

S.M.I.L.E. BOARD MEETING
WEDNESDAY, JANUARY 18, 2012; SMILE STATION

www.SellwoodMoreland.org
and
www.SMILErecords.org

Officers and Directors present: President Mat Millenbach, Vice President Sean Murray, Treasurer Pat Hainley, and Secretary Eric Norberg; and Directors Stan Hoffman, Nate Maki, Sarah Heath, Nancy Walsh, Michael Heath, Dana Beck, and Tom Ramsey

President Mat Millenbach called the meeting to order at 7:30 pm, observing that a quorum was present. He began by asking everyone present to introduce themselves, and then asked for a review of the minutes of the December 21th Board meeting. Tom Ramsey moved that the minutes be accepted as submitted; Sarah Heath seconded the motion; the motion carried without dissent.

Michael Hayes spoke about his January General Meeting suggestion that SMILE seek assistance from the nonprofit Portland Fruit Tree Project's to plan a small orchard on a lot adjacent to a section of the Springwater Trail to be constructed in the "Sellwood Gap". The new Community Amenities Committee has heard the request; Hayes now recapped his suggestion, and the plans for the Sellwood Gap extension. The orchard is just one of several potential landscaping projects in this section. However, he added, the Portland Fruit Tree Project is seeking new funding for its already-committed projects, and is not likely to enter a new project right now. Nonetheless, he said, the trail extension is not going to take place immediately, either.

Hayes said that this could be a good time to start a public discussion on this matter, which could include an inventory of potential sites for landscaping ideas along the Sellwood Gap. The discussion should be inclusive of all sections needing landscaping in this area. He suggested that this dialogue begin in March -- and commented that the "City Repair Project" seems likely to be willing to help with this. Long-term stewardship of any landscaping would have to be an important consideration. He hopes for SMILE Board support of all this.

Mike Simpson, who lives adjacent to the Sellwood Gap, then spoke up in support of Michael's ideas, and said he wants the neighborhood to present a clear statement to Portland Parks, Metro, and PDOT on what exactly we as a neighborhood want in the Sellwood Gap. This comment was followed by a general conversation, led by Pat Hainley, about related opportunities near the Oaks Pioneer Church and in the former dump area just south of Oaks Bottom. Pat said that with some soil remediation, the former dump might be a good site for a fruit orchard.

Matt Clark of the Johnson Creek Watershed Council (JCWC) was present to report that his group is working with TriMet towards Johnson Creek enhancement and restoration in the area around the planned Tacoma Street MAX Station. He offered a site plan JCWC is proposing to accomplish that, including a public interpretive center (boardwalk). He hopes SMILE will publicly support the proposal with a formal statement of support. Jennifer Koozer of TriMet, a Sellwood resident, was also present, and agreed the Tacoma Street Station was in a natural area, and the JCWC proposal would be a desirable enhancement.

Dana Beck suggested that the Tacoma Street Station area should also incorporate interpretive signs about the history of the area (originally, the community of Willsburg). Matt pointed out that the JCWC focus is Johnson Creek itself, but that JCWC would certainly not object to such signage. "Johnson Creek Watershed Council is an environmental group, but that does not preclude including recognition of local history." Jennifer Koozer remarked that the "public art" planned for the site is "history-inspired".

Nate Maki moved that SMILE support the stream enhancement project of the JCWC, and Pat Hainley seconded. In the discussion period, Michael Hayes wondered if this were an either/or situation -- would this proposal displace something else under consideration? Matt Clark said no -- this is simply an addition, an enhancement, of the TriMet plan for the site. The motion passed 10-1. Dana Beck said after the vote that he still wants the history of the locality, and signage to denote it, to be part of the Tacoma Street Station plan.

Jim Friscia appeared, representing the ad-hoc Communications Committee, which also includes Dana and Sarah. "SMILE Web assets are of particular interest" -- the committee seeks a plan to better manage these Web assets, and wonders who on the Board would be willing to assume responsibility for this? Who should post information on the main website (Jim currently is doing this)? "Do we need more digital assets, like Facebook and Twitter?" He added that he thinks SMILE needs a single website, rather than the current three. He also suggests a "front page with easy access for the public".

