spent on remedial action or removal activities within the meaning of ORS 465.200(22) and 465.200(24); provided that internal administrative costs incurred by Triangle and legal costs incurred by Triangle relating to activities performed pursuant to this Agreement shall not be paid from the \$750,000. Costs

incurred by Triangle for its environmental consultants to prepare the reports, work plans, and cost estimates required by this Agreement are to be paid from the \$750,000.

(1) It is estimated that, based on 1997 dollars, the necessary soil investigation and remediation at the Property can be completed for \$750,000.

(2) Within 60 days of the effective date of this Agreement, Triangle shall deposit \$250,000 into an escrow account (the "Escrow"), to be established at an independent financial institution acceptable to the parties to this Agreement, pursuant to mutually acceptable Escrow instructions consistent with this Agreement. Any interest generated on the monies in Escrow shall accrue for the benefit of the Escrow.

(3) The monies in the Escrow shall be used to pay for the investigative and remedial measures required under the SOW and any DEQ-approved soil remedy, only after, and if the initial \$500,000 (for soil investigation, remediation, and DEQ costs, including obtaining a No Further Action determination or Certification of completion from DEQ) has been spent.

(4) If the initial \$500,000 has not been spent within 10 years from the date of this Agreement, DEQ and Triangle shall determine whether a calculation on the balance remaining (of the \$500,000) is necessary to reflect the 1997 value of that remaining balance. In making this determination, DEQ and Triangle shall consider the amount of interest which has accrued in Escrow.

(5) If the soil investigation and remedial activities cost less than \$750,000 plus interest accrued in Escrow, funds shall be distributed to Triangle and DEQ in accordance with

the schedule in Subsection 2.C. of this Agreement. If these activities cost more than \$750,000 and the interest accrued in Escrow, Triangle is not responsible for the additional costs.

(6) Neither DEQ nor Triangle shall have a right to a refund or reimbursement of any amounts placed into the Escrow until a written agreement defining the allocations in accordance with the formula in Subsection 2.C. of this Agreement has been signed by both parties.

(7) Triangle is designated as the administrator of the Escrow and shall furnish to the DEQ Project Manager, with the progress reports required under Subsection 3.E. of this Agreement, a summary of the account activity within the Escrow. A copy of the account summary generated by the financial institution managing the Escrow shall satisfy this obligation.

(8) Prior written approval from DEQ shall be required for disbursements from the Escrow and any payment which is a part of the initial \$500,000. DEQ's monthly invoice for oversight costs related to the soil investigation and remedial activities at the Property shall constitute "pre-approval" for such oversight costs. If the costs to Triangle for its contractor's work are covered by, and within the amount of, a proposal previously approved by DEQ, then that prior DEQ approval of the proposal shall constitute approval for the disbursement. Triangle shall pay these costs in accordance with Subsection 3.F. of this Agreement and the Escrow instructions if appropriate.

(9) The Escrow instructions shall provide that DEQ may require disbursements from the Escrow, with or without Triangle's consent, directly to DEQ for soil investigation and remedial action costs in the event Triangle fails or refuses to perform work required under this Agreement. DEQ reserves all rights under law to perform or require to be performed necessary

remedial measures and to recover remedial action costs notwithstanding establishment of the Escrow account, as to any person not a party to this Agreement.

C. If total soil investigation, remediation, and DEQ costs, including obtaining a No Further Action determination or Certification of Completion from DEQ, (Costs), are less than \$750,000 plus interest accrued in Escrow, DEQ and Triangle shall share the economic remainder and balance in Escrow according to the following schedule:

(1) If these Costs are less than \$500,000, DEQ shall receive a payment from Triangle and funds in Escrow equal to:

- (a) the difference between Costs and \$500,000; plus
- (b) \$.75 on the \$1.00 for the saved Costs between \$500,001 and \$600,000; plus
- (c) \$.25 on the \$1.00 for the saved Costs between \$600,001 and \$750,000 (plus any accrued interest);

(2) If these Costs are more than \$500,000 and less than \$600,000, DEQ shall receive a payment from the Escrow equal to:

- (a) \$.75 on the \$1.00 for the difference between Costs and \$600,000; plus
- (b) \$.25 on the \$1.00 for the saved Costs between \$600,001 and \$750,000 (plus any accrued interest);

(3) If these Costs are more than \$600,000 and less than \$750,000, DEQ shall receive a payment from the Escrow equal to:

- (a) \$.25 on the \$1.00 for the difference between total Costs and \$750,000 (plus any accrued interest).

D. Within 30 days of Triangle receiving from DEQ a written No Further Action determination or Certificate of Completion for the soils remediation at the Property, DEQ and

Triangle shall direct payment from Escrow, in accordance with the schedule described in Subsection 2.C.

E. Payments received by DEQ based on the formula described in Section 2 C. shall be used for sediment investigation and remediation at or near the Property.

F. (1) Triangle shall commit \$50,000 to perform the investigation required in the SOW for establishing baseline data relating to sediment contamination ("baseline sediment work"). Triangle's monetary commitment of \$50,000 is in addition to the \$750,000 committed to soil investigation and remediation and in addition to any other monies spent by Triangle related to investigation or remedial activities at the Property before the effective date of this Agreement or beyond that work specified in the SOW or a DEQ-approved soil remedy. If performance of the baseline sediment work costs less than \$50,000, any remaining balance shall be paid by Triangle to DEQ and dedicated to additional necessary investigation and remediation of sediments at or near the Property. Triangle shall pay this balance, if any, to DEQ within 30 days of receiving written confirmation from DEQ that Triangle's baseline sediment work is complete.

(2) Undertaking baseline sediment work does not obligate Triangle to investigate any sediments beyond that work specified in the SOW. DEQ acknowledges that this study cannot be conducted until after Triangle takes title to the Property; however, Triangle's baseline sediment work, if completed by November 1, 1998, shall be evidence as to the nature, scope, and level of contamination existing in the sediments at the time Triangle acquired the Property. Triangle shall cooperate and work with DEQ to ensure that the baseline sediment work performed by Triangle is coordinated with other sediment investigation and remediation activities at or near the

Property being conducted by DEQ, U.S. EPA, or any other party performing remedial activities under DEQ oversight.

(3) Sediments, for purposes of this Agreement, are river sediments within the Willamette River, which are below the ordinary high water line.

G. If funds are available to DEQ for sediment work, either under Subsection 2.E. or Paragraph 2.F.(1) of this Agreement (Funds), the Funds are to be used for work on sediments at or near the Property. After evaluating the investigatory and remedial needs of the contaminated sediments at or near the Property, DEQ and Triangle shall discuss the priority levels of the work to be performed to determine how those Funds are to be allocated.

H. Triangle shall comply with all federal, state, and local laws and regulations applicable to the handling, disposal, management, or movement of hazardous wastes, hazardous substances, and pollutants, associated with any activities at the Property by Triangle. Such activities shall be subject to DEQ approval before implementation. Triangle is responsible for coordinating any such activities with investigation or remedial action plans. Triangle shall not conduct any activities that might exacerbate existing contamination in the soils, sediments, or groundwater.

I. Triangle is not required to perform any investigation or remedial activities with respect to groundwater.

J. Triangle is not required to perform any investigation or remedial activities with respect to sediments except as provided in Subsection 2 F of this Agreement.

K. Any development, construction, or other use of the Property shall be consistent with and shall not interfere with any investigative or remedial activities necessary at the Property. To ensure such consistency and prevent exacerbation of existing contamination at the Property, Triangle shall submit for DEQ review and approval, development, use, and building plans, or other similar and adequate documentation, before any material physical changes or disturbances are made to the Property (including sediments); DEQ approval shall not be unreasonably withheld. In order to provide for adequate review of activities proposed on the Property, Triangle shall, upon request, provide DEQ with the following: an aerial view map of the plans; a design map showing depth levels of any proposed activity; management plans for addressing storm water runoff; an operation and management plan for any management technologies relied upon as part of a remedial action; and any other information deemed necessary by DEQ. This review and approval requirement will expire for the Property or the relevant portion(s) of the Property, upon the Property or the relevant portion(s) of the Property receiving a No Further Action determination or Certification of Completion from DEQ regarding all contaminated media.

