

PENINSULA DRAINAGE DISTRICT #2  
BOARD OF SUPERVISOR'S MEETING  
**October 11, 2007**

Pursuant to advertised notice, the Board of Supervisors' meeting of Peninsula Drainage District No. 2 was held at 11:30 a.m. on Thursday, October 11, 2007 at Portlander Inn, located at 9622 NE Vancouver Way, Portland OR.

**CALL TO ORDER**

President Halsten called the meeting to order at 11:40 a.m. Secretary Bob Eaton acknowledged that proper notification of the meeting had been done.

**ROLL CALL**

Those present were:

Rich Halsten, President  
Dick Shafer, Supervisor  
Bob Eaton, Executive Director  
Dave Hendricks, Deputy Director  
Kim McRobbie, Secretary Pro Tem  
Michael Page, Guest  
Leslie Sawyer, Guest  
James Miller, Guest  
Vic Stibolt, Guest  
David Stuckey, Guest  
Wayne Low, Guest

President Halsten welcomed the guests in attendance and thanked them for coming today.

**MINUTES APPROVAL**

Dick Shafer moved to adopt the minutes from the June 21, 2007 Board meeting as written. Mike McBride seconded and the motion passed unanimously.

Dick Shafer moved to adopt the minutes from the July 17, 2007 Board meeting as written. Mike McBride seconded and the motion passed unanimously.

The Board reviewed the minutes from the August 8, 2007 Contract Review Board Meeting. These minutes will be submitted for approval at the next scheduled Contract Review Board Meeting. There were no changes suggested.

**BUSINESS**

**Plan for Annual Meeting:** Bob Eaton explained this is the time of year that the Board plans the annual meeting by editing and adopting the drafted agenda. He noted that this year PEN 2 would need 50.1% to meet quorum requirements. The annual meeting is scheduled for December 6, 2007 and will be held at the MCDD District office. McBride suggested that since the annual meeting had run late the last couple of years that this year the meeting possibly begins at 6:00 rather than 7:00. The Board approved this time change. Agenda items will include approval of minutes and election of a supervisor. Leslie Sawyer asked who would be running this year and the Board replied seat #3 currently held by Dick Shafer would be open for nomination with a term ending December 2010.

## STAFF UPDATES

### Financial

**Quarterly Financials:** Eaton explained that District Accountant, Evie Moore, has been ill and there is not a report to present at today's meeting. He added that all financial reports would be available at the annual meeting on December 6. President Halsten stated he would like to review the financial report prior to December.

### Projects

**Update on Tree Removal at City Canal:** Dave Hendricks spoke on the 478 trees and root wads that were removed from the cross levee. He added this is a two-phase project with phase one being hydro seeding with a fence going up today. Phase-two is to construct benching and this will be on next year's budget. Hendricks added this project is currently \$6,000 under budget.

**Update on Tree Removal at Bridgeton Levee:** Hendricks reported the trees have been cut at the Portland Yacht Club then the Temporary Restraining Order filed by the Bridgeton Neighborhood Association stopped the work. The District went to court and a decision was made in favor of the District. The City of Portland Forester has revoked the permits and requested a mitigation meeting for Friday, October 12, 2007. The meeting will be held at 10:00 a.m. at City Hall in the Lovejoy Room. President Halsten asked who from the City of Portland would be heading this meeting. Hendricks responded that Dave McAllister and maybe Commissioner Dan Salzmann. Hendricks stated he would forward any new information received on to the Board.

**Bridgeton Neighborhood Planting Plan:** Hendricks stated the City of Portland's Forester wants to know how we plan to mitigate trees. The problem, Hendricks states, is the Forester wants the plan to be available at the October 12 meeting. The District is able to develop a concept but not a plan per say without landowner thoughts and ideas. McBride stated he would like the vegetation plan work recognized by the City. Hendricks noted there are some discrepancies on the code interpretations and who has jurisdiction.

**Letter from State Representative Tina Kotek:** The District received a letter from State Representative Tina Kotek inquiring on two specific areas. First, she is looking for information about the reclamation plan. The second topic was if the District allowed for one vote per person or one vote per acre. Hendricks replied the District currently operations under ORS 547 and we cannot change the way our Landowners vote without going to the state legislature. McBride added the District is a service organization taking care of various things for the landowners. Landowner Michael Page wanted to know if you own less than an acre do you get a vote. McBride and Hendricks both stated that if you have less than one acre the statute considers it an acre and allows for one vote.

