

AGENDA

**WILSONVILLE CITY COUNCIL MEETING
FEBRUARY 3, 2014
7:00 P.M.**

**CITY HALL
29799 SW TOWN CENTER LOOP
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Scott Starr
Councilor Susie Stevens

Councilor Richard Goddard
Councilor Julie Fitzgerald

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

Executive Session is held in the Willamette River Room, City Hall, 2nd Floor

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|------------------|---|-----------|
| 5:00 P.M. | EXECUTIVE SESSION | [15 min.] |
| A. | Pursuant to ORS 192.660(2)(f) Exempt Public Records
ORS 192.660(2)(h) Litigation | |
| 5:15 P.M. | REVIEW OF AGENDA | [5 min.] |
| 5:20 P.M. | COUNCILORS' CONCERNS | [5 min.] |
| 5:25 P.M. | PRE-COUNCIL WORK SESSION | |
| A. | Urban Renewal Strategic Plan Update (Retherford) | [10 min.] |
| B. | Parks and Recreation Tenant Improvements Overview
(Brown/Sherer) | [20 min.] |
| C. | Metro Solid Waste Community-Enhancement Program
(Ottenad) | [10 min.] |
| D. | Public Contracting Code – Proposed Amendments
(Kraushaar/Mende) | [10 min.] |
| 6:50 P.M. | ADJOURN | |
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CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, February 3, 2014 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on January 21, 2014. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered therewith except where a time limit for filing has been fixed.

7:00 P.M. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance
- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

7:05 P.M. MAYOR'S BUSINESS

- A. State of the City Address – Mayor Knapp
- B. Councilor Liaison Representative Appointments
- C. Upcoming Meetings

8:15 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

8:20 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

- A. Council President Starr – *(Park & Recreation Advisory Board Liaison)*
- B. Councilor Goddard – *(Library Board Liaison)*
- C. Councilor Fitzgerald – *(Development Review Panels A & B, Library Board Liaison)*
- D. Councilor Stevens – *(Planning Commission; CCI; Wilsonville Seniors Liaison)*

8:25 P.M. CONSENT AGENDA

- A. Minutes of the January 6, 2014 and January 23, 2014 Council Meetings. (staff – King)

8:30 P.M. PUBLIC HEARING

- A. **Ordinance No. 733** – 1st Reading
An Ordinance Of The City Of Wilsonville Amending Wilsonville Code, Public Contracts, Sections 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, And 2.318 (staff – Kraushaar)

9:00 P.M. CONTINUING BUSINESS

- A. **Ordinance No. 734** – 2nd Reading
An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 7, Business Licenses, Sections 7.300, 7.320, 7.330, And 7.370, **and declaring an emergency.** (staff – Kohlhoff)

9:05 P.M. CITY MANAGER'S BUSINESS

9:10 P.M. LEGAL BUSINESS

9:15 P.M. ADJOURN

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:-Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or king@ci.wilsonville.or.us

Contact: David DeHart
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503-855-04701
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February 3, 2014

Wilsonville City Council

Arts and culture are the "soul" of a city. In a fast-growing, exceptionally well-managed city like Wilsonville, surprisingly little time and effort has been expended to insure that a viable arts and culture program succeeds.

Tourism and economic considerations in planning the city's future have overlooked the vast and diverse resources available in "our own backyard." The current project to analyze Wilsonville's tourism future has likewise placed arts and culture as a secondary concern. National experts in the field of "arts as an export industry" have pointed out that cities with a viable, as well as visible, arts and culture plan make those cities prime candidates for exceptional economic growth.

If a business or a family living elsewhere were to compile a list of their primary choices for relocation, where would Wilsonville be on that list? Is Wilsonville a "destination" location? Would someone living in Bend, Seattle, Vancouver, or elsewhere wake up on a Sunday morning and say, "Hey, let's drive to Wilsonville!"

Taking inventory of Wilsonville's arts and culture organizations, one finds a myriad of accomplished painters, sculptors, actors, dancers, musicians, authors, bird-watchers, cyclists, photographers and history buffs. For a city of its size, our town has surprisingly large resources when it comes to arts and culture related groups.

Risking leaving someone out, here is a list of some of those resources: The Wilsonville Arts and Culture Council, the organizers of the annual Festival of Arts; the Arts and Culture Alliance of Wilsonville, responsible for the outdoor sculpture program, featuring 24 works of art, public and private; The Wilsonville Theater Company, a group of amateur and professional actors and directors whose productions are critically acclaimed. The Boones Ferry Historical Society, keeping our legacy alive for generations to come; The Wilsonville High School arts department, with its nationally recognized art director. The Charbonneau Arts and Craft Show, a gallery featuring talented local

artists; and musicians of all genre who perform at local venues. There are numerous other groups as well that contribute to our city's remarkable culture.

Having said all that, it would seem that Wilsonville is in decent shape when it comes to arts and culture. So what's the problem?

1. The annual Festival of the Arts was on the verge of cancelling this year's events for want of volunteers.
2. The Wilsonville Theater Company is limited in its goal to grow and further develop, for lack of a suitable venue. The Frog Pond Grange Hall is an ancient structure with limited space and flexibility for productions. WTC has reached the point where growth has "hit the wall," literally because of a miniscule stage and limited seating.
3. The city-wide sculpture program suffers from lack of sponsors. Only three of the eight city-wide sites in the two-year rotating plan are presently occupied. The Arts and Culture Alliance of Wilsonville has only two persons to run this program, both well beyond retirement age. This project will not survive as is.

How do we fix the problem? A two-stage plan is recommended.

First, in the short term, we should aim to sustain the existing organizations by providing a floor of financial and organizational support. Specifically addressing the critical needs of the public sculpture program, the Festival of the Arts, and the Wilsonville Theater Company.

The second stage should begin with a high visibility, professionally guided study charged with articulating a vision for the future of arts and culture activities in Wilsonville.

The City of Wilsonville needs to take an active role in promoting arts and culture as an integral element of its responsibility to the citizens. In accepting this role, there must be a professional review and analysis of arts and culture contribution to livability. Such a study could determine what can be done to insure the survival of those valuable resources.

Budget considerations should be earmarked for financial support of the arts and culture organizations. It is suggested that the public sculpture program, administered by the Arts and Culture Alliance of Wilsonville, receive \$7,000 to continue the rotating sculptures to be featured at the vacant five city-owned sites. The Wilsonville Theater

Company (WTC) requires \$3,000 to fund the next three productions. (Separate information is being provided by that organization.)

The Council should seriously consider a performing arts center to accommodate art, music, theater and dance. This facility could be built by private conscription, and perhaps in conjunction with the aquatic center currently under consideration.

A "percent of construction" fee could be established much like the cities of Portland, Lake Oswego, West Linn, and other Oregon cities that consider arts and culture an important element of their livability standards.

Do not let Wilsonville become a "City Without a Soul." Take note of the issues stated in this letter and lend your support of the recommended solutions.

The representatives listed below are ready and willing to discuss these issues further. Please contact them as indicated.

David DeHart (david@dehart.com)

Keith Amundsen (Amundsonkeithjba@aol.com)

(Arts and Culture Alliance of Wilsonville –Public Sculpture Program)

Mary Ann Creason (mcreason@gmail.com)

(Wilsonville Theater Company)

1. Growth and Development

A. Overall Trends

- Year-to-year fluctuations in different categories of residential housing and commercial/industrial
- Despite Great Recession, major private-sector investments in Wilsonville in both residential and commercial areas

B. Housing

- Single Family Residential
 - Record 2013 home-building - # permits and \$ value of construction
 - Primary homebuilders active over the past two years include:
 - Polygon NW – 152 houses at Villebois and 32 homes at Brenchly Estates next to the Jory Trail apartments
 - Legend Homes – 69 houses at Villebois
 - Lenar Homes – 20 homes at Villebois
 - Mission Homes – 20 houses at Copper Creek along Canyon Creek Rd
- Multi-family by year:
 - After two years of record multi-family building, no new permits in 2013
 - Holland Residential – 324 residential units at Jory Trail
 - Holland Residential – 288 residential units at Terrene
 - Sundial Apartments undertook at \$1.4 million remodel
- Projects under way:
 - In addition to homebuilding underway at Villebois, Renaissance Homes is working on the Renaissance Boat Club subdivision along the Willamette River.

C. Industrial

- Large construction:
 - Mentor Graphics builds new data center
 - \$15.5 million
 - 35 new jobs
- Re-use of existing large industrial buildings:
 - Pacific Natural Foods 300,000 SF warehouse expansion into the former Nike Distribution Center:

- \$4.5 million remodel
- 47 new jobs
- Stream Global Services international call-center relocation to former 120,000 SF Hollywood Video corporate headquarters
 - \$1.4 million remodel
 - 1200 new jobs – 300 more positions are open
- Southern Wines & Sprints opened new Northwest distribution center in former 300,000 SF Joes warehouse and headquarters office
 - \$3.3 million remodel
 - 120 jobs when completed
- Smaller developments – literally hundreds of commercial building permits issued for many tenant improvements and remodels

D. Commercial

- Old Town Square Shopping Center anchored by Fred Meyer store, along with McMenamins Old Church Pub, Oswego Grill and others
 - \$70 million
 - 400-450 jobs
- Boone Building
 - \$2.5 million
- Carl Jr's and retail building
 - \$1 million

Remodels / Re-Use

- Oregon Tech Wilsonville campus in the former InFocus building
 - \$3.2 million remodel
- Northwest Spine and Laser Surgery Center
 - \$1.5 million remodel
- Chad Ward building
 - \$1.5 million
- **Projects under way:**
 - Tonkin Gran Turisimo
 - \$2.6 million remodel
 - World of Speed auto-exposition center

- \$1.75 million remodel of former Dodge dealership

2. Processes – Public Engagement

A. Economic Development Strategy Task Force

- Diverse cross-section of community:
 - Businesses, residents, city board volunteers, school district superintendent and board chair, college reps and chief of the fire district
- Single Lot TIF Zones
 - Designed to encourage capital-intensive, private-sector investment
 - redevelop older, vacant/underutilized warehouses into high-value manufacturing facilities with high-wage jobs
 - Targeted recruitment of high-tech companies and family-wage jobs
- Further efforts needed to review use of U/R and how best to help Small-Business and Tourism-Service sector

B. Urban Renewal Strategy Task Force

- U/R Strategic Planning
 - When/how best to use U/R to partner with private-sector for development
 - Review of current and future infrastructure and funding plans

C. Tourism Strategy Development Task Force

- Develop Tourism Strategies to benefit small businesses in retail, service and hospitality industries
- Maximize results from Visitor Lodging Tax for public benefit

D. Basalt Creek Industrial Area Planning

- Completed and adopted a Transportation Plan
- Under way on Concept Planning w/Tualatin and Wash. Cty.

E. Aquatic Center Task Force

- Beginning study of options/costs/desires

F. Library Board Strategic Planning

- Focus service priorities on community needs
 - Early literacy for young readers
 - Community access to technology and online resources
 - Meeting the needs of diverse users – people of different age ranges, cultural and ethnic backgrounds and technical skills

G. SMART Planning and New Service

- \$240,000 ODOT grant-funded transit integration project
 - Seeks to find efficiencies between regular fixed-route services and customized ‘dial-a-ride’ service along I-5 corridor
- New, expanded service in conjunction with new-business needs
 - New route to downtown Portland with support by OregonTech university and college students
 - New route to Beaverton for Stream Global Services employees

H. City/Community Branding Effort

- Economic development and Tourism strategy work highlights benefit of knowing and promoting a community ‘brand’ or identity
- Start work this year after the Tourism Strategy completed
- Wayfinding Signage: Planning approach for study/recommendations w/Chamber –
 - Called for in Tourism planning
 - Branding effort to help guide use and design of wayfinding signage

I. Frog Pond & Advance Rd. Residential Expansion

- City received \$341,000 grant from Metro to fund planning whole study area.
- Planning is about to get underway
- City and School District partnered to seek successfully UGB addition for school site
- Development of new middle school by School District
- City to work with School District on sports fields

3. Public Facilities & Infrastructure Investments**A. Public Facilities**

- \$3.5 million SMART / City Fleet Maintenance Center
- \$21.5 million I-5/Wilsonville Road Interchange Improvement project that included the “Beauty & the Bridge” student art-tile project
- \$4.8 million TVF&R Command Center & Station
- Community Center Kitchen remodel
- Grant-funded Engelman Park neighborhood park completed
- \$1 million Memorial Park parking lot re-build completed

B. Educational

- OIT relocation/opening of the OregonTech Wilsonville campus
 - strong enrollment growth – 10% increase in one year
 - over 600 students now enrolled
- West Linn-Wilsonville School District:
 - Opened Lowrie Primary School – immediately full with over 400 students
 - Planning for Advance Road school construction
 - Successful UGB inclusion of site with Metro
- Record sign-ups and completion of Library Summer Reading Program
 - Over 2,200 kids signed up – 49% of all children in the area
 - Over 1,200 kids completed the Summer Reading program
 - Wilsonville led state for number of participants per capita

C. Wastewater Treatment Facility

- D-B-O contracting method
 - First time used in Oregon for a major public facility
 - CH2M Hill chosen from a competitive process to continue operating current facility while building new expanded facility that it will operate for 15 years
 - On time and on budget - \$~~44~~ million project
- Improved and enlarged facility
 - Better odor control
 - Improved quality of output for environment
 - Cooler and cleaner water for river
 - Dry waste product easier to handle than prior wet product and has agricultural applications
 - Additional treatment capacity for future growth

D. Water

- 48-inch diameter Sherwood Water Line connection and agreements
 - \$24 million project – Sherwood \$19 million; Wilsonville \$5 million
- Increased Wilsonville capacity/storage for fire-flow and future growth
- Water rates adjusted for equity and sustainability

E. Roads

- Completion of \$21 million I-5/Wilsonville Road interchange project
 - 50% increase in traffic-handling capacity of interchange for both through traffic and on/off highway traffic
- Boeckman Bridge reconstruction
- Boeckman Dip safety improvements/Sidewalk
- Canyon Creek Road extension to Town Center Loop
 - Major north-south connection on eastside of community

F. Stormwater

- Stormwater erosion mitigation and channel restoration at Rivergreen and Morey's Landing neighborhoods
- Memorial Park main parking lot redesign and construction due to problems with stormwater.

G. Master Plans updated

- Transportation Systems Plan
- Stormwater Master Plan
- Water Master Plan

H. Major Planning Underway

- Coffee Creek Industrial Area
- Basalt Creek Concept Plan
- Frog Pond & Advance Residential Areas

4. Challenges and Opportunities**A. Regional Engagement**

- Fully engaging w/other Cities, Counties, Agencies to accomplish optimum results for Wilsonville and the Region.
- Continuing work with State and Federal partners

B. Quality Living

- Being sure to encourage variety of housing opportunities.
- Accommodate people in all stages of life: singles, young couples starting out, mature families, empty-nesters

C. Healthy Community

- Wilsonville hosted first suburban “Sunday Streets” event with 4,000 participants – funded with \$50,000 Metro grant
- Diet-nutrition-exercise focus of Parks & Rec programs at Community Center
- Wilsonville as first Healthy Eating / Active Living-designated Oregon city
 - Healthy check-out line at Lamb’s Thriftway
 - Citizens recommended and Council agreed to designate parks as “no smoking”
- Walk SMART and other programs encourage walking
- New CNG and “Clean Fuel” buses for SMART –
 - City has acquired some used buses
 - \$1 million Federal Transit Administration grant to acquire new
- Bike-Ped Connectivity Action Plan to encourage ‘active transportation’ choices

D. Jobs and Economic Development

- Filling large size Industrial and Commercial Properties with commerce and jobs.
- Economic development efforts aimed at retention and targeted recruitment
- Developing / implementing effective Tourism strategies.