L. Triangle shall require all tenants, employees, authorized and regular users, and other occupants of the Property who perform activities on the Property that might affect the soils, groundwater, or sediments, or affect necessary remedial measures, to also submit development and/or construction plans to Triangle, for review by DEQ, as per Subsection 2.K. of this Agreement. This requirement is necessary to ensure that the actions of others do not interfere with remedial activities or exacerbate existing contamination. This review and approval

requirement will expire for the Property or the relevant portion(s) of the Property, upon the Property or the relevant portion(s) of the Property receiving a No Further Action determination or Certification of Completion from DEQ regarding all contaminated media.

M. (1) Triangle shall require lessees, occupants, tenants, or other authorized and regular users of the Property who are subject to environmental regulations as an ordinary part of their activities, to submit a proposal to Triangle identifying areas of their operations whereby they might undertake activities in a manner beyond that which is required by existing regulations and which might result in greater environmental protection or benefit [i.e. conducting operations in a manner which is "beyond compliance"]. These proposals shall be submitted as soon as practicable and preferably prior to any construction or design activity for the new user, so as to maximize any opportunity to incorporate and implement one or more of the proposals into the facility or operation design. Triangle shall submit these proposals to DEQ for review and recommendation. Triangle will coordinate and facilitate communications, if necessary, between such users of the Property and DEQ, to allow for discussion of users' proposals, DEQ's recommendations, and the feasibility of implementing DEQ's recommendations.

(2) The proposal to be submitted by users of the Property shall include, at a minimum:

- (a) a statement of what the law requires (including the legal citation) with respect to the component(s) of the operations evaluated;
- (b) a description of current operating practices and a description of how this complies with the law;
- (c) a description of how operating practices could be modified;
- (d) an explanation of how this modification would result in greater environmental benefits, reduced pollution, and additional environmental protection; etc.;
- (e) an explanation of

how this benefit would be measured; (f) and an evaluation of how feasible the proposed modification is (based on cost, resources, time to implement, etc.). Each proposal should contain at least two proposed modifications for review. DEQ will work with Triangle to develop guidelines to be provided to users of the Property to assist them with development of their proposals. Examples of activities which could be considered beyond compliance include entry into DEQ's Green Permits Program for development of an Environmental Management System for the operation, or implementation of pollution prevention measures by altering operations in a manner not required by law, but which result in fewer or lower emissions of pollutants into the environment.

(3) Triangle will provide DEQ with the required proposals, and DEQ will make recommendations to Triangle and the users of the Property as to which modification(s) would be most appropriate to implement. In developing its recommendation, DEQ will consider the proposed benefit to be obtained relative to the financial investment required to implement the modification(s); the feasibility of implementing the modification(s); and the necessity of the modification(s) relative to current operations and environmental benefits currently being achieved.

(4) If Zidell Marine Corporation, or any corporate parent, subsidiary, affiliate, or successor (Zidell), is one of the users of the Property, Triangle shall contractually require that Zidell shall implement one or more of the reasonable proposed modifications to its operation, which, in DEQ's judgment, qualify as "beyond compliance."

N. Triangle will provide DEQ with any information or knowledge Triangle and its business principals have or possess regarding any potentially responsible parties under ORS Ch. 465 or CERCLA associated with the Property. Triangle need not conduct any research or perform any additional activities, except for the actual transfer of existing information and/or knowledge, to comply with the terms of this Subsection.

O. DEQ shall continue to take the lead for investigating sediment contamination at or near the Property, so long as the threats remain a priority. DEQ shall continue to work with U.S. EPA in performing a preliminary assessment of the sediments and shall take all reasonable steps to identify the source properties for the existing and /or ongoing contamination of sediments. If source properties are identified, DEQ shall proceed with its usual course of action with respect to responsible parties and remediation of the contamination, which may but need not include cost recovery against PRPs. DEQ will initiate discussions with other government entities to request their participation in a partnered cleanup effort for sediment contamination at or near the Property.

P. (1) Triangle shall actively participate in an effort coordinated by DEQ to identify funding sources for those remedial activities that will not be performed or financed by Triangle. This coordinated effort, depending on its level of success, might last several years, and Triangle, its successor and/or assigns, agrees to maintain an active role in any long-term effort to identify funding sources for necessary remedial activities at or near the Property.

(2) At a minimum, Triangle agrees to: attend and participate in any regular meetings scheduled by DEQ; commit administrative resources toward identifying grant programs that

may be appropriate; and maintain regular and ongoing discussions with DEQ and representatives from other government entities, including the City of Portland, the Portland Development Commission, Multnomah County, Oregon Economic Development Department, U.S. EPA, and the Oregon Division of State Lands, for the purpose of facilitating necessary remedial activities at or near the Property.

Q. Triangle shall record and abide by use restrictions on the Property, which restrictions, pursuant to ORS 465.327(5), shall run with the land. These restrictions are described in Subsection 3.C. of this Agreement.

R. Whereas Triangle agrees to provide the economic and social public benefits as described in Subsection 1.E. of this Agreement, Triangle shall diligently pursue the development and uses of the Property described in Subsection 1.E. of this Agreement.

S. In each instance under this Agreement where Triangle is required to submit a document to DEQ for DEQ's review or approval, DEQ shall complete its review and submit a written response to Triangle within a reasonable amount of time.

3. GENERAL PROVISIONS

A. DEQ Oversight

DEQ shall provide review, approval/disapproval, and oversight as described in the SOW.

Where DEQ approval is required for any plan or activity under this Agreement, Triangle shall not proceed to implement the plan or activity until DEQ approval is received.

B. DEQ Access

(1) Triangle grants an irrevocable right of entry to DEQ and its authorized representatives to enter and move freely about the Property at all reasonable times for purposes of overseeing implementation of this Agreement and conducting such tests or taking such samples as DEQ deems necessary. DEQ shall use its best efforts, but is not obligated, to provide Triangle reasonable notice before entering the Property and to minimize interference with the business activities of Triangle, Triangle's tenants, or other users at the Property. To the extent DEQ deems it necessary to install any monitoring wells, remediation wells, or other permanent or semi-permanent structures or constructions, DEQ shall first consult with Triangle and shall use its best efforts to avoid any unreasonable interference with the business activities of Triangle, Triangle's tenants, or other users at the Property.

(2) Triangle shall allow DEQ to inspect and copy all non-privileged records in Triangle's possession or control relating to investigative and remedial measures undertaken at the Property pursuant to this Agreement. Triangle shall preserve all such records for six (6) years after the completion of the soil remedy and, after such six-year period, shall provide DEQ with sixty (60) days notice before destruction or other disposal of such records and make the records available for inspection and copying. DEQ reserves any rights to request documents withheld from DEQ, claimed by Triangle as privileged.

(3) Triangle may assert a claim of confidentiality regarding any records submitted to or copied by DEQ pursuant to this Agreement. DEQ shall treat documents and records for which a claim of confidentiality has been made in accordance with ORS 192.410, *et seq.* If Triangle

does not make a claim of confidentiality at the time the records are submitted to or copied by DEQ, the records may be made available to the public without notice to Triangle.

C. Use Restrictions

(1) Triangle shall abide by the following use restrictions on the Property:

(a) Groundwater may not be withdrawn or used for any purpose without prior written approval from DEQ. This prohibition does not apply to extraction of water from any monitoring wells for purposes of sampling water quality or quantity, if performed in accordance with a DEQ-approved work plan for such sampling.