**Letter from State Representative Tina Kotek:** -Continued

Landowner Leslie Sawyer asked about the assessment and how the District figures the amount and if it is based on property value. Hendricks replied the District bases its calculations on five different cost drivers. Impervious area is the primary cost driver in the assessment. Bridgeton residents actually pay less than most landowners in the District. He added that the assessment could not be changed without going through a formal process with the Multnomah County Commission. The Board had discussions of changing the Board from three supervisors to five. Hendricks stated state statutes regulate a six-month requirement of notification to the Landowners. Staff is recommending to the PEN 2 Board to change to a five members board. President Halsten requested the topic be put on next agenda as a discussion item.

**Administrative Budget for Levee Recertification:** Hendricks stated that currently the District has budgeted approximately \$10,000 in administration time. To date the District is closer to \$36,000. McBride asked what the numbers included. Hendricks responded the \$36,000 included administrative time with the attorneys, court, neighborhood meeting, and meeting with engineers. McBride feels the landowners should know how much money is being spent on the Bridgeton tree removal process. President Halsten would like to see a report that shows projected costs versus actual as he predicts the overall budget is going to be \$100,000-200,000 over the \$50,000 actual budget.

**Funding for Bridgeton Levee Cross Section Drawings:** Hendricks asked for Board approval to authorize Westlake Engineering to complete the Bridgeton Levee survey project, plotting the critical cross section onto the topographic survey completed in 2006. Hendricks stated he would like to complete this project so the district is prepared to request funding from the Army Corps of Engineers. Therefore, Hendricks requested another \$2,900 in funding to complete the project. Mike McBride made a motion to approve the \$2,900 funding request. Dick Shafer seconded and the motion passed unanimously.

**Revised Levee standards and inspection program:** Hendricks spoke of the revised standards that the United States Army Corps of Engineers (USACE) will be implementing. He added this is critical to the landowner and the District. The new standards mean new improvements may be needed to be done because our levee safe water levels are not at the 33'; they are currently at 28'. Hendricks stated the District would need to budget future funds to address this process.

**John Andersen's Request for Reimbursement for Pipe Repair:** Hendricks talked about the underground pipe from an unknown origin that was found on John Anderson's property. Hendricks asked Mr. Anderson to find the alignment of the pipe, where it begins, and where it leads. Mr. Anderson is requesting the District reimburse him for the costs related to the pipe. The Board responded with a request for further data to support the requested cost reimbursement.

**Columbia Slough Levee Trails Project:** Hendricks stated that both ODOT and the City of Portland have applied for funds for the trails project. This will be a three-phase project with current design and easement discussions with the property owners. Hendricks added the District would support the trails as long as it reflects the Districts' required standards.

**Children's Arboretum Bridge Project:** Eaton announced that the funding has come together and contracts are being signed; all is going well and on target. Permits have been applied for, and Eaton does not expect any surprises on the project.

**Children's Arboretum Benching Project:** Hendricks reported that the District has collected \$160,000 on the project; approximately \$40,000 came from Metro's Nature in Neighborhood. He added the excavations of the ditch bench between NE 6th Street, the Arboretum has been completed, and the planting will take place in the spring. The District has spent \$16,000 of the \$160,000 project costs. Hendricks also reported because of the Children's Arboretum project received a lot of attention the district was able to continue the benching of the ditch to NE Gertz R. Portland Freightliner, Tec Equipment, and Jubitz Corporation provided the funding for the continuation of the ditch benching.

**East Columbia Neighborhood Picnic:** Hendricks stated this year represented the fifth annual picnic at the Children's Arboretum. He added that approximately 250 people showed up for the event that included 2 bands and games for the kids. The event is held the last Saturday of July and Hendricks recommends attending next year if you can.

**90<sup>th</sup> Anniversary Celebration:** Eaton spoke to the celebration and that it was held the same day as the Columbia Slough Watershed Regatta. He extended his appreciation to all who attended and witnessed the unveiling of the sculpture "The Sentinel." Eaton said all went well and it was a great time. The time capsule will go in under The Sentinel on November 1.

**Programs/Policies:**

None for this meeting

**Planning:**

**City of Portland IGA:**

City and District staff will work toward some settlement in upcoming months. Nothing will be approved until the District Board's vote for it.

**MEETING ADJOURNMENT**

There being no further business to come before the Board, President Halsten adjourned the meeting at 1:53 p.m. It is at this time the Board unanimously decided to postpone the Annual Tour of Facilities to a later date.

**APPROVAL**

These minutes were approved at a duly held Board meeting on December 6, 2007.

**ATTEST:**

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Secretary