E. Urban Planning for the Future

- Getting Coffee Creek Industrial development initiated for high-quality outcomes
- Completing Frog Pond & Advance planning, accomplishing UGB for Advance.

F. Public Outreach

- Using evolving technologies to reach out to and engage Citizens & Businesses.
- Encouraging broad interest in, and knowledge of Best Practices for Community planning.

G. Community Connectivity

- Building connections of many kinds to tie our City together:
- Dealing with I-5 and Willamette River divisions.
- Connecting Villebois fully to surrounding community.
- Filling in gaps in walkways, bikeways, trails.
 - Three-Year Bike/Ped Connectivity Action Plan
- Making robust connections among all our neighborhoods, commercial areas, schools & churches, business and employment areas.

- Developing more People friendly (not just car oriented) centers in Neighborhoods, commercial centers, employment areas.

5. Conclusion

- City and community have weathered the Great Recession and are coming back strong
- City is financially healthy and sound. City Manager is keeping steady hand on the helm with support from professional staff, successfully advancing multiple efforts simultaneously
- Helping Wilsonville to continue looking forward with optimism, finding a positive future for our Friends, Neighbors, Businesses and Industries.

The assignments will be formally made at the next Council meeting, 2/3/14.

LIAISON ASSIGNMENTS TO STANDING CITY BOARDS:

1. Council President Starr – Park & Recreation Advisory Board
2. Councilor Goddard – Library Board
3. Councilor Fitzgerald – Development Review Panels A and B
4. Councilor Stevens – Planning Commission; Committee for Citizen Involvement; Wilsonville Seniors

FOR OUTSIDE BOARDS THE LIAISON ASSIGNMENTS WILL BE:

1. Chamber Board – Starr; with Stevens as alternate
2. Chamber Leadership – Knapp; with Starr & Stevens alternates
3. WCCC – Knapp; with Fitzgerald & Goddard alternates
4. C-4 – Knapp; with Stevens as alternate
5. C-4 Metro Subcommittee – Knapp; with Fitzgerald as alternate
6. Regional Water Providers Consortium – Starr; with Goddard as alternate

These two boards are “informal” liaison assignments:

1. French Prairie Forum – Stevens
2. Positive Aurora Airport Management (PAAM) – Stevens

CITY COUNCIL MEETING STAFF REPORT

Meeting Date: February 3, 2014	Subject: Parks and Recreation Department tenant improvement construction options in the existing Visitor's Center Staff Members: Martin Brown, Building Official & Stan Sherer, Parks and Recreation Director Department: Community Development and Parks and Recreation	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: 	
Staff Recommendation: This item is for discussion only. Staff seeks Council direction on one of the three alternatives provided.		
Recommended Language for Motion: Not applicable.		
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Council consideration of tenant improvement options for the recently vacated Wilsonville Visitor Information Center.

EXECUTIVE SUMMARY:

The Parks and Recreation Department is moving from the Community Center to the Visitor's Center building in Town Center Park. There are a number of design options and associated construction costs that the Council needs to consider as part of the move. The building was constructed in 1999 and measures 4,400 square feet in area. To date, the building has had very little maintenance including replacement of carpet, paint, roofing and HVAC equipment.

The proposed relocation of the Parks and Recreation Department into the existing Visitors Center will require interior tenant improvement (TI) work to accommodate up to eight city staff moving into the facility as well as the creation of a space for the Korean War Memorial Museum. Staff has been working with an interior space planner to come up with several alternatives for City Council's consideration.

The tenant improvement options consist of new paint, carpet, the creation of two new offices and up-dating the existing toilet facilities due to extensive public use (the current restroom facilities are not commercial grade). Staff is proposing three different design options for discussion. (See attachments A, B and C).

- **Option A:** Existing office area, conference/class room with new finishes which include paint, carpet and minor improvements for accessibility and function. Public restrooms are proposed to be updated with new fixtures (i.e. toilets and lavatories) and updated finishes.
Cost estimate - \$156,163
- **Option B:** Public toilet rooms relocated to accommodate direct public access from the park and water feature. Addition of two new single occupant toilet rooms for employee use, new exterior windows, conference/class room relocated with new finishes. Addition of two new offices and remodel of existing office area same as Option A.
Cost estimate - \$371,930
- **Option C:** Public toilet rooms relocated to accommodate direct access from the park and water feature. Addition of two new single occupant toilet rooms for employee use, conference/class room relocated with new finishes. Remodel of office area same as option A.
Cost estimate - \$283,444

EXPECTED RESULTS: The City Council's discussion will provide staff with direction to implement the preferred design alternative for the project.

TIMELINE: If the budget request is approved, the project is scheduled to be completed by the end of May, 2014. Once a contract is signed, the project is anticipated to take 60-days to complete.

CURRENT YEAR BUDGET IMPACTS: This tenant improvement project was not included in the FY 13/14 budget. A request will be included as part of the next supplemental budget. The General Fund is the appropriate funding source for this project.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: ____JEO____ Date: ____1/23/14____

As stated above, this project would be funded from the General Fund and a supplemental budget adjustment would be needed to fund the project in the fiscal current year.

LEGAL REVIEW / COMMENT:

Reviewed by: MEK_____ Date: 1/28/2014_____

The City is the owner of the building and Clackamas County Tourism, who has had a leasehold interest, has been advised the building will be closed for a period of time for renovations.

Clackamas County Tourism is supportive of the City's efforts.

COMMUNITY INVOLVEMENT PROCESS: N/A

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY Relocating the Parks and Recreation Department to the existing Visitors Center will provide better visibility and access for the community. As a result of the move, the Community Center will have additional space to use. The redesign of the public toilet rooms will provide better access for the public, and increased security for staff.

ALTERNATIVES: Return with other design options for the project.

CITY MANAGER COMMENT:**ATTACHMENTS**

- A. Plan/option "A"
- B. Pan/option "B"
- C. Plan/option "C"

Parks/Rec. project cost options

Plan A

Existing Conference Room with new finishes and Existing Public Restrooms with new fixture and updated finishes

Existing Office Area with new finishes and minor improvements for accessibility and function

Base cost: \$84,163.00

Soft costs: \$72,000.00

Total: \$156,163.00

Plan B

Conference Room relocated as result of Public Restrooms relocated to park side of building for direct access

Addition of two new single occupant restrooms for Office area

Remodel of Existing Office Area

Base Cost: $\$116,610.00 + \$176,720.00 = \$293,330.00$

Soft costs: \$78,600.00

Total: \$371,930.00

Plan C

Conference Room relocated as result of Public Restrooms relocated to park side of building for direct access

Addition of two new single occupant restrooms for Office Area

Existing Office Area with new finishes and minor improvements for accessibility and function

Base Cost: $\$176,720.00 + \$28,124.00 = \$204,844.00$

Soft costs: \$78,600.00

Total: \$283,444.00

Soft Costs:

Signage \$5,000

Furniture \$22,000

Engineering \$1,000 for options B & C

Architect \$5,000 for option A, \$7,500 for options B and C

Communications/equipment \$40,000

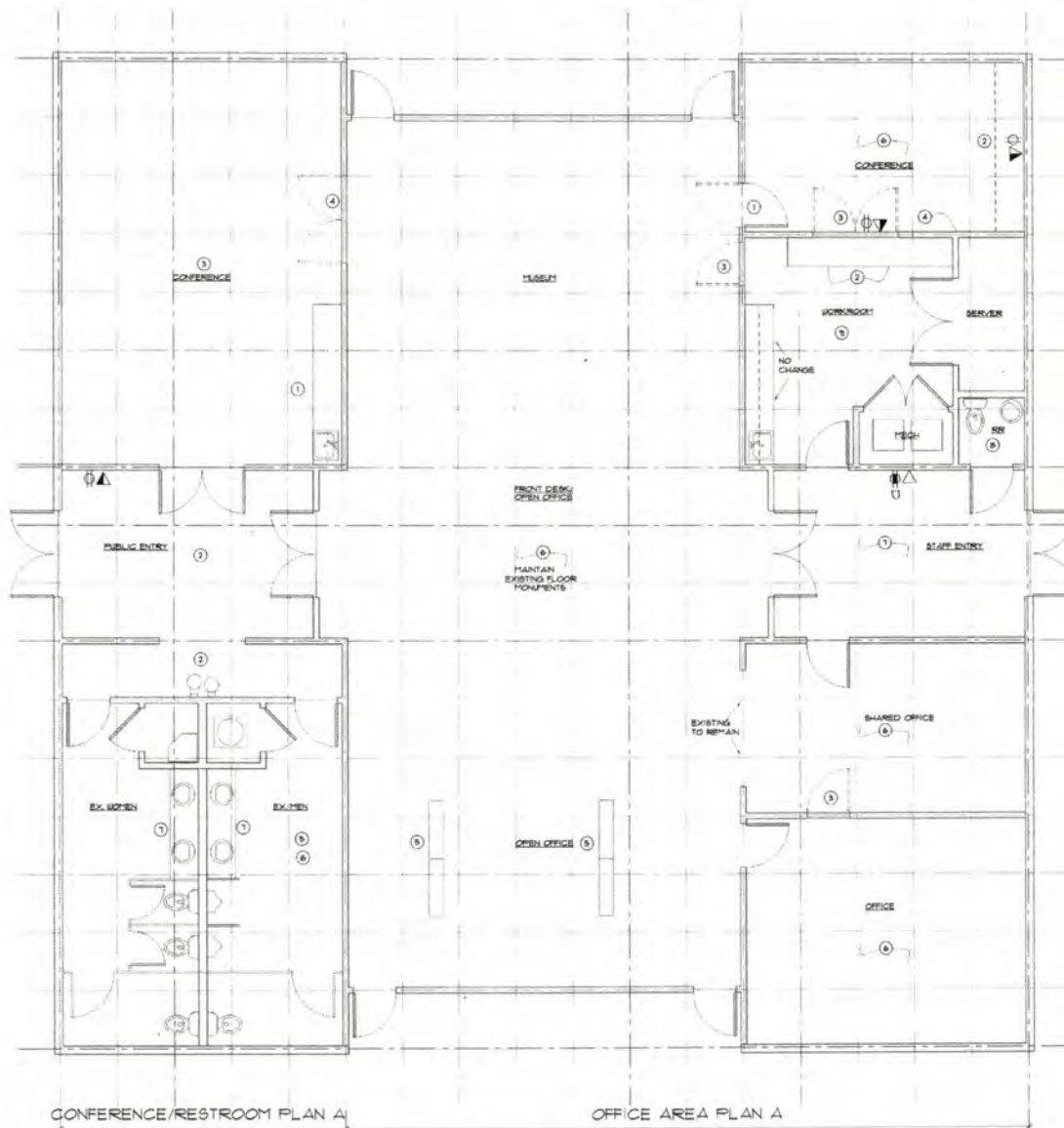
Sewer SDC \$3,100

Total \$ 72,000 for option A

Total \$78,600 for options B & C

KEY NOTES CONFERENCE ROOM AND RESTROOM

- ① NEW 10" OF PLUM CABINETRY UPPIERS AND LOWERS WITH SINK AND GOOSE NECK FAUCET. EXISTING OUTLETS TO BE RAISED TO 44" AFF.
- ② BROADLOOM WALKOFF CARPET (alternate to tile previously priced). SEE FINISH SCHEDULE.
- ③ BROADLOOM CARPET WITH EXISTING BASE REPAIRED AS NEEDED TO MATCH EXISTING.
- ④ REMOVE EXISTING DOUBLE DOORS - INFILL OPENING PROVIDE TRIM AS NEEDED TO MATCH EXISTING.
- ⑤ EXISTING RESTROOMS - REPLACE EXISTING TILE FLOOR AND COVE BASE WITH DALL TILE BUNK TILES. EXISTING WAINSCOT TO REMAIN AS IS.
- ⑥ REPLACE EXISTING PLUMBING FIXTURES WITH KOHLER COMMERCIAL FIXTURES AND FAUCETS. REINSTALL EXISTING ACCESSORIES AND PARTITIONS.
- ⑦ NEW PLASTIC LAMINATE COUNTERTOP AND BACKPLASH. PROVIDE RADIUS EDGE AND TRIM PANEL. DESIGN TO MEET ADA.



CONFERENCE/RESTROOM PLAN A

OFFICE AREA PLAN A

Plan A

KEY NOTES OFFICE AREA

- ① NEW DOOR MATCH EXISTING - REUSE EXISTING DOOR # AVAILABLE FROM DEMO.
- ② RELOCATE EXISTING CABINETRY TO WORKROOM - PATCH REPAIR THE EXISTING CRYSTALL AS NEEDED. NOTE - KITCHEN CABINETRY TO REMAIN AS IS.
- ③ REMOVE DOOR INFILL OPENING - MODIFY TRIM AS NEEDED TO MATCH EXISTING.
- ④ EXTEND EXISTING PARTITION TO SEPARATE WORKROOM FROM CONFERENCE ROOM - MATCH EXISTING CONDITION IN PRIVATE OFFICE AND ADJACENT WORKROOM/SHARED OFFICE.
- ⑤ EXISTING LIGHTING TO REMAIN AS IS - ADD NEW SUSPENDED TRIANGLE FIXTURES AS SUGGESTED.
- ⑥ BROADLOOM CARPET - PDQT
- ⑦ BROADLOOM WALKOFF CARPET (alternate to tile previously priced).
- ⑧ NEW ARMSTRONG SHEET VINYL 8" COVE BASE AND PLUM WAINSCOT TO 4'-0" AFF. ON SET WALLS.
- ⑨ NEW VCT - REPAIR EXISTING BASE AS NEEDED.