(b) Sediments may not be disturbed or used for any purpose without prior written approval from DEQ. This prohibition does not apply to sampling for purposes of conducting the baseline sediment work, if performed in accordance with a DEQ-approved work plan for such sampling.

(c) Contaminated soils may not be disturbed without prior written approval from DEQ, unless such soil disturbance is related to investigation or remedial activities performed in accordance with a DEQ-approved work plan for such activity. Disturbance of soils includes excavation, grading, paving, construction, or any other activity that might expose or move contaminated soils at the Property.

(2) Triangle shall ensure that all employees, agents, occupants, and authorized users of the Property abide by the use restrictions set forth in Paragraph 3.C (1). Pursuant to ORS 465.327(5), such use restrictions shall run with the land.

(3) The use restrictions required under this Subsection are in addition to and not in lieu of any institutional controls or other remedial measures that DEQ might deem necessary as part of a final remedial action at the Property.

D. Project Managers

All reports, notices, and other communications required under or relating to this Agreement shall be directed to:

Michael E. Rosen
DEQ Project Manager
NWR Voluntary Cleanup Program
2020 SW 4th Avenue
Portland, OR 97204
phone: 503-229-6361
fax: 503-229-6945

Steven L. Shain
Triangle Park, LLC Project Manager
3121 SW Moody Avenue
Portland, Oregon 97201-4500
phone: 503-228-8691
fax: 503-228-6750

E. Progress Reports

If requested by DEQ, Triangle shall submit to DEQ on a quarterly basis for the duration of this Agreement, or until the Property receives a No Further Action determination or Certification of Completion from DEQ as to contamination of all soils, two (2) copies of a progress report describing its remedial and development activities at the Property, consistent with the SOW. DEQ anticipates that the progress report will not exceed two (2) pages in length. The progress report shall address, at a minimum, the following:

- (1) Activities undertaken by Triangle at the Property during the previous quarter;
- (2) Actions scheduled to be taken by Triangle in the next quarter;
- (3) Sampling and test results and any other data generated by Triangle during the

previous quarter; and

(4) A description of any investigation and/or remedial action related problems experienced by Triangle during the previous quarter and the actions taken to resolve them.

(5) A comparison of actual costs incurred for this period, to the DEQ-approved proposed costs.

F. DEQ Costs

(1) DEQ shall submit to Triangle a monthly statement of costs incurred after the effective date of this Agreement by DEQ in connection with any activities related to the Property or oversight of Triangle's implementation of this Agreement. Triangle is responsible for DEQ's oversight costs associated with those activities described in Section 2 of this Agreement.

Triangle is not responsible for DEQ oversight costs related to any other investigation or remedial activities at the Property not required of Triangle under this Agreement. DEQ does not waive oversight costs or other remedial action costs for any activities DEQ might have to perform as a result of Triangle's deviance from the terms of this Agreement, or as a result of any activity performed under Triangle's direction that exacerbates existing contamination.

(2) DEQ oversight costs payable by Triangle shall include both direct and indirect costs. Direct costs shall include site specific expenses, DEQ contractor costs, and DEQ legal costs. Indirect costs shall include general management, support, and program development costs of DEQ and the Waste Management and Cleanup Division allocable to DEQ oversight of this Agreement and not charged as direct site specific costs. Indirect costs shall be based on a percentage of direct personal service costs (indirect costs include the 12% surcharge authorized by ORS 465.333).

(3) Within thirty (30) days of receipt of DEQ's monthly statement, Triangle shall pay the amount of costs billed by check made payable to the "State of Oregon, Hazardous Substance Remedial Action Fund." For the first \$500,000 of costs, Triangle shall make payments directly to DEQ; for the last \$250,000 of costs (plus any accrued interest), if applicable, Triangle shall direct payments from the Escrow to DEQ, in accordance with Subsection 2.B. of this Agreement and the Escrow instructions.

G. Dispute Resolution

In the event of any disagreement between DEQ and Triangle regarding implementation of this Agreement, including but not limited to review and approval of a plan, activity, Escrow disbursement, or DEQ costs, DEQ and Triangle shall, in the following order:

- (1) Make a good faith effort to resolve the dispute between project managers;
- (2) If necessary, refer the dispute for resolution by the immediate supervisors of the project managers; and
- (3) If necessary, provide to each other their respective positions in writing and refer the dispute for resolution to DEQ's Administrator of the Waste Management and Cleanup Division or DEQ's Northwest Regional Division Administrator, and Triangle's President. DEQ's final decision after such dialogue shall be enforceable in accordance with Subsection 3.H. of this Agreement.

H. Enforcement of Agreement and Reservation of Rights

- (1) In the event of any failure of Triangle to comply with any obligation of this Agreement, DEQ may enforce this Agreement under ORS 465.260(5) or exercise any authority

or pursue any claim or cause of action that DEQ might have. Triangle reserves any defenses or counterclaims it might have in the event of such action by DEQ.

(2) Except as provided in Subsections 3.I. and 3.J. of this Agreement, DEQ and Triangle reserve any claim or cause of action they respectively have as to any person or entity not a signatory to this Agreement.

(3) Triangle does not admit any liability or violation of law by virtue of entering this Agreement.

(4) DEQ reserves its authority to perform remedial measures regarding a release of hazardous substances at or from the Property.

I. Waivers

(1) Triangle waives any claim or cause of action it might have against the State of Oregon arising from contamination at the Property existing as of the date of acquisition of ownership, operation, or other interest in the Property.

(2) Triangle waives any right it might have under ORS 465.260(7) to seek reimbursement from the Hazardous Substance Remedial Action Fund or the Orphan Site Account for costs incurred under this Agreement.

J. Hold Harmless and Indemnification

(1) Triangle shall save and hold harmless the State of Oregon and its commissions, agencies, officers, employees, contractors, agents, and authorized representatives, and indemnify the foregoing, from and against any and all claims arising from acts or omissions related to this Agreement of Triangle or its officers, employees, contractors, agents, receivers, trustees, or

assigns. DEQ shall not be considered a party to any contract made by Triangle or its agents in carrying out activities under this Agreement.

(2) To the extent permitted by Article XI, Section 7, of the Oregon Constitution and by the Oregon Tort Claims Act, the State of Oregon shall save and hold harmless Triangle and its officers, employees, contractors, and agents, and indemnify the foregoing, from and against any and all claims arising from negligent acts or omissions related to this Agreement or to the State's negligence in performing remedial activities at the Property, of the State of Oregon or its commissions, agencies, officers, employees, contractors, or agents (except for acts approving or omissions constituting approval of any activity of Triangle under this Agreement). Triangle shall not be considered a party to any contract made by DEQ or its agents in carrying out activities under this Agreement.

K. Public Notice

(1) Upon execution of this Agreement, DEQ will provide public notice of this Agreement in a local newspaper of general circulation, describing the measures to be undertaken under this Agreement. Copies of the Agreement will be made available to the public. DEQ shall provide Triangle a draft of such notice and consider any comments by Triangle on the draft notice, before publication. Triangle is responsible for the publication costs, if any, of such notice.

(2) Before approval of any soils remedial action, DEQ will provide public notice and opportunity for comment on the proposed remedy in accordance with ORS 465.320.

L. Recording

Within fourteen (14) days of the effective date of this Agreement, Triangle shall submit a copy or original of this Agreement (whichever is required by the county) to be recorded in the real property records of Multnomah County, State of Oregon. Triangle shall provide DEQ with written evidence of such recording within seven (7) days of recording.

M. Transfer of Ownership

Upon transfer of ownership of the Property from Triangle to another person or entity, Triangle and the new owner shall provide written notice to the DEQ project managers within thirty (30) days of such transfer.