Concerning the secondary "www.SMILerecords.org" website, Eric Norberg said that the main reason it is still there is that Reid Kells, the SMILE President who developed the current main SMILE website, found the vast amount of resource material and the many hotlinks and community resources on that older site to be impossible to relocate to the new site, and so advised continuing to post them on the old site. Eric said he would not have gotten the new special URL for this original SMILE website if a link to the old site as the "SMILE Reference Library" or some such had been placed on the new site (there is a link to

the new site from this original one) -- but none has been offered to date. There was no discussion of how "www.OaksPioneerChurch.org" could be integrated into the new SMILE website.

Fricia wondered about assistance from Southeast Uplift (Louisa Lakos was present) -- and financial assistance from Uplift also, if available. He wondered if any SMILE Bylaws need to be changed to accomplish all this. Who would oversee content? How much would SMILE be willing to spend on this? He recommended "Wordpress" software for simplicity. He wants policy on how the minutes of each meeting are to be posted. (At present all Board and General meeting minutes are posted as soon as completed.) He suggested that the booking schedule for both SMILE Station and Oaks Pioneer Church be online, so the public could book open dates themselves -- but, due to the complexity of accomplishing that, he agreed that would only be a long-term goal.

Fricia said he would be gone for ten weeks at the end of February, and he hopes he will be relieved of web duties by then. He said his overriding concern is "ease of authoring". SMILE agreed to put a notice, seeking some such help from the community, by posting the opportunity in "The Neighbor", the neighborhood SMILE newsletter published in each month's BEE.

Dana Beck presented to the Board the idea of resuming publication of an history-related calendar, after two years hiatus, for the year 2013. Two were published -- 2009 and 2010. It was Dana's concept from the beginning, and the SMILE History Committee issued the calendar and received the proceeds. He said putting together the calendar is "lots of work", but he is willing to restart the project if the Board wants. Stan Hoffman moved that Dana resume the project with SMILE backing, and that a calendar be prepared for the year 2013. Nancy Walsh seconded the motion, which then carried unanimously.

Kevin Downing was present to report to the Board on the status of the ongoing Union Pacific lawsuit in which SMILE has been involved for decades; part of his report would deal with legal strategy -- at which point, the remainder of the report would be held in Executive Session. However, he began, in the public Board meeting, by briefly recapping the history of this lawsuit -- the original issue of which dealt with putting an end to the noisy construction of trains south of Reedway Street in the Brooklyn Yard. The injunction arising from the lawsuit was modified about seven years ago by Judge Hogan; the modified injunction was written by the railroad, "which we concurred with," Kevin said.

Now, the railroad has filed a motion to vacate the injunction altogether. Our response includes an economic analysis of existing railroad documents, which show a pattern of violation of the provisions of the injunction by Union Pacific. SMILE

and ENA employed a respected and experienced railroad expert, who supported our position. We have also made an issue of newly-recognized hazards of pollution issuing from railroad equipment and trucks working around the railyard which is carcinogenic, and affects neighborhood quality of life. The original purpose of the lawsuit was to address a quality of life issue, but this newly-discovered hazard from rail operations here has become the overriding quality-of-life issue now.

Kevin reported that Union Pacific and the neighborhoods had had a face-to-face meeting in October -- a "settlement conference" with the railroad -- at which we laid out our position. Specifically, we want Union Pacific to operate the Brooklyn Yard to the California Resources Board pollution reduction standards -- which Union Pacific has already agreed to do in California, which is at the other end of the rails serving the Brooklyn Yard. However, the railroad refused this request. We have now filed an omnibus motion fully expressing all of our positions.

Judge Hogan had scheduled a meeting of attorneys on January 4th, but then cancelled the meeting himself, and a new date has not yet been announced.

We have discovered that the railroad has been routinely destroying documents directly relevant to its adherence to the terms of the injunction (or its lack of adherence). We have documented trains operating when and where trains are not supposed to be operating under the terms of the modified injunction (and what Union Pacific documents that DO exist which include these time periods and operations sometimes do not reflect what we have personally witnessed). Kevin concluded by saying that our attorney, Bruce Rubin, has done a very good job in the arguments.

EXECUTIVE SESSION DECLARED, AND ROOM CLEARED, AT 9:05 pm.
EXECUTIVE SESSION CONCLUDED AT 9:39 pm. NO PUBLIC MINUTES MADE
AVAILABLE OF THIS EXECUTIVE SESSION, DEALING WITH ATTORNEY-
CLIENT MATTERS IN THIS ONGOING LAWSUIT.

When the public portion of the meeting resumed, there being no other business scheduled or offered, Nancy Walsh moved that the meeting be adjourned. Stan Hoffman seconded the motion, which then carried with evident unanimity at 9:40 pm.