- (1) NEW 10'-0" OF PLASTIC LAMINATE UPFERS AND LOWER CABINET WITH STAINLESS STEEL SINK AND GOOSE NECK FAUCET WITH SPRAY NOZZLE. ALL CABINETS TO BE LOOKING DESIGN TO MEET ADA.
- (2) DEMO EXISTING RESTROOMS MECHANICAL CLOSET AND JANITOR CLOSET.
- (3) CARD KEY ACCESS ONLY.
- (4) MAINTAIN SPECIFIC PUBLIC ACCESS HOURS. EXISTING TIERS TO REMAIN AND PROVIDE NEW AS NEEDED.
- (5) PROVIDE CABLE PLAT BACK TO SERVER ROOM 104 USING HANGER AND D LOOPS.
- (6) PROVIDE POWER AND DATA TO EXTERIOR OF BUILDING.
- (7) NEW SINGLE OCCUPANT RESTROOM. DESIGN TO MEET ACCESSIBLE CODES. PROVIDE 18X18 FLOOR/WALL TILE. ACCESSORIES BY CONTRACTOR TO INCLUDE DISPENSERS, WASTE DISPOSAL, MIRROR, GRAB BARS. DOORS TO BE BLDG STD DOORS AND FRAMES W/ LEVER HANDLE. PROVIDE KEY LOCK AND OCCUPIED INDICATOR. EXHAUST FEE CODE.
- (8) HOT/WATER HEATERS TO BE LOCATED ON PLATFORM ABOVE HALLW.C.G. DESIGN BY CONTRACTOR - BRADFORD WHITE WATER HEATERS.
- (9) NEW RESTROOM WITH MULTIPLE STALLS AS INDICATED. RELOCATE PLATENS AND MIRRORS. ACCESSORIES UNLESS IN NEED OF REPAIR - REPLACE WITH NEW - RELOCATE EXISTING SIGNAGE. NEW FLOOR DRAIN AS REQUIRED. GRIND AND SEAL EXISTING CONCRETE FLOOR. PROVIDE FRP WANSCOAT TO 8'-0" AVE. PROVIDE NEW WATERCLOSETS AND URINALS PER CITY SPECIFICATIONS. WALL MOUNTED FIXTURES WITH ELONGATED BOWL. PROVIDE NEW COUNTERTOP WITH NEW SINKS/FAUCETS. ALL FIXTURES TO BE STAINLESS STEEL.
- (10) NEW PAINTED FIBERGLASS EXTERIOR DOORS WITH PUSH/PULL ACTION. INSTALLS BOTH BUDS DOOR LOOKING DEVICE ON TIERS PER CITY STANDARDS.
- (11) NEW PRIVACY FENCE - SLATTED SCREEN ENCLOSURE @ HIGH. DESIGN TO UTILIZE 2X4 TIMBERS AND SLATS FINISHED WITH CLEAR STAIN. REQUIRED NEW SIGNAGE TO BE LOCATED ON SCREENS - HARDWARE TO BE STAINLESS STEEL OR APPROVED ALTERNATE.
- (12) MAINTAIN EXISTING CEILING WITH NEW SUSPENDED LIGHT FIXTURES. (4) ROWS OF 6" FINELITE FIXTURES. PATCH REPAIR CEILING AS NEEDED.
- (13) CONTRACTOR TO PROVIDE ASSOCIATED SITE WORK FOR NEW ACCESSIBLE RESTROOMS.
- (14) EXTERIOR LIGHTING FOR RESTROOM ENTRY VESTIBULE.
- (15) REMOVE EXISTING SUSPENDED CEILING AND MAINTAIN EXISTING GYS TO UPPER CEILING - PATCH REPAIR AS NEEDED. PROVIDE SUSPENDED DIRECT LED FIXTURES - TO BE SELECTED. INSTALL VANITY LIGHTING ABOVE MIRRORS AT COUNTERS.
- (16) RELOCATE EXISTING DOUBLE DOORS. MODIFY HARDWARE AS NEEDED FOR REVERSE SWING - PUSH/PULL WITH LOCKS.
- (17) PROVIDE SMOKE DETECTION CONNECTED TO THE BUILDING FIRE ALARMS.
- (18) REMOVE EXISTING DOOR AND FRAME. INBLL OPENING AND PATCH SURROUNDING MATERIALS. ALL DOORS / FRAMES TO BE SAVED FOR FUTURE USE.



- 1 NEW FULL HEIGHT PARTITIONS W/ SOUND INSULATION FOR PRIVATE OFFICES.
REMOVE EXISTING TRACK LIGHTING AND SAVE FOR C OF W MAINTENANCE INVENTORY.
PROVIDE NEW SUSPENDED FIXTURES.
FINELITE - MATCH CITY HALL FIXTURES IN OFFICE AREA (2) PER OFFICE AS INDICATED.
PROVIDE BLDG STD DOORS/FRAMES WITH FULL GLASS INSETS. HARDWARE TO MATCH EXISTING. REUSE EXISTING IF AVAILABLE FROM DEMO. NO PICTURE RAILING REQUIRED.
- 2 MAINTAIN EXISTING FLOOR MONUMENTS.
- 3 REMOVE EXISTING DOOR AND FRAME. INFILL OPENING - WITH SURROUNDING MATERIALS. ALL DOORS/FRAMES TO BE SAVED FOR FUTURE USE - PROVIDE TRIM TO MATCH EXISTING AS NEEDED.
- 4 NEW DOOR - REUSE IF AVAILABLE FROM DEMO.
- 5 CARD KEY ACCESS ONLY.
- 6 REMOVE EXTERIOR HARDWARE AND PROVIDE BLANK PLATES. EXISTING DOORS TO REMAIN LOCKED IN PLACE - NOT AN EXIT.
- 7 RELOCATE EXISTING PLASTIC LAMINATE CABINETRY AND REINSTALL IN WORKROOM AS INDICATED. PATCH/REPAIR WALL AS REQ'D.
- 8 NEW STORAGE CLOSET WITH BI-FOLD DOOR
- 9 MODIFY EXISTING PARTIAL HEIGHT PARTITION TO FULL HEIGHT. MODIFY CEILING AS NEEDED - MATCH EXISTING OFFICE IS.
- 10 EXISTING KITCHEN CABINETRY TO BE DOWNIZED TO APPROXIMATELY 8' PROVIDE COUNTER FOR 30" REFRIGERATOR AT END OF CABINETS.
- 11 REMOVE EXISTING TRACK LIGHTING PATCH/REPAIR WALLS AS NEEDED.
- 12 NEW LOW WALL TO 48" AFF. PROVIDE VG DF CAP WITH REVEAL BELOW.
- 13 EXISTING TRACK LIGHTING TO REMAIN FOR MUSEUM USE.
- 14 PROVIDE ROLLER SHADE TO MATCH EXISTING AT CLERESTORY WINDOWS.
- 15 PROVIDE SOLAR FILM AT LOWER WINDOWS.
- 16 NETWORK DROPS FOR WIRELESS AP LOCATION AND QUANTITY TO BE DETERMINED BY C.T.
- 17 (2) ROOF PENETRATIONS FOR WIRELESS AND CAMERAS. EXACT LOCATION TO BE DETERMINED BY CITY.
- 18 PROVIDE CABLE PATH BETWEEN (2) ELEVATIONS.
- 19 NEW WINDOW 4'X8' WITH CENTER WINDOW MULLION PROVIDE MINI-BLINDS TO MATCH EXISTING.
- 20 RELOCATE EXISTING JANITORS SINK TO EXISTING SMALL RESTROOM. REEF ON ALL WALLS AND NEW SHEET VINYL FLOORING AND BASE.

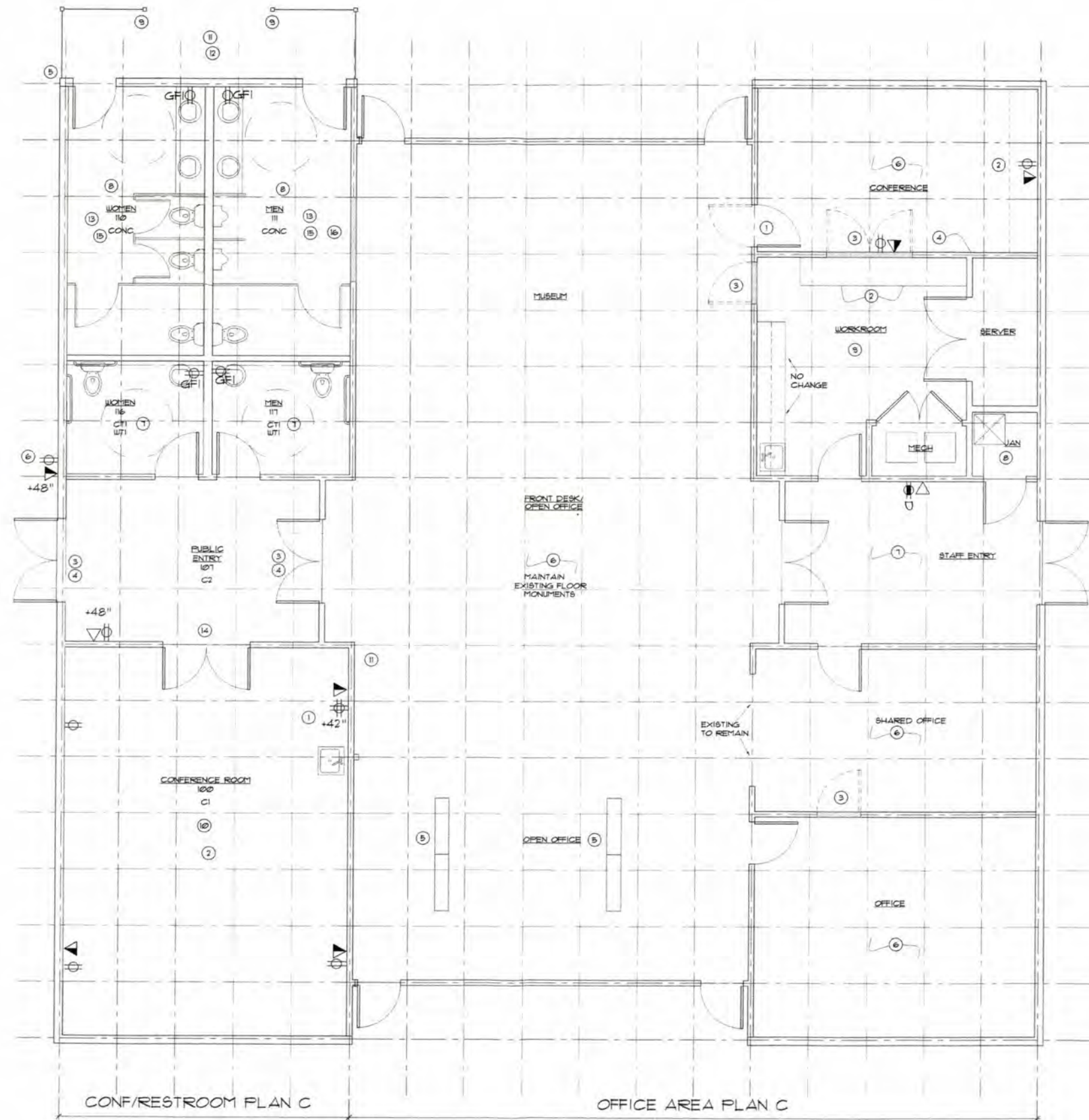
Plan B

== EXISTING PARTITION
 == NEW PARTITION
 EXISTING PARTITION,
 SERVICE, EQUIPMENT OR
 MATERIAL TO BE REMOVED

- ⊕ DUPLEX OUTLET
- ⊕ FOURPLEX OUTLET
- ◁ TELEPHONE OUTLET
- ◁ DATA OUTLET
- ◁ TELE/DATA OUTLET
- ⊕ SINGLE OUTLET ON DEDICATED CIRCUIT
- ⊕ GFI GROUND FAULT INTERRUPT

KEY NOTES CONFERENCE ROOM AND RESTROOMS:

- 1 NEW 10'-0" OF PLASTIC LAMINATE UPPEERS AND LOWER CABINET WITH STAINLESS STEEL SINK AND GOOSE NECK FAUCET WITH SPRAY NOZZLE. ALL CABINETS TO BE LOCKING. DESIGN TO MEET ADA.
- 2 DEMO EXISTING RESTROOMS MECHANICAL CLOSET AND JANITOR CLOSET.
- 3 CARD KEY ACCESS ONLY.
- 4 MAINTAIN SPECIFIC PUBLIC ACCESS HOURS. EXISTING TIMERS TO REMAIN AND PROVIDE NEW AS NEEDED.
- 5 PROVIDE CABLE PATH BACK TO SERVER ROOM 104 USING J HANGER AND D LOOPS.
- 6 PROVIDE POWER AND DATA TO EXTERIOR OF BUILDING.
- 7 NEW SINGLE OCCUPANT RESTROOM. DESIGN TO MEET ACCESSIBLE CODES. PROVIDE 18X18 FLOOR/WALL TILE. ACCESSORIES BY CONTRACTOR TO INCLUDE DISPENSERS, WASTE DISPOSAL, MIRROR, GRAB BARS. DOORS TO BE BLDG STD DOORS AND FRAMES W/ LEVER HARDWARE, PRIVACY LOCK AND OCCUPIED INDICATOR. EXHAUST PER CODE.
- 8 HOT/WATER HEATERS TO BE LOCATED ON PLATFORM ABOVE HARD CLG. DESIGN BY CONTRACTOR - BRADFORD WHITE WATER HEATERS.
- 9 NEW RESTROOM WITH MULTIPLE STALLS AS INDICATED. RELOCATE PARTITIONS, MIRRORS, ACCESSORIES UNLESS IN NEED OF REPAIR - REPLACE WITH NEW - RELOCATE EXISTING SIGNAGE. NEW FLOOR DRAIN AS REQUIRED. GRIND AND SEAL EXISTING CONCRETE FLOOR. PROVIDE FRP WAINSCOT TO 8'-0" AFF. PROVIDE NEW WATERCLOSETS AND URINALS PER CITY SPECIFICATIONS. WALL MOUNTED FIXTURES WITH ELONGATED BOWL. PROVIDE NEW COUNTERTOP WITH NEW SINKS/FAUCETS. ALL FIXTURES TO BE STAINLESS STEEL.
- 10 NEW PAINTED FIBERGLASS EXTERIOR DOORS WITH PUSH/PULL AND KICKPLATES BOTH SIDES DOOR LOCKING DEVICE ON THEM PER CITY STANDARDS.
- 11 NEW PRIVACY FENCE - SLATTED SCREEN ENCLOSURE 8' HIGH. DESIGN TO UTILIZE CEDAR TIMBERS AND SLATS FINISHED WITH CLEAR STAIN. REQUIRED NEW SIGNAGE TO BE LOCATED ON SCREENS - HARDWARE TO BE STAINLESS STEEL OR APPROVED ALTERNATE.
- 12 MAINTAIN EXISTING CEILING WITH NEW SUSPENDED LIGHT FIXTURES. (4) ROWS OF 8' FINELITE FIXTURES. PATCH REPAIR CEILING AS NEEDED.
- 13 CONTRACTOR TO PROVIDE ASSOCIATED SITE WORK FOR NEW ACCESSIBLE RESTROOMS.
- 14 EXTERIOR LIGHTING FOR RESTROOM ENTRY VESTIBULE.
- 15 REMOVE EXISTING SUSPENDED CEILING AND MAINTAIN EXISTING GYP DC UPPER CEILING - PATCH REPAIR AS NEEDED. PROVIDE SUSPENDED DIRECT LED FIXTURES - TO BE SELECTED. INSTALL VANITY LIGHTING ABOVE MIRRORS AT COUNTERS.
- 16 RELOCATE EXISTING DOUBLE DOORS. MODIFY HARDWARE AS NEEDED FOR REVERSE SWING - PUSH/PULL WITH LOCKS.
- 17 PROVIDE SMOKE DETECTION CONNECTED TO THE BUILDING FIRE ALARMS.
- 18 REMOVE EXISTING DOOR AND FRAME. INFILL OPENING AND MATCH SURROUNDING MATERIALS. ALL DOORS, FRAMES TO BE SAVED FOR FUTURE USE.