4. RELEASE FROM LIABILITY

A. Subject to the satisfactory performance by Triangle of its obligations under this Agreement, Triangle shall not be liable to the State of Oregon under ORS 465.200 through 465.455 and 465.900 for any release of a hazardous substance at or from the Property existing as of the date of Triangle's acquisition of ownership, operation, or other interest in the Property. Triangle shall bear the burden of proving that any hazardous substance release existed before the date of acquisition of ownership, operation, or other interest in the Property.

B. The release from liability under Subsection 4.A of this Agreement shall not apply to any liability with respect to Triangle or any other persons claiming the release from liability under Subsection 4.A. of this Agreement, as applicable, regarding:

(1) A release of hazardous substances at or from the Property after the date of Triangle's acquisition of ownership, operation, or other interest in the Property; provided, "release" does not include the migration, at or from the Property, of groundwater or sediment contamination which exists at the time Triangle acquires the Property.

(2) Contribution to or exacerbation of a release of hazardous substances;

(3) Interference or failure to cooperate with DEQ, or with persons conducting remedial measures under DEQ's oversight, at the Property;

(4) Failure to exercise due care or take reasonable precautions with respect to any hazardous substance at the Property;

(5) Violation of federal, state, or local law;

(6) Any ownership, operation, or release of hazardous substances at the Property, by Triangle or any other persons claiming the release from liability under Subsection 4.A. of this Agreement, before the effective date of this Agreement;

(7) Any ownership, operation, or other ground of liability for a release of hazardous substances at an off-site location affecting the Property; and

(8) Any matters as to which the State of Oregon is owed indemnification under Subsection 3.J. of this Agreement.

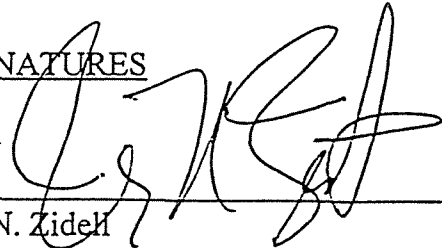
5. PARTIES BOUND

A. This Agreement shall be binding on the signatories and their respective commissions, agencies, officers, assigns, successors, employees, contractors, agents, and authorized representatives. The undersigned representative of each party certifies that he or she

is fully authorized to execute and bind such party to this Agreement. No change in ownership or corporate or partnership status relating to the Property shall in any way alter Triangle's obligations under this Agreement, unless approved otherwise in writing by DEQ, which approval shall not be unreasonably withheld.

B. The benefits and burdens of this Agreement shall run with the land; however, the release from liability set forth in Subsection 4.A of this Agreement shall limit or otherwise affect the liability only of persons who are not potentially liable under ORS 465.255 for a release of hazardous substances at the Property as of the date of that person's acquisition of ownership, operation, or other interest in the Property and who assume and are bound by the terms of this Agreement applicable to the Property as of the date of their acquisition of ownership, operation, or other interest in the Property.

6. SIGNATURES

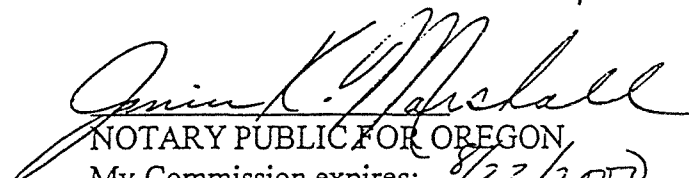


Jay N. Zidell
President
Triangle Park L.L.C.

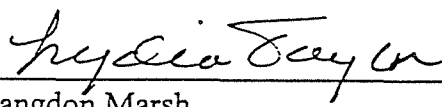
Date: 5/23/97

SUBSCRIBED AND SWORN TO BEFORE ME this 23rd day of May, 1997
by Jay N. Zidell.





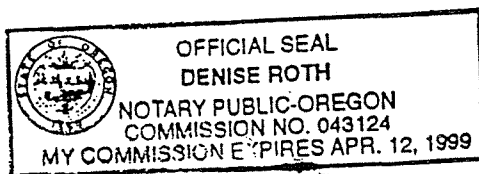
NOTARY PUBLIC FOR OREGON
My Commission expires: 8/22/2000

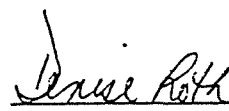


Langdon Marsh
Director
Oregon Department of Environmental Quality

Date: 5/23/97

SUBSCRIBED AND SWORN TO BEFORE ME this 23 day of MAY, 1997
by Langdon Marsh, in his capacity as Director of the Oregon Department of
Environmental Quality.





NOTARY PUBLIC FOR OREGON
My Commission expires: 4.12.99

ATTACHMENT A
Legal Description of Property

Triangle Park LLC, PPA No 97 - 03

SECOND AMENDED LEGAL DESCRIPTION: Order No. 369466m

TRACT 1 (Parcel II of W & H Pacific survey):

A parcel of land being that certain tract of land bounded on the North by N. Van Houten Place, on the West and South by N. Van Houten Court, and on the East by N. McKenna Avenue, with said parcel being Tract 5 as described in Deed to Willamette Western Corporation recorded November 4, 1970, in Book 758, page 1274, and also Parcel II as described in Deed to Willamette Western Corporation recorded October 11, 1953 in Book 1780, Page 985, both of the Multnomah County Deed Records with the subject parcel being located within a portion of the Southwest one-quarter of Section 7 and a portion of the Northwest one-quarter of Section 18 in Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, and more particularly described as follows:

Beginning at the intersection of the Northwesterly right-of-way line of N. McKenna Avenue and the Northeasterly right-of-way line of N. Van Houten Court as described in Deed recorded December 28, 1950, in Book 1451, Page 349, of the Multnomah County Deed Records; thence tracing said Northeasterly right-of-way line of N. Van Houten Court North $27^{\circ} 33' 22''$ West 294.92 feet to a point of curvature on the Northeasterly line of N. Van Houten Court as described in Deed to the City of Portland recorded July 17, 1951 in Book 1487, Page 154, of the Multnomah County Deed Records; thence tracing said right-of-way line the following courses and distances: along the arc of a 293.78 foot radius curve to the left through a central angle of $19^{\circ} 26' 38''$ an arc distance of 99.70 feet (the long chord bears North $37^{\circ} 16' 41''$ West 99.22 feet) to a point of tangency; thence North $47^{\circ} 00' 00''$ West 110.83 feet; thence leaving N. Van Houten Court right-of-way line and tracing the lines as described in Vacation Ordinance 94389 and recorded July 17, 1951, in Book 1487, Page 160, of the Multnomah County Deed Records, North $43^{\circ} 00' 00''$ East 53.62 feet; thence South $57^{\circ} 08' 00''$ East 147.21 feet to a point of curvature; thence tracing the arc of a 180.00 foot radius curve to the right through a central angle of $26^{\circ} 14' 50''$ an arc distance of 82.46 feet (the long chord bears South $44^{\circ} 00' 36''$ East 81.74 feet); thence South $59^{\circ} 07' 00''$ West 9.05 feet to the Southerly right-of-way line of N. Van Houten Place, being 40.00 feet Southerly and parallel with the center line of N. Van Houten Place as described in Surveyor's Certificate of Correction of the Dedication of N. Van Houten Place, recorded January 7, 1946, in Book 1002, Page 288, of the Multnomah County Deed Records; thence leaving the lines of said vacated street and tracing said parallel right-of-way line along the arc of a 264.72 foot radius curve to the right through a central angle of $4^{\circ} 23' 12''$ an arc distance of 20.27 feet (the long chord bears South $28^{\circ} 59' 36''$ East 20.26 feet) to a point of tangency; thence South $26^{\circ} 48' 00''$ East 169.76 feet to a point of curvature; thence tracing the arc of a 160.42 foot radius curve to the left through a central angle of $1^{\circ} 30' 55''$ an arc distance of 54.64 feet (the long chord bears South $36^{\circ} 33' 28''$ East 54.38 feet) to the Northwesterly right-of-way line of N. McKenna Avenue; thence tracing said N. McKenna Avenue right-of-way line South $27^{\circ} 00' 20''$ West 111.10 feet to the point of beginning.

(Continued)

TRACT 2 (Parcel III of W & H Pacific survey):

A parcel of land being that certain tract of land bounded on the North by N. Van Houten Place, on the West by N. McKenna Avenue, and on the South by an alleyway, with said parcel being a portion of Block 36 of the map of PORTSMOUTH as recorded in the Multnomah County Survey Records and being located within a portion of the South one-half of Section 18, in Township 1 North, Range 1 East, of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, and more particularly described as follows:

Beginning at the intersection of the Southeasterly right-of-way line of N. McKenna Avenue and the Northeasterly right-of-way line of N. Van Houten Court as described in Deed recorded December 28, 1950, in Book 1451, Page 349, of the Multnomah County Deed Records; thence tracing said N. McKenna right-of-way line North 27° 37' 06" East 100.38 feet to the Northerly line of Block 36, of the map of PORTSMOUTH; thence tracing said Northerly line South 62° 30' 09" East 66.66 feet to the Northeasterly corner of Lot 2, said Block 36; thence tracing the Southwesterly right-of-way line of N. Van Houten Place as described in Deed recorded December 30, 1954, in Book 1698, Page 230, of the Multnomah County Deed Records, South 35° 11' 37" East 239.76 feet to the Northeasterly line of the alleyway depicted on the map of PORTSMOUTH; thence tracing said Northeasterly line North 62° 30' 09" West 266.14 feet to the Northeasterly right-of-way line of said N. Van Houten Court; thence tracing said Van Houten Court right-of-way line North 27° 33' 22" West 16.80 feet to the point of beginning.

TRACT 3 (A portion of Parcels IV and V of W & H Pacific Survey):

That certain parcel of land consisting of Lots 11-20, Block 36, all of Block 37, and Lots 1-12, of Block 38, per the map of PORTSMOUTH, along with that tract described in Deed to Riedel International Inc., recorded December 22, 1982, in Book 1634, Page 1916, that tract described in Deed to Willamette Western Corp., recorded May 29, 1979, in Book 1355, Page 1234, and Tracts 1, 2 and 3, as described in Deed to Willamette Western Corp., recorded November 4, 1970, in Book 758, Page 1274, of the Multnomah County Deed Records, TOGETHER WITH vacated street rights-of-way, all of which are located in the Southwest one-quarter of Section 7 and the North one-half of Section 18, Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at an iron pipe monument at the Northeast corner of Block 37 of the map of PORTSMOUTH, with said pipe being on the Northwesterly right-of-way line of N. Portsmouth Avenue; thence tracing said Northwesterly right-of-way line South 27° 32' 09" West 1018.15 feet to the ordinary high water line of the Willamette River; thence tracing said ordinary high water line through the following courses and distances: North 57° 59' 55" West 72.27 feet; thence North 30° 35' 24" West 54.52 feet; thence North 58° 15' 09" West 139.44 feet;

(Continued)

thence North 29° 40' 14" West 30.51 feet; thence North 55° 45' 06" West 156.82 feet; thence North 33° 20' 56" West 58.74 feet; thence North 71° 26' 34" West 99.13 feet; thence North 52° 10' 51" West 126.57 feet; thence North 64° 47' 37" West 64.76 feet; thence North 47° 42' 29" West 43.50 feet; thence North 19° 03' 19" East 129.75 feet; thence North 26° 45' 58" East 112.41 feet; thence North 06° 27' 24" East 42.28 feet; thence North 53° 34' 38" West 88.58 feet; thence North 56° 24' 34" West 29.77 feet; thence North 62° 55' 34" West 189.47 feet; thence North 27° 00' 20" East 68.82 feet; thence North 47° 48' 17" West 72.56 feet; thence North 59° 50' 23" West 108.91 feet; thence North 68° 45' 59" West 37.81 feet; thence North 14° 12' 56" West 24.90 feet; thence North 33° 51' 51" West 45.56 feet; thence North 28° 36' 31" East 119.76 feet; thence North 43° 31' 51" West 82.58 feet; thence South 47° 27' 25" West 115.51 feet; thence South 82° 17' 35" West 31.99 feet to the ordinary high water line as described in Deed to the Willamette Western Corp., recorded May 29, 1979, in Book 1355, Page 1234, of the Multnomah County Deed Records; thence tracing said ordinary high water line the following courses and distances: South 48° 44' 16" West 177.55 feet; thence South 81° 56' 53" West 50.60 feet; thence North 52° 01' 34" West 196.29 feet; thence North 52° 30' 37" West 151.48 feet; thence North 49° 42' 44" West 58.26 feet; thence North 00° 50' 11" East 14.14 feet; thence North 36° 13' 21" East 89.59 feet; thence North 37° 09' 02" East 160.31 feet; thence North 36° 00' 48" East 84.74 feet to the Southeasterly right-of-way line of N. Van Houten Place, a 40.00 foot wide roadway as described in Deed to the City of Portland, recorded September 9, 1952, in Deed Book 1557, Page 157, of the Multnomah County Deed Records; thence leaving the line of ordinary high water and tracing said right-of-way line North 37° 58' 00" East 24.50 feet; thence North 26° 00' 00" East 162.19 feet; thence North 52° 30' 00" East 570.12 feet to a point of curvature; thence tracing the arc of an 86.16 foot radius curve to the right through a central angle of 66° 48' 00" an arc distance of 100.45 feet (the long chord bears North 85° 54' 00" East 94.86 feet) to a point of tangency; thence South 60° 42' 00" East 6.27 feet to a point of curvature and the right-of-way line of N. Van Houten Court as described in Deed recorded July 17, 1951, in Book 1487, Page 154, of the Multnomah County Deed Records; thence tracing the lines of said right-of-way along the arc of a 33.05 foot radius curve to the right through a central angle of 93° 32' 21" an arc distance of 53.96 feet (the long chord bears South 13° 55' 50" East 48.16 feet) to a point of reverse curvature; thence tracing the arc of a 76.73 foot radius curve to the left through a central angle of 79° 50' 21" an arc distance of 106.92 feet (the long chord bears South 07° 00' 58" East 98.48 feet) to a point of tangency; thence South 47° 00' 00" East 111.94 feet to a point of curvature; thence tracing the arc of a 253.78 foot radius curve to the right through a central angle of 19° 22' 16" an arc distance of 85.80 feet (the long chord bears South 37° 18' 52" East 85.39 feet) to the Northerly line of that certain tract described in Deed to Riedel International Inc., recorded December 22, 1982, in Book 1634, Page 1916, of the Multnomah County Deed Records; thence tracing said Northerly line North 64° 53' 38" East 15.01 feet to the Northeast corner of said Riedel Tract; thence tracing the Easterly line of said Riedel Tract South 27° 33' 22" East 513.01 feet to the Northerly line of that portion of N. Van Houten Court vacated by the City of Portland Ordinance 135887, recorded April 30, 1973, in Book 923, Page 823, of the Multnomah County Deed Records; thence tracing said line North 62° 26' 38" East 25.00 feet to the

(Continued)

Second Amended Legal Description: 369466m
Continued

Northeasterly right-of-way line of N. Van Houten Court as described in Deed recorded December 28, 1950, in Book 1451, Page 349, of the Multnomah County Deed Records; thence tracing said right-of-way line North 27° 33' 22" West 156.26 feet to the Northerly line of Lot 19, Block 36, of the map of PORTSMOUTH; thence leaving said right-of-way line and tracing the Northerly line of Lots 11-19, of said Block 36, South 62° 30' 09" East 272.71 feet to the Southerly right-of-way line of N. Van Houten Place as described in Deed recorded December 30, 1954, in Book 1698, Page 230, of the Multnomah County Deed Records; thence tracing said right-of-way line South 35° 11' 37" East 31.66 feet to the Northwesterly line of the vacated right-of-way of N. Monteith Avenue, a 60.00 foot wide right-of-way; thence tracing a line being 40.00 feet Southerly of the N. Van Houten Place center line as described in the Surveyor's Certificate of Correction of the Dedication of N. Van Houten Place, recorded January 7, 1946, in Book 1002, Page 288, of the Multnomah County Deed Records, South 37° 13' 53" East 33.14 feet to the original center line of N. Monteith Avenue; thence tracing said center line as now vacated, South 27° 37' 06" West 111.32 feet to the center line of the now vacated right-of-way of N. McCosh Street; thence tracing said center line of N. McCosh Street South 62° 30' 09" East 363.28 feet to the Northwesterly right-of-way line of N. Van Houten Avenue; thence tracing said right-of-way line South 27° 37' 48" West 30.00 feet to the Southwesterly right-of-way line of N. McCosh Street; thence tracing said right-of-way line South 62° 30' 09" East 424.37 feet to the point of beginning.