Plan C

KEY NOTES OFFICE AREA

- 1 NEW DOOR MATCH EXISTING - REUSE EXISTING DOOR IF AVAILABLE FROM DEMO.
- 2 RELOCATE EXISTING CABINETRY TO WORKROOM - PATCH REPAIR THE EXISTING DRYWALL AS NEEDED. NOTE - KITCHEN CABINETRY TO REMAIN AS IS.
- 3 REMOVE DOOR INFILL OPENING - MODIFY TRIM AS NEEDED TO MATCH EXISTING.
- 4 EXTEND EXISTING PARTITION TO SEPARATE WORKROOM FROM CONFERENCE ROOM - MATCH EXISTING CONDITION IN PRIVATE OFFICE AND ADJACENT WORKROOM/SHARED OFFICE.
- 5 EXISTING LIGHTING TO REMAIN AS IS - ADD NEW SUSPENDED "FINELITE" FIXTURES AS SUGGESTED.
- 6 BROADLOOM CARPET - PDQ2
- 7 BROADLOOM WALKOFF CARPET (alternate to tiles previously priced).
- 8 RELOCATE EXISTING JANITOR SINK TO EXISTING SMALL RESTROOM. FRP ON ALL WALLS NEW SV FLOORING.
- 9 NEW VGT - REPAIR EXISTING BASE AS NEEDED.

CITY COUNCIL MEETING STAFF REPORT

Meeting Date: February 3, 2014	Subject: Metro Solid Waste Community-Enhancement Program Implementation for Wilsonville Staff Member: Mark Ottenad, Public/Government Affairs Director Department: Administration	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution Information or Direction <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments:	
Staff Recommendations: The City Council directs staff to implement Option 1, "direct local-government administration through an IGA with Metro" for the Solid Waste Community-Enhancement Program.		
Recommended Language for Motion: NA		
PROJECT / ISSUE RELATES TO:		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL

Shall the City Council direct staff to adopt a direct local-government administration through an IGA with Metro or other option for implementation of the Solid Waste Community-Enhancement Program?

EXECUTIVE SUMMARY

Metro is considering a number of changes to the Solid Waste Community-Enhancement Program that impact the City of Wilsonville as the host of an eligible solid waste facility, namely the Willamette Resources, Inc. (WRI)–Republic Services Transfer Station, 10295 SW Ridder Road.

BACKGROUND INFORMATION

Metro operates a "Solid Waste Community-Enhancement Program" that collects funds from solid-waste transfer facilities to be used to enhance and improve communities that host these facilities in accord with ORS 459.284. Funds collected under the community enhancement program are dedicated and used for enhancement of the area in and around the facility from which the fees have been collected as determined by the committee or local government; the funds may be used for extensive community purposes that "rehabilitate and enhance the area within the City limits related to the transfer station."

Metro's program is applicable to eligible facilities located in Clackamas, Washington and Multnomah Counties within Metro's jurisdictional boundary. Community enhancement fees are collected on municipal garbage and food waste but generally are not collected on source-separated yard debris or construction/ demolition waste.

Over the years, Metro has collected community enhancement fees at certain individual solid waste facilities; *i.e.*, Metro Central Station in Portland, Metro South Station in Oregon City, Forest Grove Transfer Station, the now-closed St. Johns Landfill in Portland, and at the long-defunct Riedel Mass Composter in Portland. Metro's current program collects \$0.50 per ton on solid waste delivered to the transfer stations. The funds are used to provide grants for local community improvement projects and programs responsive to funding guidelines and goals.

The program and funds have been administered to date in one of two ways: (1) by Metro through a Metro administered committee (*e.g.*, Metro Central Station Enhancement Committee, North Portland Enhancement Committee), or (2) directly by a local government through an intergovernmental agreement (IGA) between Metro and the host local government (*e.g.*, Oregon City, Forest Grove).

The Metro Council is now considering changes to the Solid Waste Community-Enhancement Program that include:

- Applying the program to all eligible transfer facilities, which will encompass arrangements with host communities that have otherwise not participated in the Metro Solid Waste Community-Enhancement Program, including Troutdale, Sherwood and Wilsonville; and creating agreements with host communities that detail how participation in the Metro Solid Waste Community-Enhancement Program is to be conducted.
- Increasing the 'tip fee' that solid-waste haulers pay to use the transfer stations from the current \$0.50/ton that was originally established in 1988 to a proposed \$1.00 per dry ton, starting with the FY2014-15 year.

City staff understand that Metro Council most likely will approve changes to the Solid Waste Community-Enhancement Program later this year that include the opportunity to extend the program to all communities that host solid-waste transfer facilities and increasing the 'tip fee' to \$1.00 per ton that solid-waste haulers pay to use the transfer stations.

Prior to making that determination, Metro has directed staff to obtain feedback from the impacted jurisdictions, including Wilsonville and therefore that is what staff is requesting now. Metro has proposed the four options, summarized below, from which the Council may choose. Staff recommends the selection of Option 1.

Four (4) Fund Distribution and Program Administration Options

1. **Direct local-government administration through an IGA with Metro.** Metro may designate a city or county governing body as the community enhancement committee or create an alternative structure; *e.g.*, City Council or committee established by the city. The Metro South Transfer Station community-enhancement program is currently implemented by the City of Oregon City and the Forest Grove Station community-enhancement program is managed by the City of Forest Grove. Ideally, such alternative structure would be either designated or endorsed by the local government. The City Council or advisory committee would have the authority to select plans, programs and projects for the rehabilitation and enhancement of the area around the site for which Metro collects enhancement fees.
2. **Locally-endorsed community-based non-profit organization.** Under this option, a program could be administered under a Metro contract with a recognized community organization like an established neighborhood district coalition, committee for citizen involvement, or other similar community based group.
3. **Facility-initiated and managed community process established through a good-neighbor agreement.** A local government can elect not to participate and instead allow the facility owner (in Wilsonville's case, Republic) to make arrangements to collect fees and establish a community enhancement committee itself with one or more recognized neighborhood associations. . A good neighbor agreement can spell out the specific terms, while a Metro license or franchise can include conditions to provide regulatory clarity to the neighborhood association through facility compliance. This option would appear to give the City and community less say over how the collected funds are used.
4. **Metro-administered enhancement committee.** Currently, Metro administers two community-enhancement committees, including Metro Central Station and St. John's Landfill both in north Portland. The proposed program would retain this option for the two existing facility programs and could employ it for future facilities if Metro Council deemed it appropriate or at the request of a local government.

Staff Recommendation and Alternative Options

City staff recommends that the City Council support Option 1, "direct local-government administration through an IGA with Metro." Staff believes that this option provides the City and City Council with the greatest flexibility and potential highest and best use of the funds.

In conjunction with adoption of Option 1, the City Council could direct staff to create "an advisory committee" or designate an existing City board that would have the authority to recommend to Council plans, programs and projects for the rehabilitation and enhancement of the area around the site for which Metro collects enhancement fees. The City Council could also direct staff to recommend to Council plans, programs and projects that would qualify for the use of community-enhancement funds.

Republic Services, franchise provider of solid-waste garbage services for the City, indicates a preference for Option 3, "facility-initiated and managed community process established through a good-neighbor agreement." The City does not believe that this model would provide the City and City Council with the greatest flexibility and control over how the funds are spent.

Potential Impact and Next Step

Currently, the City of Oregon City realizes about \$120,000 per year that is directed for use by an Oregon City-administered community enhancement committee; under the proposed rate-increase scenario, this amount would double to \$240,000 per year. The Forest Grove transfer station currently processes about 108,000 tons of solid waste per year but is authorized to accept up to 125,000 tons per year.

Current estimates for the transfer station at Wilsonville, as operated by Republic Services, indicate up to 70,000 tons of putrescible solid waste and another 5,000 tons of food waste are processed over a 12-month period. Republic Services' affiliated company, Willamette Resources, Inc. (WRI) also accepts about 48,000 tons of dry waste (construction and demolition debris) but because this waste is processed for "recovery," it is exempt from enhancement fees under state law. At a proposed rate of \$1.00 per ton, the City could anticipate an annual distribution of \$70,000 to \$80,000 per year of Metro Solid Waste Community-Enhancement Program funds.

If Council agrees with the staff recommendation, assuming Metro Council adopts the proposed program later this year, staff would negotiate an IGA with Metro for adoption in 2014 or later, depending on how quickly the Metro process is concluded.

CURRENT YEAR BUDGET IMPACTS

No impacts for FY 2013-14 budget other than an undetermined amount of staff time to develop the IGA with Metro. For the FY 2014-15 budget and on-going into the future, the City could gain \$70,000 to \$80,000 per year in additional revenues to be used to "enhance" the community.

FINANCIAL REVIEW / COMMENTS

Reviewed by: JEO Date: 1/23/2014

There is no current year financial impact, and it appears this program will have a positive financial impact on the city in future years.

LEGAL REVIEW / COMMENTS

Reviewed by: BJ/MK Date: 1/23/2014

Staff has correctly presented the options. Legal is prepared to advise on the IGA with Metro if the recommended option is chosen.

ATTACHMENTS

- A.** Letter to Bryan Cosgrove, City of Wilsonville, from Roy Brower, Metro, RE: Proposed Improvements to Metro's Solid Waste Community Enhancement Program, Oct. 16, 2013
- B.** Metro Council Work Session Worksheet, Sept. 24, 2013, entitled "Improving the Solid Waste Community Enhancement Program."
 - Attachment A, "Draft Key Recommendations for Improving Metro's Solid Waste Community Enhancement Program"
 - Attachment B, Draft Stakeholder Engagement for Improving Metro's Solid Waste Community Enhancement Program"



Metro | Making a great place

October 16, 2013

*Rec'd 10/18/13
Sch*

Bryan Cosgrove, City Manager
City of Wilsonville
29299 SW Town Center Loop - E
Wilsonville, OR 97070

Re: Proposed Improvements to Metro's Solid Waste Community Enhancement Program

Dear Mr. Cosgrove:

The Metro Council is considering changes to the Solid Waste Community Enhancement Program. The purpose of this letter is to update you on the proposed changes and solicit your comments on a draft proposal to make improvements to this program. Currently, a 50-cent surcharge is collected on each ton of garbage disposed at certain solid waste facilities within Metro's jurisdictional boundary. These solid waste fees support grant programs for local community enhancement projects and programs that are responsive to funding guidelines and goals.

Within the city of Wilsonville, Republic Services (Allied Waste) operates a solid waste transfer station called Willamette Resources, Inc. (WRI) at 10295 SW Ridder Road. As a local government that is currently hosting a solid waste facility that may be eligible for the program, Metro staff is soliciting your comments on the draft proposal.

Under state law, there are several other solid waste facilities eligible for the community enhancement program where fees are not currently collected. They include:

- Pride Recycling (solid waste transfer station) located in Sherwood.
- Troutdale Transfer Station (solid waste transfer station) located in Troutdale.
- Suttle Road Recovery Facility (a food waste reloading operation) located in Portland.

In short, the proposed program improvements will: (1) identify the types of solid waste facilities that are eligible to pay enhancement fees under state law, (2) provide a process, working in conjunction with local governments, that will establish a framework for future decision-making, and (3) respond to the requests of some local officials and community leaders to increase the amount of the enhancement fees currently being collected or add facilities to the program.

Metro's preliminary program recommendations are included in the attached Summary of Program Recommendations. For your reference, I have also included a page that provides some information about the current program in the attached Program Background. Specific questions for your consideration include:

- 1) What level of engagement does your jurisdiction wish to have in Metro's Solid Waste Community Enhancement Program?
- 2) What other factors should the Metro Council consider as they move forward with program improvements?

Your comments, questions and/or concerns are requested on these draft recommendations. Let me know if there is someone else you would like Metro to work with at the city on this issue.

If possible, please provide your input to Metro staff by mid-December. Your input will be used by staff to refine draft recommendations to the Metro Council when it considers the topic in 2014. For more detailed information see the Metro Council Worksession from September 24, 2013. You can access the staff report on this topic at Metro's website: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=21730>.

If you have questions or would like more details or a fuller briefing, please contact either me at (503) 797-1657, or my email at roy.brower@oregonmetro.gov, or Bill Metzler at (503) 797-1666, or at his email at bill.metzler@oregonmetro.gov.

Bill Metzler or I will take the liberty of calling you to see if you have any questions or comments and if you, or your staff, would like to meet to discuss the proposed updates to Metro's Solid Waste Community Enhancement Program. Thank you in advance for your assistance.

Sincerely,



Roy W. Brower
Solid Waste Compliance and Cleanup Manager

BM/RB:bjl

Attachment

cc: Craig Dirksen, Metro Councilor, District 3
Scott Robinson, Metro Deputy Chief Operating Officer
Barbara A. Jacobson, Assistant City Attorney, City of Wilsonville

Summary of Program Recommendations Metro's Solid Waste Community Enhancement Program

Program Concerns:

Metro Code Chapter 5.06 currently lacks flexibility and does not provide a clear framework for decision-making and administration. For instance:

- Metro Code lacks clarity about its reliance on state law for program implementation.
- Types of facilities intended to be covered under program are unclear.
- There is no clear process for adding new facilities to the program.
- There is no clear process for adjusting the fee.

Key Recommendations:

1. **Update Metro's program to reflect its basis in state law (ORS 450.284).**
Update and improve Metro's existing program (Metro Code Chapter 5.06) under state law adopted in 1987. Future program improvements will be guided by the state statutory framework.
2. **Clarify the type of facilities that are eligible and ineligible based on state law (ORS 450.280.) [Continue to suspend yard debris facilities from the program pending further evaluation.]**
 - Eligible facilities include landfills, transfer stations, reloads, anaerobic digestion, energy recovery and composting.
 - Ineligible facilities include reuse, recycling and material recovery facilities.
3. **Establish a collaborative process to include the host local government for considering whether to impose fees at eligible facilities, both existing and new.**
Provide a clear process for notification, collaboration, and administration of program. The process will emphasize host local government involvement in making a decision and administering the program.

Notification: Metro notifies the host local government that the facility in its jurisdiction is eligible for a community enhancement fee program.

Coordination: Metro collaborates with host local government to determine whether fees are to be collected and a preferred approach for program administration.
4. **Provide range of options for fund distribution and program administration.**
Provide options for program flexibility that allow Metro to collect enhancement fee and be backed up by Metro solid waste regulatory instrument. [Existing Metro committees and IGA programs will continue.]
 - IGA between Metro and local government.
 - Metro contract with local government-endorsed non-profit organization.
 - Facility-initiated and managed community process e.g. good neighbor agreement.
 - Metro-administered committee.
5. **Enhancement fee adjustment.** Increase current fees from \$0.50 to \$1.00 (maximum under state law) based on inflation since program inception. Include a process for periodic fee adjustment based on inflation up to statutory limit pending future state law fee increases. New fees to be effective upon Metro adoption of new rates in 2014.

Program Background

Metro's Solid Waste Community Enhancement Program

Project Purpose

Metro is in the process of updating its Solid Waste Community Enhancement Program to provide a framework for amending Metro Code Chapter 5.06 – Community Enhancement Program. The existing community enhancement program collects funds (\$0.50 per ton) at certain eligible solid waste facilities for grant programs in host communities within Metro's jurisdictional boundary. The program has not been updated since 1991.

Legal Authority

State Law summary:

ORS 459.284 authorizes local governments to collect and spend fees collected at certain "disposal sites."