EXCEPTING THEREFROM the Burlington Northern Railroad right-of-way and the N. McKenna right-of-way lying Southerly of said railroad.

FURTHER EXCEPTING THEREFROM the following described parcel:

That certain parcel of land consisting of Block 37 and a portion of Lots 4 through 12, of Block 38, per the map of PORTSMOUTH, together with vacated street rights of way, all of which are located in the Southwest one-quarter of Section 7 and the North one-half of Section 18, Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah, and State of Oregon, more particularly described as follows:

Beginning at an iron pipe monument at the Northeast corner of Block 37 of the plat of PORTSMOUTH, said pipe being on the Northwesterly right of way line of N. Portsmouth Avenue; thence tracing said Northwesterly right of way line South 27° 32' 09" West 855.32 feet to the Northeasterly right of way line of the Burlington Northern Railroad and a point of non-tangent curvature; thence leaving said N. Portsmouth Avenue right of way and tracing said railroad right-of way along the arc of a 1,402.69 foot radius curve to the right (the radial center bears North 49° 06' 30" East) through a central angle of 02° 25' 40" an arc distance of 59.44 feet (the long chord bears North 39° 40' 40" West 59.43 feet); thence leaving said railroad right of way line and tracing the following courses and distances: North 17° 10' 29" East 105.87 feet; thence North 14° 10' 23" East 189.05 feet; thence North 74° 36' 48" West 24.19 feet; thence North 05° 01' 20" East 369.31 feet; thence North 62° 55' 53" West 160.74 feet; thence North 21° 56' 52" West 367.86 feet to the center line of the now vacated right of way of N. McCosh Street; thence tracing said centerline of N. McCosh Street

(Continued)

Page 5

Second Amended Legal Description: 369466m
Continued

South 62° 30' 09" East 298.65 feet to the Northwesterly right of way line of N. Van Houten Avenue; thence tracing said Van Houten right of way line South 27° 37' 48" West 30.00 feet to the Southwesterly right of way line of N. McCosh Street; thence tracing said right of way line South 62° 30' 09" East 424.37 feet to the point of beginning.

(continued)

SECOND AMENDED LEGAL DESCRIPTION: Order No. 369466m (continued)

EASEMENT PARCEL A:

An appurtenant easement for ingress, egress, and utility purposes, as created by that certain instrument entitled "Reservation of Easement" dated June 16, 1995, by and between Edward Hostmann, Inc., successor trustee under the plan of reorganization of Willamette-Western Corporation, Case No. 391-37814-P11, United States Bankruptcy Court for the District of Oregon, owner of the dominant estate, and University of Portland, owner of the servient estate, recorded July 3, 1995, in Volume 95, Page 78597, Deed Records of Multnomah County, Oregon, for the term and upon and subject to all of the conditions, covenants, restrictions and stipulations therein, over and along the following described property:

A strip of land being 20.00 feet wide, with the sidelines lying 10.00 feet each side of the following described centerline:

Commencing at an iron pipe monument at the northeast corner of Block 37 of the plat of PORTSMOUTH, in the City of Portland, County of Multnomah, and State of Oregon, said iron pipe being on the northwesterly right of way line of N. Portsmouth Avenue; thence tracing said northwesterly right of way line South 27° 32' 09" West 446.91 feet to the TRUE POINT OF BEGINNING of said centerline; thence leaving said right of way line [of N. Portsmouth Avenue] and tracing said centerline along the following courses and distances: North 01° 01' 52" East 79.83 feet to an angle point; thence North 07° 21' 41" East 245.98 feet to a point of curvature; thence tracing the arc of a 30.00 foot radius curve to the left through a central angle of 96° 27' 44" an arc distance of 50.51 feet (the long chord bears North 40° 52' 11" West 44.75 feet) to a point of tangency; thence North 89° 06' 03" West 38.11 feet to a point of curvature; thence tracing the arc of a 30.00 foot radius curve to the left through a central angle of 80° 14' 02" an arc distance of 42.01 feet (the long chord bears South 50° 46' 56" West 38.66 feet) to a point of tangency; thence South 10° 39' 55" West 171.08 feet to an angle point; thence South 15° 46' 29" West 101.47 feet to an angle point; thence South 19° 53' 31" West 103.48 feet to the terminus of this centerline and 20.00 foot wide strip of land at the southwesterly property line of that certain tract conveyed to the University of Portland by deed recorded July 3, 1995, in Volume 95, Page 78596. The sidelines of said strip are to be extended or shortened to meet at angle points or points of curvature and to commence at the northwesterly right of way line of N. Portsmouth Avenue and to terminate at the southwesterly property line of the said University of Portland land.

EASEMENT PARCEL B:

An appurtenant easement for pedestrian and vehicular access to mooring dolphins as created by that certain instrument entitled "Grant of Easement" dated June 16, 1995, by and between Edward Hostmann, Inc., successor trustee under the plan of reorganization of Willamette-Western Corporation, Case No. 391-37814-P11, United States Bankruptcy Court for the District of Oregon, owner of the dominant estate, and University of Portland, owner of the servient estate, recorded July 3, 1995, in Volume 95, Page 78598, Deed Records of Multnomah County, Oregon, for the term and upon and subject to the

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terms, conditions, covenants and stipulations therein contained, over and across the following property:

Commencing at an iron pipe monument at the northeast corner of Block 37 of the plat of PORTSMOUTH, said pipe being on the northwesterly right of way line of N. Portsmouth Avenue; thence tracing said northwesterly right of way line South 27° 32' 09" West 919.63 feet to the southwesterly right of way line of the Burlington Northern Railroad (30 feet from the existing rail centerline) and a point of non-tangent curvature, and the TRUE POINT OF BEGINNING; thence tracing said railroad right of way line along the arc of a 1,462.69 foot radius curve to the left (the radial center bears North 48° 10' 55" East) through a central angle of 15° 34' 24" an arc distance of 397.57 feet (the long chord bears South 49° 36' 17" East 396.35 feet) to a point of compound curvature; thence tracing the arc of a 5,759.65 foot radius curve to the left through a central angle of 01° 53' 33" an arc distance of 190.25 feet (the long chord bears South 58° 20' 16" East 190.25 feet); thence leaving said railroad right of way line South 32° 27' 56" West 84.00 feet to the ordinary high water line of the Willamette River; thence following the ordinary high water line of the Willamette River in a northwesterly direction the following courses and distances: North 62° 20' 52" West 64.21 feet; thence North 29° 11' 12" West 19.91 feet; thence North 65° 29' 58" West 86.56 feet; thence North 52° 14' 38" West 167.33 feet; thence North 41° 44' 22" West 120.14 feet; thence North 58° 36' 41" West 124.88 feet; thence leaving said ordinary high water line and tracing the southwesterly extension of the northwesterly right of way line of N. Portsmouth Avenue, North 27° 32' 09" East 98.52 feet to the true point of beginning.

ATTACHMENT B
Letters of Support

Triangle Park LLC, PPA No 97 - 03



January 27, 1997

REGIONAL DEVELOPMENT OFFICER
Multnomah • Washington counties

Mary Wahl
Administrator
Waste Management and Cleanup Division
Oregon Department of Environmental Quality
811 S.W. Sixth
Portland, OR 97204

JAN 29 1997

Dear Ms. Wahl:

RE: Riedel Site, North Portland
Prospective Purchaser Agreement

As you are aware, we have been working with the Oregon Department of Environmental Quality (DEQ), the Portland Development Commission (PDC), and Triangle Park, LLC (Triangle) in regard to the 56+ acre contaminated and abandoned property along the Willamette River in North Portland, known as the Riedel site. Through the work of your staff, we have become aware of the opportunity to redevelop this property as a viable industrial site through the mechanism of a Prospective Purchaser Program which facilitates the cleanup of the existing contamination, limits the liability of the buyer, and allows for the property to be returned to productive use for the community.

Our agency is pleased to be a partner with DEQ and the City in facilitating this transaction. Our interests lie in several areas.

1. We are working with Metro and a team of state agencies, the Metro 2040 Task Force (a committee of the Community Solutions Team), to assist the region in aligning state agency policies and procedures with the Metro 2040 Plan. We are also working with individual communities to assist them in meeting their goals under the regional plan. With the current lack of large parcels in our region developable for industrial use, and the need to densify development in the city of Portland to meet Metro 2040 goals, we see a definite public benefit in returning this underutilized site to active industrial use. In addition, the relocation of Zidell Marine Inc.'s barge manufacturing operations from the SW waterfront area, opens up land which is committed under city plans for mixed use development and housing. This further implements the city's and Metro's goals for a more densely developed urban core, with increased housing opportunities close to the downtown area.



Mary Wahl
January 27, 1997
Page 2

2. The relocation of Zidell to North Portland preserves 75 industrial jobs, and allows for the expansion of a business which is an important component to Portland's industrial base. The Zidell operations in SW Portland are currently landlocked, and surrounded by increasingly incompatible uses. The long-range plans of the city dictate eventual relocation of the business, but the availability of waterfront sites, and large sites generally, is limited. Additionally, Triangle plans further beneficial development at the Riedel site which will enhance the property's use, and create additional jobs.
3. Our agency supports the cleanup of Brownfield sites on a statewide basis, and endorses DEQ's goal to address environmental and health hazards associated with these sites. The economic and health benefits associated with the cleanup of the Riedel site can serve as a model for other such projects around the state. Mutual cooperation will limit the number of orphan sites for which the state will be responsible.

We have appreciated being brought into this process at an early stage in your negotiations, and hope to work closely with DEQ and its other partners to facilitate this project. While our agency does not have funds allocated specifically for environmental cleanup, I have informed Karin Koslow regarding several programs which can be used to assist the city of Portland and Triangle in financing infrastructure improvements which will be needed for site development; these programs may reduce overall project and financing costs for the city and the developer.

I encourage DEQ's flexibility in developing the Prospective Purchaser Agreement with Triangle Park, since time is of the essence in Triangle's negotiations with the court appointed receiver. As stated above, in addition to the environmental cleanup, there are many public benefits which will be well served by allowing this project to move forward. We hope to assist you in encouraging flexibility on the part of the Multnomah County, the Division of State Lands, and other agencies which may have a financial interest in this project.

Sincerely,



Marcy Jacobs
Regional Development Officer

cc: Robert Alexander, PDC
Karin Koslow, DEQ
Lynn Beaton, OEDD

PDC
PORTLAND
DEVELOPMENT
COMMISSION

January 30, 1997

FEB 04 1997

Mary Wahl, Administrator
Waste Management and Cleanup Division
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204

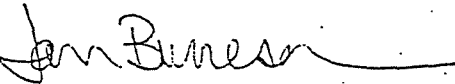
Dear Ms. Wahl:

The Portland Development Commission has been involved in a process, in conjunction with your staff and the Oregon Economic Development Department, to assist Triangle Park to locate on a brownfield site which was formerly owned by the Riedel company. We have devoted staff resources to this project in order to help accomplish the City of Portland's objectives of retention and expansion of companies within the City, which will provide quality jobs for residents.

This site has some unique qualities that make it particularly well suited for the prospective purchaser—in particular, it has river access and rail service. The City of Portland has at least two policies which support this project. The City's Economic Development Policy, Prosperous Portland, describes our goals as, first, to "sustain an aggressive business development program that includes retention and expansion, (and) recruitment," (Policy 4.1) and, second, to "encourage investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land...The City will encourage physical development that meets the City's economic development goals. To accomplish this, the City will continue to support industrial sanctuaries, will work to reduce barriers related to redevelopment and environmental remediation, and will maintain programs and procedures that encourage private development and redevelopment." (Policy 14) This job creation is augmented by the capital expenditure in plant and equipment into an area that has not enjoyed the benefits of investment.

The cooperation from your Department has been much appreciated and we would look forward to further collaboration in order to clean up an otherwise contaminated, unusable site and bring it into productive use. We stand ready to work with all the parties involved to arrive at a creative, positive solution for development for this site.

Sincerely,



Janet S. Burreson
Executive Director

JSB:cb

Carl B. Talton
Chairman

Martin Brantley
Commissioner

Diego Castillo
Commissioner

John D. Eskildsen
Commissioner

John Kay Stepp
Commissioner

Barbara Katz
Mayor

Janet S. Burreson
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March 5, 1998

Criteria for Amending the Stream & Floodplain Protection Maps (Title 3) for Initial Adoption by Metro Council

Purpose: To establish the criteria for amending the Title 3 "baseline maps" on the request or acceptance of local jurisdictions.

Amendments to Title 3 maps, once adopted by the Metro Council, are addressed by Section 7 of the proposed revised Title. All areas meeting the Title 3 definitions and deleted from the Title 3 maps based on the following criteria will be shown on the maps as deleted areas. Removal of map designation does not affect application of sections 4C of the proposed revised Title 3 (erosion and sediment control) which applies region-wide.

For deletion of flood management areas and/or water quality management areas:

1. Areas in which the stream has already been culverted or for which a permit has been approved for filling a wetland. (Reason: This recognizes existing conditions in which natural conditions have been modified or are permitted to be modified.)
- ✓ 2. Areas with existing water dependent uses or areas with existing plans or agreements for water dependent uses (Reason: These uses need direct access to water and vegetated corridors or natural flood management techniques are not compatible with them.)
3. Areas within mixed use centers (Central City, Regional Centers or Town Centers) which are already developed or substantially developed or are being redeveloped. (Reason: This recognizes the areas designated for the most intensive development with existing development and existing commitments made for intensive development.) Cities and counties are encouraged to require restoration and enhancement of degraded Water Quality Resource Areas in these Centers.

For addition of flood management areas or water quality areas:

1. Areas nominated by the property owner.
2. If an area is not nominated by the property owner and is likely to be disputed, areas for which a wetland delineation by a certified biologist using the U.S. Corps of Engineers' approved methods or a floodplain delineation using approved U.S. Corps of Engineers' methods has been completed.
3. Areas for which it is demonstrated that the stream is perennial even though it drains an area less than 50 acres.



Title 3 DRAFT Section 1n1e18

Proposed Protection Areas
Growth Management
Functional Plan








NOTE:
This map, which represents proposed protection areas, is not an independent, legal document. It is intended to be used as a guide for delineating sensitive areas, in conjunction with the Title 3 ordinance language, adopted by the Metro Council.