- Eligible and ineligible disposal sites are defined in ORS 459.280.
 - *Eligible* facilities include landfills, transfer stations, energy recovery and composting facilities.
 - *Ineligible* facilities include reuse, recycling and material recovery facilities.
- Not more than \$1 per ton can be collected.
- Funds must be used for rehabilitation and enhancement of the area around the disposal site.
- Must establish an advisory committee to oversee how money is spent.

Existing Metro policy:

Policy established in Regional Solid Waste Management Plan (RSWMP) in 1988, and Metro Code in 1990.
Program based on provisions in state law.

RSWMP Policy 11.0 - Host Community Enhancement: Any community hosting a solid waste "disposal site" as defined by ORS 459.280 shall be entitled to a Metro-collected fee to be used for the purpose of community enhancement.

Metro Code 5.06.010 - Policy and Purpose: It is the policy of Metro to apportion an enhancement fee of \$.50 per ton on solid waste delivered to each site within Metro and dedicate and use the monies obtained for enhancement of the area in and around the site from which the fees have been collected.

Metro's Existing Program

- Funds (\$0.50 per ton) used for community enhancement projects within the facility target areas to compensate a community for hosting a certain type of solid waste facility.
- Program and funds administered either by Metro committee or through an Intergovernmental Agreement (IGA) with the host local jurisdiction.
- Four existing grant areas, each with a committee that help promote, solicit, and select projects for funding:
 - 1) Metro South Transfer Station: City of Oregon City (by IGA with Metro).
 - 3) St. Johns Landfill: North Portland (by Metro established committee).
 - 2) Metro Central Transfer Station: NW Portland (by Metro established committee).
 - 4) Forest Grove Transfer Station: City of Forest Grove (by IGA with Metro).

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: September 24, 2013	TIME: 2:45 p.m.	LENGTH: 30 minutes
PRESENTATION TITLE: Improving the Solid Waste Community Enhancement Program		
DEPARTMENT: Finance and Regulatory Services		
PRESENTER(S): Scott Robinson (x1605), Roy Brower (x1657), Bill Metzler (x1666)		

WORK SESSION PURPOSE & DESIRED OUTCOMES

- **Purpose:** Provide an overview of the proposed improvements to Metro's Solid Waste Community Enhancement Program (Metro Code Chapter 5.06).
- **Outcome:** Council provides input on the draft program recommendations prior to staff initiating the stakeholder engagement process.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on host communities. Metro's community enhancement policy was established in the Regional Solid Waste Management Plan (RSWMP) in 1988 and in Metro Code Chapter 5.06 in 1990. Metro's program has relied on provisions in state law (ORS 459.284) adopted in 1987.

Over the years, Metro has collected community enhancement fees only at certain individual solid waste facilities (i.e. Metro Central Station, Metro South Station, Forest Grove Transfer Station, the St. Johns Landfill, and at the long defunct Riedel Mass Composter). Metro's current program collects \$0.50 per ton on solid waste delivered to the public transfer stations and Forest Grove. The funds are used to provide grants for local community improvement projects and programs responsive to funding guidelines and goals.

The program and funds have been administered in one of two ways, (1) by Metro through a Metro administered committee (e.g., Metro Central Station Enhancement Committee, North Portland Enhancement Committee), or (2) by a local government through an intergovernmental agreement (IGA) between Metro and the host local government (e.g. Oregon City, Forest Grove).

In 2010, Metro Council determined that enhancement fees should be collected on food waste at the proposed Columbia Biogas facility (food waste processing and energy recovery). This was the first time Metro sought to collect enhancement fees at a new facility since the early 1990's. **New facilities, proposed new activities at existing facilities, and requests to increase the enhancement fee at existing facilities have prompted some local communities to inquire about Metro's program, which has not been updated since 1991.**

Community enhancement program issues were brought to a Council work session in October 2012. Since then, an internal project team has reviewed Metro's existing program, worked with the Council Solid Waste Liaisons (Councilors Harrington and Stacey), and developed recommendations that will lead to proposed amendments to Metro Code Chapter 5.06.

The primary purpose of today's work session is to provide Council with an opportunity to weigh-in on the key recommendations proposed by the project team prior to staff initiating a stakeholder engagement process in late 2013 per Council direction. Staff will develop new Metro Code language for Council consideration in 2014 based, in part, on the stakeholder process.

Program Concerns:

Metro Code Chapter 5.06 currently lacks flexibility and does not provide a clear framework for decision-making and administration. For instance:

- Metro Code lacks clarity about reliance on state law for program implementation.
- Types of facilities intended to be covered under program are unclear.
- There is no clear process for adding new facilities to the program.
- There is no clear process for adjusting the fee.

Key Recommendations for Change (see Attachment A):

- 1) Update Metro Code Chapter 5.06 and make clear that the program framework will continue to rely on state law.
- 2) Clarify the type of facilities that are eligible and ineligible based on state law. [Continue to suspend yard debris facilities from the program pending further regulatory evaluation.]
- 3) Establish a collaborative process to include the host local government for considering whether to impose fees at eligible facilities, both existing and new.
- 4) Provide a range of options for program administration and fund distribution.
- 5) Increase the fee due to inflation since program inception (from \$0.50 to \$1.00 per ton), and establish a process for modifying fees in the future. New fees to be effective upon Metro adoption of new rates in 2014.

Next Steps (see Attachment B):

- Stakeholder review of updates to existing program (October-December 2013):
 - ✓ Metro's Solid Waste Advisory Committee (SWAC).
 - ✓ City managers / public officials with eligible facilities in their jurisdictions (e.g., Oregon City, Forest Grove, Troutdale, Sherwood, Wilsonville, and Portland).
 - ✓ Solid waste facility owners.
 - ✓ Citizen and neighborhood district coalitions.
- Develop Chapter 5.06 Code revisions for Council review and action (May 2014).

QUESTIONS FOR COUNCIL CONSIDERATION (See Attachment A and B)

- Does Council support moving forward with a stakeholder review process and have any suggestions for improving the stakeholder engagement process?
- Does Council support the proposed decision process for determining when and how to start collecting enhancement fees at a facility?
- Does Council support increasing the enhancement fee from \$0.50 per ton to \$1.00 per ton – the statutory maximum? Does Council wish to pursue state legislation to increase the fee in the future?

PACKET MATERIALS

- Would legislation be required for Council action ☒ Yes ☐ No
- If yes, is draft legislation attached? ☐ Yes ☒ No
- What other materials are you presenting today?
 - Attachment A - Draft Key Provisions for Improving Metro's Solid Waste Community Enhancement Program.
 - Attachment B - Draft Stakeholder Engagement Process for Improving Metro's Solid Waste Community Enhancement Program.

Attachment A
Draft Key Recommendations for Improving Metro's Solid Waste
Community Enhancement Program

The following is a summary of key recommendations to improve Metro's existing program.

1. Update Metro's Existing Program under State Law.

The proposed provisions will make clear that Metro's program is established and implemented under state law. Program improvements will continue to be guided by this statutory framework. With improvements and clarification, Metro's program can continue to work within the state's legal framework for the region into the future.

Legal basis for program. Metro's solid waste community enhancement fee program is established in accordance with ORS 459.280 and 459.284.

Program purpose and geographic coverage. Funds collected under the community enhancement program will be dedicated and used for enhancement of the area in and around the facility from which the fees have been collected as determined by the committee or local government. Metro's program is applicable to eligible facilities located in Clackamas, Washington and Multnomah Counties within Metro's jurisdictional boundary.

2. Program Applicability by Facility Type.

Metro's existing program does not clearly define what types of solid waste facilities are eligible and ineligible for enhancement fees. Historically, Metro's program has been applied only to specific individual facilities (rather than types of facilities) considered important to the regional system but with a negative public image (e.g., landfills, some transfer stations and mixed municipal waste composting facilities – but not source-separated yard debris facilities).

Metro's program will be updated to clearly specify the types of facilities that are eligible and ineligible, consistent with state law.¹ Doing so provides clarity, fairness and consistency to the program while establishing a more level playing field. Generally, eligible facilities covered under state law involve the intensive management of putrescible (wet) waste, such as household garbage, food waste and organics where odors and vector attraction are likely. Ineligible facility types are engaged in the active recovery or recycling of non-putrescible (dry) wastes e.g. construction debris, demolition waste, garage cleanouts and mixed recyclables. Generally ineligible facility activities pose fewer risks but can be sources of dust, litter and noise.

Eligible facility types include:

- Transfer stations.
- Reloads (includes food waste and food waste mixed with yard debris).
- Composting (includes food waste and food waste mixed with yard debris).
- Anaerobic digestion.
- Energy recovery.

Ineligible facility types include:

- Material recovery.
- Reuse.
- Recycling.

Metro will continue to suspend facilities that reload and compost **only yard debris** from the program until they can be evaluated for inclusion during a broader review process.

¹ ORS 459.280.

3. Decision Process for Establishing a Community Enhancement Program.

Metro's existing program does not currently identify a clear process for determining when or how to establish a program at an eligible solid waste facility. Historically, in order to initiate a new program, a solid waste facility would be listed explicitly by name in Code. Other programs, however, have also been initiated through an IGA with the host local government – but not listed in Code. The last facility to have been included, Columbia Biogas, was initiated by the facility and local community and the fee collection requirements were included in the facility operating franchise adopted by Council.

In order to minimize confusion and provide clarity to facility owners, better position the program for the future, and assure collaboration with host local governments, a notification, framework and decision process is proposed that will guide how and when to initiate a program. This improved process will provide a framework for improved program function and administration.

Proposed generic process for establishing a program at new facilities and existing facilities (not currently participating).

- **Notification.** Upon receipt of a new Metro solid waste facility application, or upon renewal, Metro will notify the host local government that the solid waste facility is eligible to participate in a community enhancement program.
- **Coordination with host local government.** Metro will coordinate with the host local government to determine whether a community enhancement fee should be collected at the eligible facility.
- **Local government IGA.** Metro will provide the host local government with an opportunity to enter into an IGA to administer a community enhancement program. If an IGA cannot be established between Metro and the host local government, Metro and the local government may consider other approaches.
- **Chief Operating Officer (COO) decision and opportunity for Council call-up.** A final decision whether to establish a program and collect enhancement fees at an eligible facility will be subject to approval or denial by the COO. The COO will inform the Council President and councilor whose district is host to an eligible facility, in writing no fewer than ten (10) days before the COO proposes to approve or deny the establishment of a community enhancement fee program at an eligible facility. The Council may then review and consider the COO's decision.

Existing community enhancement programs.

Metro's existing community enhancement programs will continue to be administered as they are currently. An IGA between Metro and Oregon City and Forest Grove, and a Metro administered enhancement committee for Metro Central Station and St. Johns Landfill.

4. Fund Distribution and Program Administration Options.

The distribution of funds collected through a community enhancement program will be subject to the approval of an advisory committee (community enhancement committee) established for that purpose. (Other options for administration will also be available as described below.). Metro will seek to strengthen community ties. In all cases, an advisory committee will be established to govern the criteria for program funding, distribution of funds and reporting periodically to Metro on results to assure maximum benefit to the local host community.

Options:

- **Direct local government administration through an IGA with Metro.** Metro may designate a city or county governing body as the community enhancement committee or create an alternative structure e.g. city council or committee established by the city. Ideally, such alternative structure

would be either designated or endorsed by the local government. The advisory committee would have the authority to select plans, programs and projects for the rehabilitation and enhancement of the area around the site for which Metro collects enhancement fees.

- **Locally-endorsed community-based non-profit organization.** Under this option, a program could be administered under a Metro contract with a community organization like an established neighborhood district coalition, committee for citizen involvement, or other similar community-based group.
- **Facility-initiated and managed community process established through a good neighbor agreement.** Under this option, an eligible facility can make arrangements to collect fees and establish a community enhancement committee itself with one or more recognized neighborhood associations – if a local government elects not to participate. A *good neighbor agreement* can spell out the specific terms, while a Metro license or franchise can include conditions to provide regulatory clarity to the neighborhood association through facility compliance.
- **Metro-administered enhancement committee.** Currently, Metro administers two community enhancement committees. The program would retain this option for the two existing facility programs and could employ it for future facilities if Council deemed it appropriate.

5. Funds.

Metro's existing enhancement fee of \$0.50 per ton was established in 1988, and has not changed since that time. In response, the program fee at existing facilities should be updated to make a one-time fee adjustment to \$1.00 per ton, which is the maximum allowed under state law. This adjustment is based on inflation since the program was started.²

Amount of enhancement fees. It is the policy of Metro to assess an enhancement fee of no more than \$1.00 per ton on solid waste delivered to each eligible facility approved by Metro in coordination with the host local government.

Amount. Starting in FY 2014-2015, for each ton of solid waste deposited at an eligible participating facility, \$1.00 shall be budgeted and accounted for in a community enhancement fund.

Adjustment. Metro will consider allowing for a periodic adjustment of the fee based on the Consumer Price Index (CPI) up to the amount set forth in ORS 459.284. However, adjusting the fee to \$1 per ton leaves no room for future CPI adjustments. In the future, Metro may wish to consider legislation to increase the state fee by some amount.

² \$0.50 in 1988 had the same buying power as \$0.99 in 2013, Consumer Price Index Calculator, US Bureau of Labor and Statistics.

Attachment B
Draft Stakeholder Engagement for
Improving Metro's Solid Waste Community Enhancement Program

1. Review proposal with local government solid waste directors (September)
2. Convene and review proposal with Solid Waste Advisory Committee (October)
3. Provide written briefing and opportunity to meet with city managers, public works or other appropriate officials about the proposal (October-November)
 - Oregon City
 - Forest Grove
 - Troutdale
 - Sherwood
 - Wilsonville
 - Portland
4. Provide written briefing and opportunity to meet with key solid waste industry members (November-December)
 - Waste Management
 - Republic Waste
 - Pride Recycling
 - Recology
 - Oregon Refuse and Recycling Association
5. Provide written briefing and opportunity to meet with citizen or neighborhood association groups (November)
 - Portland Office of Neighborhood Involvement (ONI) and Neighborhood District Coalitions (7).
 - Committee for Citizen Involvement (CCI) Steering Committee (Washington County).
 - Beaverton and Hillsboro neighborhood coalitions.
 - Clackamas County Coordinating Committee.
6. Brief MPAC (December).

King, Sandy

From: Duke, Pat
Sent: Saturday, January 25, 2014 2:48 PM
To: King, Sandy
Cc: Hilly Alexander (hillya4@gmail.com)
Subject: FW: Board

Sandy,

LaRue Williams is resigning.
We have a vacancy on the Library Board..
pat

From: LaRue [laruehw@aol.com]
Sent: Saturday, January 25, 2014 1:01 PM
To: Hilly Alexander; Duke, Pat
Subject: Board

Dear Hilly and Pat,

After much thought and consideration I have made the decision to resign from the Library Board. As you know I have been dealing with a chronic medical condition and while I am making good progress in my recovery, I am still struggling with performing additional duties outside of work. At my doctor's recommendation I am going to continue to work a modified schedule and get more rest after work.

I have really enjoyed my work and I appreciate all that I have learned in this capacity. I will remain an active supporter of the work you do. I am happy to discuss my resignation with you but wanted to give you appropriate notice in writing.

Thank you again for this opportunity you have given me. It has been my pleasure to serve with you and the other board members.

Sincerely,

LaRue

City's Standing Boards.