Water Quality and Flood Management Areas (Approximate - Not Field Surveyed)
Oregon Statewide Planning Goals 6 & 7

Flood Management Area:

-  FEMA 100-Year Floodplain
-  Feb. 1996 Flood Inundation

Water Quality Resource Areas (Vegetated Corridor):

-  Riparian Areas
-  Wetland Areas
-  Primary Protected Water Features
-  Secondary Protected Water Features
-  Unprotected Water Features
-  Tax Lot Lines
-  Metro Boundary

NOTE: Due to positional error inherent in mapped data, a field survey is required to determine the precise location of natural boundaries (i.e. wetlands) in relation to tax lot boundaries.

SOURCES:

RIVERS & STREAMS:
County assessor maps, 1994. Data collection scale: 1:300' - 1:400'.
US Geological Survey Digital Elevation Model (DEM), received in 1993. Data collection scale: 1:24,000.
Description: A DEM was used to calculate stream drainage areas of 50 & 100 acres. This information was used to enhance existing data.

Local jurisdictional updates (1997-1998)

FLOOD MANAGEMENT AREAS
Army Corps of Engineers, FEMA maps, 1992.
(See Federal Insurance Rate Maps (FIRM) for actual flood elevations)
Feb. 1996 Flood inundation line (from aerial photos taken 2/7 - 2/11).
(See 1996 Flood inundation source data for actual flood elevations)

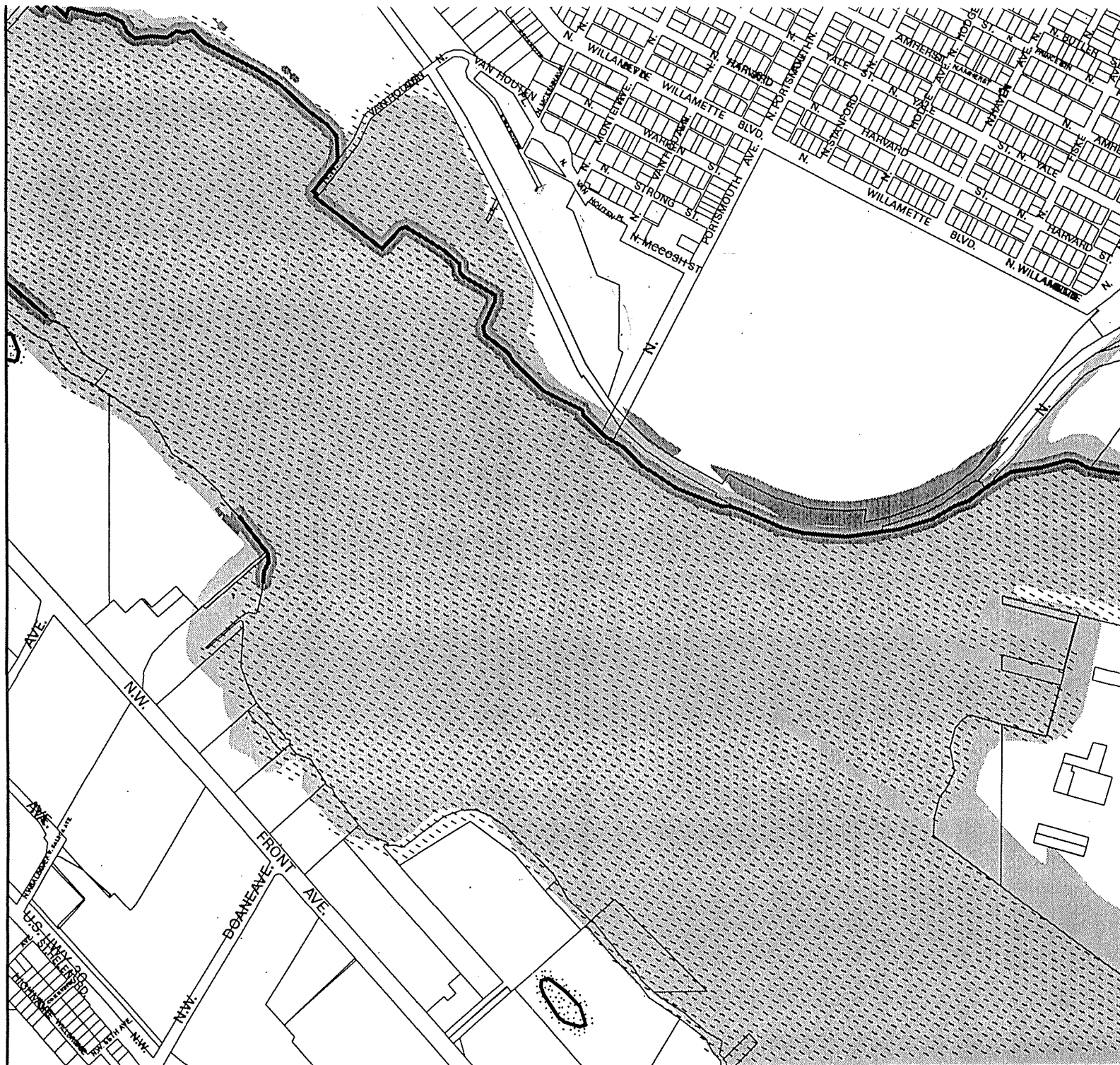
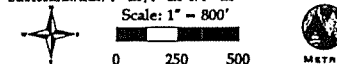
WETLANDS
U.S. Department of Fish and Wildlife, 1983-1990.

Local jurisdictional updates and local wetland inventories.

SOURCES:

TAX LOT MAP
City of Beaverton, Milwaukie, Oregon City and Tigard.
Source: City, 1994. Map accuracy: control point positional accuracy is plus or minus five feet or better. Data collection scale: 1"=100'.
Multnomah County East of Clatsop Ave.
Source: Multnomah County Assessor, 1995. Map accuracy: based on existing control points. Line work entered using coordinate geometry.
Remainder of region.
Source: Portland General Electric and Metro, 1994. Map accuracy: control point positional accuracy is plus or minus ten feet. Data collection scale: 1"=300', 1"=200' or 1"=400'.

Scale: 1" = 800'





METRO

June 4, 1998

Presiding Officer Jon Kvistad
Metro Council
600 NE Grand Avenue
Portland, Oregon 97232

Dear Jon,

I have been elected to serve as a Multnomah County Commissioner.

I hereby resign my seat on the Metro Council effective June 22, 1998, at 5:00 P.M. or at which time my election is certified, whichever is later.

Sincerely,

Lisa Naito

LN:jas





METRO

June 18, 1998

Jim Goodrich, Executive Vice President
Home Builders Association of Metropolitan Portland
15555 Southwest Bangy Road, Suite 301
Lake Oswego, Oregon 97035

Dear Mr. Goodrich:

As I prepare to leave my position with the Metro Council, I wanted to take a moment to say how much I appreciated and was impressed by HBAMP's recent lobbying efforts on the Title 3 Stream and Floodplain Protection Plan.

I know that Title 3 was a very difficult issue for your organization for a number of reasons. First, because the basic elements had received Council approval in late 1996, there was already a great deal of momentum toward certain policy choices. Second, because Title 3 involves a wide array of very technical scientific factors not normally present in our usual land use decision making.

Despite these challenges, HBAMP (through Kelly Ross, your representative) was responsible for many good amendments to the Title and Model Ordinance during their long consideration at MTAC, MPAC and the Council. It was at Kelly's suggestion, for example, that I convened a special working group to come up with a better definition of "wetlands" that will allow greater certainty for property owners. As usual, HBAMP's testimony was very thoughtful, well researched, and presented in a credible manner.

Thank you for the Home Builder's constructive approach to this important debate; I will miss the close working relationship that I've enjoyed with your staff and members while at Metro. Please do not hesitate to contact me at Multnomah County if I can ever be of assistance.

Sincerely,

Lisa Naito
Metro Councilor, District 6
Chair, Council Growth Management Committee