- A. Council President Starr – Park & Recreation Advisory Board
- B. Councilor Goddard – Library Board
- C. Councilor Fitzgerald – Development Review Panels A and B, Library Board
- D. Councilor Stevens – Planning Commission; Committee for Citizen Involvement;
Wilsonville Seniors

Outside Board Liaison Assignments:

- 1. Chamber Board – Starr, with Stevens as alternate
- 2. Chamber Leadership – Knapp, Starr, Stevens as 2nd alternate
- 3. WCCC – Knapp, Fitzgerald as 1st alternate, Goddard as 2nd alternate
- 4. C-4 – Knapp, Stevens as 1st alternate
- 5. C-4 Metro Subcommittee – Knapp, Fitzgerald as 1st alternate
- 6. Regional Water Providers Consortium – Starr, Goddard as 1st alternate

CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings 2014-15

FEBRUARY

DATE	DAY	TIME	MEETING	LOCATION
2/3	Monday	7 p.m.	City Council Meeting	Council Chambers
2/10	Monday	6:30 p.m.	DRB Panel A	Council Chambers
2/12	Wednesday	6 p.m.	Planning Commission	Council Chambers
2/17			President's Day City Offices Closed	
2/20	Thursday	7 p.m.	City Council Meeting	Council Chambers
2/24	Monday	6:30 p.m.	DRB Panel B	Council Chambers
2/26	Wednesday	6:30 p.m.	Library Board	Library

CLACKAMAS COUNTY AND CHAMBER

Will Hold Town Hall at Wilsonville Community Center

Date: 2/18/14 -- 7 to 8:30 p.m.

The Clackamas County Board of Commissioners will hold a town hall on Tuesday, Feb. 18, at the Wilsonville Community Center. Citizens may voice their questions directly to the commissioners in a question-and-answer forum. For more information, contact Tim Heider at the county at 503-742-5911 or theider@clackamas.us or Steve Gilmore at the chamber at 503-682-0411 x 101 or steve@wilsonvillechamber.com.

DADDY DAUGHTER DANCE "A Night in Hollywood"

Date: 2/28/14 7:00 PM – 9:00 PM \$14 per person

Community Center

Register early since space is limited to 125.

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, January 6, 2014. Mayor Knapp called the meeting to order at 7:26 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Sandra King, City Recorder
Chris Neamtzu, Planning Director
Eric Mende, Capital Projects Engineering Manager
Stephan Lashbrook, Transit Director
Nancy Kraushaar, Community Development Director
Joanne Ossanna, Finance Director
Cathy Rodocker, Assistant Finance Director
Kristin Retherford, Economic Development Coordinator
Pat Duke, Library Director
Patty Brescia, Senior Program Manager
Steve Munsterman, Public Works Supervisor

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the order of the agenda. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

A. Recognize Laura Goff, Girl Scout Gold Award

Mayor Knapp acknowledged Laura Goff for identifying the need for knit hats for premature babies. As part of a Girl Scout service project, Ms. Goff offered a Girl Scout camp where Scouts learned to knit the hats. The hats were donated to an organization that sent them to hospitals throughout the U.S. This service project led to Ms. Goff earning the Girl Scout Gold Award, the highest achievement of Girl Scouts in the U.S.A.

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B. Upcoming meetings were announced.

Mayor Knapp spoke about the meetings he attended on behalf of the City. He will be speaking to Metro staff on the Climate Smart Communities and how that will affect Wilsonville.

C. Board and Commission Appointments

Mayor Knapp recommended reappointing Lenka Keith, Dianne Knight and Cheryl Dorman to the Development Review Boards, and Al Levit to the Planning Commission. All four of these individuals were eligible and willing to serve a second term.

Motion: Councilor Stevens moved to reappoint Lenka Keith, Dianne Knight, and Cheryl Dorman to the Development Review Board, and Al Levit to the Planning Commission for an additional term beginning January 1, 2014. Councilor Goddard seconded the motion.

Vote: Motion carried 5-0.

The Mayor recommended appointing Tony Holt to the Budget Committee, and to appoint Jerry Greenfield who currently serves on the DRB to the Planning Commission. He also recommended appointing Karen Eichelberger to the DRB to fill the unexpired term of Mr. Greenfield.

Motion: Councilor Fitzgerald moved to appoint Tony Holt to the Budget Committee, and Jerry Greenfield to the Planning Commission; and to appoint Karen Eichelberger to the DRB to fill the unexpired term of Mr. Greenfield. The motion was seconded by Councilor Stevens.

Councilor Goddard observed the boards and commissions benefit from diversity and the Budget Committee would benefit from a new perspective and new ideas. The Councilor noted Mr. Holt had served a term on the Budget Committee previously.

Councilor Fitzgerald agreed it was important to have new people involved on the committees; however she felt it would be helpful to have Mr. Holt on the Budget Committee due to his experience since other members of the Committee were new in their terms. Mr. Holt brought an element of history and perspective. In speaking with the applicants the Councilor found all of the applicants open to serving in various capacities and she hoped more opportunities could be found for committee involvement.

Councilor Starr was gratified to have the number of excellent applicants applying for the boards and commissions. Some of the applicants were new residents to Wilsonville who shared stories on what attracted them to move to Wilsonville.

Mayor Knapp agreed with the Councilors comments.

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Vote: Motion carried 4-1

Councilor Goddard voted "No" because of the Budget Committee appointment.

COMMUNICATIONS

A. Recognize Xerox for Library and Community Center Donations

Pat Duke introduced representatives from Xerox, who were responsible for supporting Library and community programs, both financially and with volunteers, over the past several years. The programs include, in part: Adopt-A-Road Program, Imagination Library, Wilsonville Robotics, Wilsonville Food Bank, and Fun in the Park. He thanked them on behalf of the Library and community. A spread sheet detailing Xerox's past contributions was distributed.

Stan Sherer added Xerox has been involved in a number of community projects, including: improvements to Engelmann Park and Memorial Park, donating a convection oven for the Community Center kitchen, supporting Movies in the Park and Daddy Daughter Dances. Their total financial commitment over the past ten years totals \$30,000.

Mayor Knapp thanked Xerox for their generous commitment and service to the City.

B. 2013 Summer Reading Outcomes

Mr. Duke spoke about the successful 2013 Summer Read program, and explained how the program helps to maintain students reading ability by keeping kids reading throughout the summer and exposing them to new opportunities. The Reading Program was recognized for having the highest percentage of participation for a library of its size. Mr. Duke recognized the businesses and organizations who contributed to the program.

C. Wilsonville Seniors Presentation

Patty Brescia, Senior Programs Manager, introduced Wes Morris, Chair of the Wilsonville Community Seniors, Inc. Mr. Morris provided the history of the Advisory Board and explained the Board serves as a voice for seniors in Wilsonville. Their Mission is to make a positive contribution to the lives of seniors in the Wilsonville area by providing, companionship, entertainment and recreational activities, class instruction and opportunities for service in the community.

D. Waste Water Treatment Plant Quarterly Report

Eric Mende, Capital Projects Engineering Manager presented the January 2014 Waste Water Treatment Plant project quarterly report. Overall the project remains on budget and ahead of schedule. The project is approximately two months ahead of schedule with construction approximately 94 percent completed as of November 25, 2013. The remaining construction activities are expected to be completed in December 2013, and acceptance will be achieved by

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the end of January 2014. Final completion is expected April 2014 marking the end of the construction process. Mr. Mende anticipated an April ribbon cutting ceremony.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

Pete Hurley, Renaissance Canyon Creek resident, referred to the Canyon Creek Road extension options and stated of the three options before Council, the first two created substandard transportation alternatives, while the third option – the full street including bike lanes and sidewalks reflected the city's TSP standards and was the preferred option. He thought if the road connections could not be constructed correctly, they should wait until there was money to do so.

Ken Ruud, 28597 SW Morningside Ave, expressed safety concerns for pedestrians and bicyclists with the first two options for the Canyon Creek Road extension project. He preferred the full street build out with sidewalks, bike lanes and a planted center median.

Simon Springall, 7577 Vlahos Drive, voiced his concern with riding bikes along Canyon Creek Road without a bike path and favored the full street build out.

The comments of these three speakers under "Citizen Input" will be carried forward to the January 6, 2014 minutes of the Urban Renewal Agency meeting.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (*Park & Recreation Advisory Board, Chamber/City Leadership Liaison*) Councilor Starr announced the next meeting dates for the Parks and Recreation Board, and the URA Task Force.

Councilor Goddard – (*Library Board, Chamber Board, and Clackamas County Business Alliance Liaison*) Councilor Goddard reported he, along with Councilor Stevens, attended two meetings on Basalt Creek area planning to talk about the decision making framework. Staff will be setting aside time during a future work session to discuss the topic.

Councilor Fitzgerald – (*Planning Commission; Committee for Citizen Involvement; and Library Board Liaison*) Councilor Fitzgerald noted the Tourism Task Force continues to meet and are making good progress. She said the Planning Commission will be hosting a public forum on the State Wide Housing Goal 10 Housing Analysis this week.

Councilor Stevens – (*Development Review Panels A and B; Wilsonville Seniors Liaison*) Councilor Stevens announced the next meeting of the Wilsonville Community Seniors, and the DRB. She reported on the very successful Reindeer Romp this past December and advised winter term class registration is continuing.

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CONSENT AGENDA

Mr. Kohlhoff read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2448**

A Resolution Of The City Of Wilsonville Authorizing Acquisition Of Property And Property Interests Related To The Installation Of Streetlights On Burns Way (Streetlight Infill Project 4696).

B. Minutes of the December 2, 2013 Council Meeting. (

Motion: Councilor Stevens moved to adopt the Consent Agenda. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

NEW BUSINESS

A. Willamette Falls Locks - Request for Support of an Economic Benefits Study

Mark Ottenad prepared the staff report. The 140-year-old Willamette Falls Navigation Canal and Locks were closed indefinitely by the owner/operator U.S. Army Corps of Engineers (US ACE) in December 2011 due to lack of funding. As the second highest port site on the Willamette River that can be accessed via boat only through the locks, the City of Wilsonville has both vested economic interests and livability issues directly connected to the possible reopening of the Locks.

Because the Willamette Falls Heritage Foundation (a nonprofit founded in 2000 and based in West Linn) believes these facilities are vital for a wide range of river uses which include commercial, industrial, recreational and marine patrols, it is working with local partners, including the National Trust for Historic Preservation and a One Willamette River advisory committee, to help bring about a transfer of ownership of the Willamette Falls Locks from the US ACE to a new owner. It is believed that such a transfer would enable the locks to once again serve communities up and down the Willamette River. Because Wilsonville could benefit from operational Locks, especially as it relates to the City Council's goal for a vital multi-modal transportation network, the Foundation has requested that the City contribute \$2,500 for an economic analysis study that could be the first key step towards that transfer. The study would result in the generation of clear data and analysis showing the economic benefit to an operational canal to marine-based industries in the Newberg Pool, as well as tourists and recreational river users on the Willamette River Water Trail.

Understanding the economic aspects of owning and operating the Locks is integral to addressing stakeholder questions about the implications of an ownership transfer and to identifying the appropriate future owner. The first step of ECONorthwest's proposed work plan is to conduct a demand analysis that includes a market analysis and outreach interviews with key stakeholders. The second step of the work plan will develop an economic model to estimate the economic

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effects of reopening the Locks. In Step 3, an economic analysis will be conducted, using the data and model developed in previous steps, using a “with” versus a “without” approach that compares the economic impacts of a reopening the Locks to the baseline of continuing without opening the Locks, then calculating the differences in economic effects. The end product will describe the effects of reopening the Locks on economic benefits and costs, including those for natural resources, commerce, travel and recreation. See Attachments A, B and C for more details.

Completion of the proposed study directly pertains to the City’s Transportation Systems Plan (TSP) Goal 6, to “encourage and support the availability of a variety of transportation choices for moving people and goods.” The City has already requested that the USACE provide funding to get and keep the Locks operating, to support marine freight movement as a ‘green’ and cost-effective part of its Multi-Modal ethic.

In addition to the direct and immediate river-based transportation objectives, operational Locks could provide additional benefits. Wilsonville Concrete and Marine officials have reported that 15–30 total jobs could be impacted if the Locks are not re-opened on a permanent basis. Wilsonville Concrete and Marine currently conducts extensive work along the Willamette and Columbia Rivers for various agencies for marine repair and dredging operations, and moves substantial amounts of aggregate from Wilsonville down the river to Portland and beyond. Each barge carries the volume of aggregate equivalent to 30–35 loaded dump trucks. Operational Locks would also allow the City to consider establishing a “port,” which could be eligible for various state and federal funding programs.

As the City develops a tourism strategy, recreational access to and use of the Willamette River continues to rise as an issue deserving of further study and consideration. In addition to activities such as float trips on the Willamette River ‘water trail,’ river cruises are a potential tourist attraction that could be developed if the Locks were operational.

The Foundation reports the following organizations have committed the following amounts of funds for the study:

The National Trust for Historic Preservation	\$10,000
Portland General Electric Company	8,000
Willamette Falls Heritage Area Coalition	5,000
Wilsonville Concrete Products, Inc.	3,000
J & A Fuel Company	3,000
Willamette Falls Heritage Foundation	2,000
City of Oregon City	500

Additional requests are being made to METRO, the Port of Portland, the Oregon Concrete and Aggregate Producers Association, the City of West Linn, Clackamas County, The Portland Spirit cruise-line, and several other marine based businesses and riverfront communities. The Foundation is also seeking matching-grant support from the Oregon Cultural Trust.

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Support of the study appears appropriate for the City and may be accommodated in the current budget without adjustment. Results of the study could provide more realistic data for the City to use in planning and advocacy efforts.

Motion: Councilor Fitzgerald moved to authorize the City Manager to allocate \$2,500 toward the Willamette Falls Locks economic analysis. Councilor Stevens seconded the motion.

Councilors supported the contribution for the economic analysis because the locks were a unique aspect of northwest history, and it was a minimal investment to learn what will make the locks operational again. In addition operational locks will support economic development with the establishment of a port on the Willamette River at Wilsonville, as well as providing recreational opportunities for boaters.

Vote: Motion carried 5-0.

B. Elligsen Property

Councilor Starr raised the issue of the Metro RSIA designation on the Elligsen property and **moved** to support the land owner to take off the RSIA if they were to make the appeal to Metro. However, he was not saying anything about the zoning at all, rather to support them to repeal the RSIA designation from the property. **Mayor Knapp seconded** the motion for discussion.

Councilor Starr was not asking for a change of the zoning. He was trying to make sure the RSIA designation was removed from the property to allow the property owner more flexibility and not with Metro. Due to the amount of industrial land coming into the City between Coffee Creek and Basalt Creek and the industrial land already in Wilsonville, the Councilor thought the City was a large contributor of industrial lands within the Portland metro area. Whether this is regionally significant industrial land or not, it is still industrial. Removal of the RSIA gives the owner the independence to react to opportunities as they come in the future, and if none do, then it remains the same.

Mayor Knapp did not agree with the motion and what it would accomplish. He was concerned about an excess of commercial ground in the City when there are businesses still struggling to recover; this would work directly against Council goals to support existing businesses. He was troubled about the fairness to other property owners throughout the city that might like to make more profit on their property if they were able to up-zone their property by asking Council to endorse their effort. Traffic capacity and access to the site was another concern for the Mayor.

The RSIA concept was put into place to enable the region as a whole to compete for high-end industrial users that require a significant amount of acreage. The fact that it is the only RSIA lot in Clackamas County made the Mayor reluctant to remove the designation; rather, he would prefer to retain the designation and work within that framework to find a high quality user.

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Mayor Knapp thought there were many opportunities and advantages to maintaining the structure and he did not see a benefit to changing the designation except to make it more profitable for one property owner.

Councilor Stevens pointed out the program offered by Clackamas County to help property owners evaluate their property for development as well as provide information on marketing and development at no cost to the property owner.

Councilor Fitzgerald was interested in looking at this after other options have been exhausted. The Clackamas County evaluation would provide valuable information, and the City had offered to help the property owner find a high end manufacturing/high tech use who would be willing to pay more for this designation. The Councilor thought it was premature to remove the RSIA designation at this time.

Councilor Goddard was sympathetic to Mr. Elligsen and his plight. He thought, as a principle, it should be the local community whose interests are primary when considering how to use a piece of property, not Metro. But the reality is the parcel is not going to be anything but bare ground until there is a willing seller. As a representative of the City and a participant member of the Clackamas County EDC, the Councilor had an appreciation for the need to support job growth in the County and was aware of the lack of property available well suited to do that. Councilor Goddard did not have enough of a grasp of what the implications would be with the removal of the RSIA designation and what the effect might be for Coffee Creek and Basalt Creek.

Councilor Starr reiterated he was not asking for a rezoning of the land to commercial; he was asking for more flexibility and leeway and for the responsibility to be on the land owner. Out of respect for Mr. Elligsen Councilor Starr sought to raise the issue and have the discussion.

Vote: Motion failed 1-4 with Councilor Starr voting "Aye".

PUBLIC HEARING

Mr. Kohlhoff read the titles of Resolution Nos. 2449 and 2450 into the record.

- A. **Resolution No.2449**
A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2013-14.
- B. **Resolution No. 2450**
A Resolution Authorizing A Transfer Of Budget Appropriations Within Certain Funds For Fiscal Year 2013-14.

Mayor Knapp read the public hearing format and opened the hearing for both Resolution No. 2449 and Resolution No. 2450 at 9:23 p.m.

Cathy Rodocker presented the staff report. At its June 3, 2013 City Council meeting, the Council adopted the Fiscal Year 2013-14 budget. Since that time, several unanticipated projects and

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expenses have come to staff's attention that require additional budget authorization. There are two resolutions for consideration: Resolution No. 2450 deals with a budget transfer; and Resolution No. 2449 addresses a supplemental budget adjustment. Resolution No. 2450 will move expenditures from one category to another with no additional increase to the overall budget. Resolution No. 2449 is a supplemental budget adjustment that will impact the budget by increases to revenues and expenditures. As per Local Budget Law, the supplemental budget adjustment also includes budget transfers that have surpassed 15 percent of the adopted contingency.

Resolution No. 2450 provides a detailed listing of the projects and/or accounts that will be affected by the transfer resolution. The transfers are all less than 15 percent of the original adopted contingency in each fund. In most cases, the additional costs of increased capital projects, either new projects or increase budget for existing projects, will be offset by reducing existing capital project budgets. These projects requiring increased budgets include: Water Distribution Miscellaneous Improvements, Segment 3B Water Line Mitigation Site, Update Sewer Rate and SDC Study, Waste Water Master Plan Update, Autumn Park Sewer Line Replacement and Realign Boeckman Creek/Reconnect Channel.

The Parks SDC Fund is recognizing a transfer from contingency to fund the following capital projects: Basalt Creek Concept Planning, Coffee Creek Development Readiness, Memorial Park Improvements-Parking Lot Rebuild and Recreation/Aquatic Center Update.

An increase is also requested for the replacement of the granulated activated carbon at the water treatment plant. This bi-annual maintenance request was postponed from FY13 until FY14. Due to a shortage of available product, the City was able to purchase the product at a significant savings (nearly \$95,000) by postponing until the new fiscal year.

Resolution No. 2449 provides a detailed listing of the projects and expenditures that are recognizing new funding from either interfund transfers or outside funding sources. A number of road projects will need additional budget appropriation to accommodate an accelerated construction schedule. The annual streetlight infill project will be expanded this year to cover various projects included the areas of Grahams Ferry Rd and Boones Ferry Rd.

The resolution also includes additional appropriations for three stormwater projects: Rivergreen Drainage, Realign Boeckman Creek/Reconnect Channel and Morey's Landing. To meet the additional appropriations, all of the fund's available contingency will be used as well as reductions in personal services, materials and services, and the deferral of two additional capital projects.

As stated in the Fiscal Management Policies, the City shall amend its annual budget in accordance with Oregon local budget law. The supplemental budget adjustment is adopted by the Council at a regularly scheduled meeting; no Budget Committee meeting is required.

As required by Local Budget Law, a notice for the public hearing was published in the Wilsonville Spokesman on Wednesday, January 1, 2014. Adoption of the Supplemental Budget Adjustment is required prior to the end of the fiscal year, June 30, 2014.

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The Mayor invited public testimony, hearing none he closed the hearing at 9:31 p.m.

Motion: Councilor Goddard moved to adopt Resolution No. 2449. Councilor Stevens seconded the motion.

Vote: Motion carried 5-0.

Motion: Councilor Goddard moved to adopt Resolution No. 2450. Councilor Starr seconded the motion.

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS

Mr. Cosgrove asked Council if they would like to schedule any special training, or team building sessions since this was an "off year" for Council goal setting. He asked Councilors to send their ideas to him via email and he would look for commonalities.

LEGAL BUSINESS

Mr. Kohlhoff requested Council direction on whether to present a business license process and the legal issues that would be involved for medical marijuana dispensaries in the community. Council agreed they would like to see the draft language consistent with not violating state and federal law.

ADJOURN

The Mayor adjourned the Council meeting at 9:48 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor

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A special meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, January 23, 2014. Mayor Knapp called the meeting to order at 7:08 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Sandra King, City Recorder
Mark Ottenad, Government Affairs Director
Nancy Kraushaar, Community Development Director

Motion to approve the order of the agenda.

Motion: Councilor Starr moved to approve the amended order of the agenda. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

Upcoming meetings were announced by the Mayor. He noted he participated in a discussion at MPAC on Climate Smart Communities. Wilsonville has an advantage because of the SMART bus system which helps to reduce vehicle emissions and trips.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

Tim Goodman, COMCAST Government Affairs Office, 9605 SW Nimbus Ave, Beaverton. Mr. Goodman introduced himself as the new Comcast representative for Wilsonville.

Ben Altman, 29515 SW Serenity Way, Wilsonville, spoke as a representative of the Chamber of Commerce Hospitality Committee. Mr. Altman distributed a packet of information regarding wayfinding signage with the hope of moving a project forward. Ideas include different types of

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signs for pedestrians, bicyclists, and vehicles due to the different speeds of travel and focal points.

The Chamber is interested in developing a wayfinding signage program to improve the signage throughout the City. Mr. Altman indicated the Chamber had suggested appointing a task force representing a broad base in the community to address the matter and for Council to direct staff to move the idea forward.

Mayor Knapp shared he had reviewed records from 2012 when the new Sign Code was adopted that indicated the need for wayfinding signage and having staff support moving the matter forward; however, that direction was from a different Council and he wanted to know what this Council thought.

Councilor Fitzgerald thought this was a good idea, and that it was relevant to the bike and pedestrian interests, as well as adding to the general economic vitality.

Councilor Goddard agreed there would be a benefit from taking a closer look at it; he wanted to be sensitive with "signage overload" as vehicles leave the freeway, the first light or two from the interchange are already crowded with signs. He suggested involving the Tourism Task Force and see if they wanted to take a closer look at this as far as scope and locations.

Councilor Stevens mentioned tying the project to the Council Goal of branding the City.

Mr. Cosgrove agreed the idea tied into three of the Council Goals. He mentioned the project would require a consultant due to the complexity of the issue, and thought there was funding available.

Councilor Starr agreed with the comments of the Councilors. He liked the idea of identifying different areas of town through signs to help people get to the right vicinity.

Mr. Cosgrove heard a consensus to bring something back, and thought staff could bring a scope of work to the Council the first meeting of March.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – Park & Recreation Advisory Board, Chamber/City Leadership Liaison. He reported the Parks and Recreation Advisory Board discussed the recommendation for the Aquatic Center feasibility study. The Councilor announced the next meeting of the URA Task Force, and that Clackamas County Board of Commissioners will be holding a Town Hall in the Community Center in February.

Councilor Goddard – Library Board, Chamber Board, and Clackamas County Business Alliance Liaison. Councilor Goddard reported he attended the Chamber Board meeting where they discussed tourism roles, and formed a candidate endorsement committee for the May primary.

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Councilor Goddard stated the Library Board continues to work on their strategic plan. The CCBA held their annual state of the cities luncheon and is working towards identifying a slate of candidates to fill the vacant Lake Oswego House seat. He announced the Friends of Trees event.

Councilor Fitzgerald – Planning Commission; Committee for Citizen Involvement; and Library Board Liaison. Councilor Fitzgerald advised the Tourism Task Force heard a report on how to maximize tourism in Wilsonville; the Planning Commission reviewed the Housing Needs Analysis; and she invited the public to attend the upcoming Daddy Daughter Dance.

Councilor Stevens – Development Review Panels A and B; and Wilsonville Seniors Liaison. Councilor Stevens reported on the activities of DRB Panel – A. She announced the Library will be conducting a teen game night, and the Community Center will be hosting “Hit Parade” featuring music from the 1940’s and 50’s.

NEW BUSINESS

A. Resolution No. 2451

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Sign A Franchise Extension Agreement With Comcast, Extending The Term Of The Current Comcast Cable Franchise To January 31, 2015.

Mr. Kohlhoff read Resolution No. 2451 into the record by title only and presented the staff report. The current franchise expires January 31, 2014, and this extension allows time to negotiate a new franchise agreement with Comcast. Some of the items in the agreement that need to be reviewed include: the City tying its public network into Clackamas County’s; what the PEG fees should be; and Federal law requires a citizen survey be conducted. Because of these items it made sense to continue the agreement under the same terms for one year. Mr. Kohlhoff hoped to reach agreement with Comcast under the “informal” agreement process.

Motion: Councilor Starr moved to approve Resolution No. 2451. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 5-0.

PUBLIC HEARING

A. Ordinance No 734 – first reading

An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 7, Business Licenses, Sections 7.300, 7.320, 7.330, And 7.370.

Mr. Kohlhoff read the title of Ordinance No. 734 into the record on first reading.

Mayor Knapp outlined the public hearing format and opened the public hearing at 7:40 p.m.

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The staff report is included to provide background and reasoning.

Ordinance No. 734 would revise the Business License sections of the Wilsonville Municipal Code (Code Sections 7.300, 7.320, 7.330, and 7.370) pertaining to issuance of licenses to do business within the City of Wilsonville.

Recent passage of an Oregon law allowing for the location of medical marijuana dispensaries in Oregon communities has raised serious concerns among local governments with respect to the impact that a proliferation of such dispensaries could have on the health and safety of the community. There are also some significant ambiguities in the law that causes concern for local governments and law enforcement. In addition, Federal law continues to view such establishments as illegal and in violation of Federal law, although the current United States Attorney has announced a position of only limited enforcement. In addition, we have been advised by our regional office of the Department of Transportation (FTA-Seattle) that federal FTA grants to Wilsonville will not be in jeopardy as a result of passage of this law, should the City issue the business licenses and allow dispensaries to locate within the City in accordance with Oregon law. (Advice is oral as the federal government has elected not to issue any written formal opinions with respect to this conflict of laws issue.)

As a result of the foregoing, several cities have looked at ways to prevent such establishments from locating within their cities. There has been much discussion of this topic through the League of Oregon Cities and the League of Oregon Cities Attorney Association. The approach most often recommended and adopted by Oregon cities thus far has been to restrict the issuance of business licenses to any business whose operation is a clear violation of any state, federal or local law. Another approach being taken is to amend the zoning code to establish narrower regulations and designated areas for locating such facilities within a given city or county.

Because this law goes into effect March 1, 2014, the most viable solution to this issue for Wilsonville and the one viewed as the most likely to be upheld among the local legal community, is to amend the business licensing requirements, as noted above. Fine tuning the zoning code is another viable option to allow for dispensaries but on a more restrictive basis, than is provided by state law. This option would require the City to issue a 120 day planning moratorium (ORS 197.520 (3) (a)) on the issuance of any license or permitting for dispensaries until updated zoning restrictions could be established. Electing to go this route would mean the City would allow medical marijuana dispensaries but their locations would be restricted in accordance with amendments to the City's zoning code, in addition to the restrictions already contained in Oregon law. If the City elects to go this route, the City is required to provide written notice of a moratorium to the Oregon Land Use Board of Appeals (LUBA) at least 45 days before final hearing on the issue. Thus, the final hearing could not occur until after the March 1, 2014 effective date of the law (earliest date of final hearing would be March 17, 2014) and we could have a dispensary move into an area before that date unless the current advise scenario is followed..

If the Code is changed as outlined above, staff will continue to decline to issue a business license to any medical marijuana dispensary because operation of that business is, by its very nature, a violation of current Federal law. This is the position the City has been taking to date. When the new Oregon law allowing for such dispensaries goes into effect on March 1, however, this

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position could lead to legal challenge and Wilsonville, along with other cities that have already adopted or will adopt this full legal compliance language may face legal challenge and such language could be found to be in violation of state law and preempted by state law. The same potential for legal challenge would apply to any additional restrictions that City might elect to impose through its Zoning Code. Although the impetus for the proposed business license Code changes is passage of the marijuana dispensary law, any business that is operating in violation of any other state, federal or local law could be subject to the revised penalties set forth in the proposed Code amendment, which penalties include fines, unlikely but possible jail time, or closure.

End of staff report.

The ordinance was changed slightly from what was included in the Council packet. Mr. Kohlhoff identified the changes made to the draft ordinance which narrowed the scope of what was originally proposed.

- Section 7.300(2) was changed to read: “(2) A person who carries on or engages in a business that is illegal under applicable ~~does not comply with all applicable~~ City, State, and Federal laws is prohibited from being issued a business license.”
- Section 7.330(2)(g) was changed to read: “(g) A signed notarized statement by the applicant, affirming that all of the information provided is true and correct and that the business for which the application is being made is not illegal under any applicable ~~will be in compliance with all applicable~~ state, federal, and local laws. Applications granted under false pretenses where the business being operated is, in fact, an illegal business will be subject to immediate revocation.”
- Section 7.370(3) was revised to read: “(3) Any business operating ~~in violation of state, federal, or local laws, or~~ without a business license, will be subject to an action by the City in Circuit Court to immediately seek injunctive relief to enjoin operation of said business.” ~~Until the violation is fully cured or a business license is applied for and granted by the City.~~ This remedy is nonexclusive and is in addition to all other remedies available at law and in equity for such violation.”

Emails supporting the proposed ordinance were received from David B. Lake, and Mark Friedman, and made part of the record.

Mr. Kohlhoff thought Council may want to consider adding an emergency clause on second reading so the Ordinance was effective when State law goes into effect March 1, 2014.

The Mayor invited public testimony, hearing none he closed the public hearing at 8:49 p.m.

Motion: Councilor Fitzgerald moved to approve Ordinance No. 734 on first reading and directed staff to bring the ordinance back on second reading with an emergency clause. Councilor Starr seconded the motion.

Councilor Fitzgerald said there were so many unknowns on this issue particularly how the banking for the dispensaries would work since they cannot comply with federal law. Councilor Fitzgerald wanted to delay the possible risks involving large amounts of cash until the banking aspect is fleshed out.

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Councilor Stevens did not want to jeopardize the federal grants the City receives for SMART services particularly since the current Administrative indicated they would not act in a punitive manner; however, the Administration will be changing.

Councilor Starr asked if there were regulations on the number of dispensaries allowed, and was there an ability to keep the dispensaries away from schools and day care centers.

Mr. Kohlhoff said the Councilor described an approach under a zoning code; the ordinance before Council prohibits the business. There was a debate in medical history that the THC is not addictive, and it does control pain, but it also can affect the ability to operate a vehicle if enough is taken. The situation is how it is regulated and whether state law sufficiently regulates it to protect a number of different things, including the consumer. As stated in the *New Yorker* article, the matter has not been thoroughly thought through or developed enough so there are unintended consequences that can occur. It does not appear to be in a regulatory position that is ripe to go forward; the federal law is still being enforced and until the federal government takes a position being conservative protects the City and the best interests in the community.

Mayor Knapp thought the policy with regard to medical marijuana is convoluted at this time, and state legislation will likely occur by the end of this year; if that happens this is a short term proposal. He would rather take a modest position and see how other legal entities answer some of these questions.

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS – There was no report.

LEGAL BUSINESS – There was no report.

ADJOURN

The Mayor adjourned the Council meeting at 8:08 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor

CITY COUNCIL MEETING STAFF REPORT

Meeting Date: February 3, 2014	Subject: Ordinance No. 733 Amending Wilsonville Municipal Code for Public Contracts, Sections 2.312 through 2.318 Staff Member: Nancy Kraushaar, Eric Mende Department: Community Development
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments:
Staff Recommendation: Approve proposed changes.	
Recommended Language for Motion: I move to approve Ordinance No. 733 on first reading.	
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>	
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)
<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Revision of the Wilsonville Public Contracting Code. Revisions to the Municipal Code require Council action.

EXECUTIVE SUMMARY:

The proposed revisions to code sections 2.312 through 2.318 pertain to rules and procedures used by City Staff when soliciting and executing professional services contracts.

Oregon public contracting laws have been revised over the years with respect to procurement of engineering and related services. Although the Wilsonville Code is not required to follow all of the same provisions or standards contained in the Oregon Revised Statutes, the Community Development staff is proposing to adopt more of the State statutory requirements to allow greater efficiencies and flexibility when contracting for engineering and related services.

As can be seen in the attached draft Ordinance (**Exhibit A**), some of the changes are primarily of a housekeeping nature. In addition, a new provision, consistent with State law, is proposed to allow staff to quickly and efficiently negotiate contracts for engineering and related services with fees over \$10,000 and not more than \$100,000 (fees under \$10,000 are already allowed by direct appointment). This proposed code is consistent with OAR 137-048-0200(1)(b) for Direct Appointment Procedures for Small Estimated Fees where the estimated fee to be paid under the contract does not exceed \$100,000.

More specifically, the proposed amendment is found in Wilsonville Municipal Code Section 2.312, Exemptions from Competitive Procurement. A new proposed category, Section 2.312(7) states, "Procurement of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and Land Surveying Services, and/or Related Services less than or equal to \$50,000 subject to approval by the Community Development Director, and up to \$100,000 subject to approval by the City Manager."

This revision provides flexibility to staff by eliminating the current requirement for staff to obtain at least three proposals from three different professional services providers before negotiating and awarding a contract between \$10,000 and \$100,000. Staff would continue to seek qualified consultants for needed services and negotiate the work scope and fee in the best interest of the City before awarding a contract. Please note that the proposed code does not preclude staff from obtaining proposals before contracting for consultant services.

EXPECTED RESULTS:

The proposed changes are consistent with State law and will streamline the professional consulting services procurement process for consulting contracts under \$100,000, which, in turn, will allow staff flexibility and to work more efficiently.

TIMELINE:

n/a

CURRENT YEAR BUDGET IMPACTS:

n/a

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____JEO_____ Date: ____1/17/14_____

The proposed revision to the code is reasonable.

LEGAL REVIEW / COMMENT:

Reviewed by: MEK Date: 1/16/2014

The Ordinance is approved as to form. The changes are consistent with state contracting law and staff signing authority.

COMMUNITY INVOLVEMENT PROCESS:

None.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

By eliminating the more time consuming three proposal process (for small, straight forward contracts between \$10,000 and \$100,000), CD staff will be able to operate more efficiently, and move projects forward more expeditiously.

ALTERNATIVES:

1. Accept all staff recommendations;
2. Accept some, but not all, staff recommendations;
3. Accept recommendations but adjust dollar amounts;
4. Leave the Code language as it is currently written.

CITY MANAGER COMMENT:**ATTACHMENTS**

- A. Proposed Ordinance, with Exhibit A, showing proposed marked changes to the current Wilsonville Code provisions.

ORDINANCE NO. 733

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING WILSONVILLE CODE, PUBLIC CONTRACTS, SECTIONS 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, AND 2.318

WHEREAS, as the City of Wilsonville has adopted certain Wilsonville Code provisions for public contracting as its own regulations, referenced certain of the City's provisions to specific Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) on contracting for ease of reference and guidance, and otherwise follows the ORS and OARs on contracting; and

WHEREAS, Community Development (CD) staff propose amendments to the personal services category of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, Land Surveying Services, and Related Services by direct award for contracts under \$50,000 with approval of the CD Director, and for contracts under \$100,000 with approval of the City Manager, which corresponds to their spending authority (currently subject to intermediate award [three competitive quotes] if over \$5,000 and under \$100,000); and

WHEREAS, City staff has provided the amendments recited above, and also other housekeeping amendments, as redlined changes to provisions 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, and 2.318, as set forth in Exhibit A attached hereto and incorporated by reference herein.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The amendments to Wilsonville Code Sections 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, and 2.318, as set forth in Exhibit A attached hereto and incorporated by reference as if fully set forth herein, are adopted and made part of the Wilsonville Code.
2. The City Recorder is directed to amend Wilsonville Code Sections 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, and 2.318, as approved above, and to make such format, style, and conforming changes to match the format and style of the Public Contract section of the Wilsonville Code.
3. Except as set forth above, Chapter 2 of the Wilsonville Code remains in full force and effect as written.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the ____ day of February, 2013, and scheduled for second reading on _____, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: ____ No: ____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Attachments:

Exhibit A – Amendments to Wilsonville Code Sections 2.312 – 2.318

EXHIBIT A

PUBLIC CONTRACTS

2.310 Local Contract Review Board; Delegation of Authority. The Wilsonville City Council is designated as the Local Contract Review Board under the State of Oregon Public Contracting Code. The Contract Review Board shall have all the powers of the State and Local Public Contract Review Board relative to the contract concerns of the City or, if delegated, the Urban Renewal Agency of the City of Wilsonville. The Board may, from time to time, delegate its powers and responsibilities consistent with the Oregon Public Contracting Code, the Model Rules, or the Wilsonville Code. The City Manager, or his/her designated agent, is designated as the City's "Contracting Agency" for purposes of contracting powers and duties assigned to the City of Wilsonville as a "Contracting Agency" under the State of Oregon Public Contracting Code or the Model Rules.

2.311 Application of State Law. Except as specifically provided herein, public contracts shall be let by the City of Wilsonville according to the State of Oregon Public Contracting Code, including the Model Rules adopted by the Oregon Attorney General as they now exist and as they may be amended in the future, and the Wilsonville Code. Definitions provided by the State of Oregon Public Contracting Code or the Model Rules shall apply to City of Wilsonville procurements, except as may be specifically provided herein.

2.312 Exemptions from Competitive Procurement. The following classes of public contracts are hereby exempted from competitive procurement:

- (1) Any contract the exemption of which is provided by the State of Oregon Public Contracting Code or Model Rules;
- (2) Change orders or contract amendments reasonably related to the scope of work under the original contract, up to fifteen percent of the contract price may be approved by the Contracting Agency. Additional goods or services may be purchased through the amendment even though the original contract did not provide unit prices or allow for additional purchases. Change orders or other amendments that increase the initial price of the contract by more than the above-mentioned amount must be separately approved by the Contract Review Board and Contracting Agency.
- (3) Contracts for the purchase of computer equipment and software, which may be by requests for quotations, the solicitation of which may be by advertisement or oral requests for offers.
- (4) Personal Service Contracts up to the limits defined in W.C. 2.315.
- (5) A Public Facility Improvement Agreement entered into between the City of Wilsonville and a person responsible for carrying out conditions of approval of a land use decision of the City of Wilsonville. The term "Land Use Decision" has the meaning provided by ORS 197.015.

(6) Price Regulated Items, Library lending materials, used items, and periodicals, Advertising Contracts, Equipment Maintenance Repair and Overhaul, Purchases Under Established Price Agreements, Gasoline, Diesel Fuel, Heating Oil, Lubricants and Asphalt, Investment Contracts, Insurance Contracts, Office Copier Purchases, Sole Source Contracts, and Oil or Hazardous Material Removal.

(7) Procurement of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and Land Surveying Services, and/or Related Services less than or equal to \$50,000 subject to approval by the Community Development Director, and up to \$100,000 subject to approval of the City Manager.

~~(8) Procurement of Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and Land Surveying Services less than or equal to \$250,000, when all of the following conditions have been met:~~

~~a. Consultant has been pre-qualified (e.g., short listed) for the category of Services being solicited, consistent with OAR 137-048-220(3), and remains in good standing.~~

~~b. A Price Agreement has been established between the City and the Consultant pursuant to OAR 137-048-0130(3) and OAR 137-048-270, and remains current.~~

~~c. A Request for Proposal which does not include a request for pricing information, and complying with OAR 137-048-210(2)(a) is provided to at least three Consultants pre-qualified for the category of Services being solicited, or to all Consultants for that category, if less than three consultants are pre-qualified in that category.~~

~~(9) Procurement of Related Services, less than or equal to \$250,000, when all of the following conditions have been met:~~

~~a. Consultant has been pre-qualified (e.g., short listed) for the category of Services being solicited, consistent with OAR 137-048-220(3), and remains in good standing.~~

~~b. A Price Agreement has been established between the City and the Consultant pursuant to OAR 137-048-0130(3) and OAR 137-048-270, and remains current.~~

~~c. A Request for Proposal, which may include a request for pricing information, and complying with OAR 137-048-210(2)(a) is provided to at least three Consultants pre-qualified for the category of Services being solicited, or to all Consultants for that category, if less than three consultants are pre-qualified in that category.~~

2.313 Administrative Authority. Administrative staff and departments have contracting authority and responsibilities as follows:

(1) In addition to all other acts authorized by state law, the Contracting Agency is authorized to:

(a) Enter into City contracts not to exceed \$100,000 without additional authorization of the Contract Review Board or as otherwise may be allowed by these Code provisions.

(b) Consistent with the Wilsonville Code, adopt forms, computer software, procedures, and administrative policies and rules for all City purchases.

(c) Allow a contract to be extended or renewed for a single term not to exceed the length of the initial term.

(2) Purchases of goods from City employees shall require authorization of the Contracting Agency. Provision of services by City personnel shall be in accordance with the City Personnel Policies and other applicable law.

(3) All contracting by departments shall be according to approved City purchasing procedures adopted by the Contracting Agency or the Contract Review Board.

(4) Each department shall operate within its budget or seek supplemental budgetary authority from City Council with respect to any contract.

(5) Each department shall plan purchase requirements sufficiently in advance so that orders can be placed in economical quantities.

(6) Each department shall process requisition forms and negotiate purchases on the most favorable terms in accordance with adopted ordinances, state laws, policies, and procedures.

(7) Departments may give notice of public improvement contracts by electronic publication where the Contracting Agency finds that such publication is likely to be cost effective, as provided in ORS 279C.360.

2.314 Public Improvement Contracts. Public improvement contracts estimated by the Contracting Agency to be greater than \$5,000 and not to exceed \$100,000 may be let by competitive quote under the following procedures:

(1) The Contracting Agency shall informally solicit at least three price quotes from prospective contractors. If three prospective contractors are not available, then fewer quotes may be solicited, and the Contracting Agency shall maintain records of the attempts to obtain quotes.

(2) The Contracting Agency shall award the contract to the prospective contractor whose quote will best serve the interests of the City of Wilsonville, taking into account price and other applicable factors, such as experience, specific expertise, availability, project understanding, contractor capacity, and contractor responsibility. If the contract is not awarded on the basis of the lowest price, the Contracting Agency shall make a written record of the basis for the award.

(3) A procurement may not be artificially divided or fragmented to qualify for the informal contract award procedures provided by this section.

(4) A public improvement contract let under this section may be amended by change order as provided in Wilsonville Code Section 2.312(2).

(5) Public improvement contracts in excess of \$100,000 shall be let in accordance with the provisions of ORS 279C.

(6) Nothing in this section shall be deemed as restricting the Contracting Agency's ability to competitively solicit and award a contract for an undefined scope of work through the use of Price Agreements allowed pursuant to ORS 279B.140.

2.315 Personal Service Contracts. A personal service contract is a contract primarily for the provision of services that require specialized technical, creative, professional, or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of architects, engineers, surveyors and related services, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants, and property managers. Special rules apply to the selection of service providers for Engineering, Architectural, and Related professional services. See Sections 2.312 and 2.315(7).

The Contracting Agency shall have discretion to determine whether a particular type of contract or service falls within the foregoing definition. Nothing in this section shall apply to the employment of regular City employees.

Personal services contracts are subject to the rules established by this section:

(1) Unless otherwise approved by the Contracting Agency, all personal service contracts shall require the contractor to defend, indemnify, and hold harmless the City, its officers, agents, and employees against and from any and all claims or demands for damages of any kind arising out of or connected in any way with the contractor's performance thereunder and shall include a waiver of contractor's right to ORS 30.285 and ORS 30.287 indemnification and defense.

(2) Unless otherwise approved by the Contracting Agency, City personal service contracts shall contain a provision requiring the person or entity providing the service to obtain and maintain liability insurance coverage in at least the amount of the City's tort liability limits, naming the City as an additional named insured, during the life of the contract.

(3) All City personal services contracts shall contain all contract provisions mandated by State law. These provisions may be incorporated in the personal service contract by reference to State law, unless State law provides otherwise. The City Attorney's Office will prepare model contract provisions for use in City personal service contracts.

(4) The following procedure shall be observed in the selection of personal service contractors:

(a) For personal service contracts involving an anticipated fee of \$10,000 or less per annum, the Contracting Agency may negotiate a contract for such services with any qualified contractor of his or her selection.

(b) Except as allowed under Section 2.312, for personal service contracts involving an anticipated fee of more than \$10,000 but less than \$150,000 per annum, the Contracting Agency shall solicit at least three (3) prospective contractors who shall appear to have at least minimum qualifications for the proposed assignment, notify each prospective contractor in

reasonable detail of the proposed assignment, and determine the prospective contractor's interest and ability to perform the proposed assignment.

(c) The Contracting Agency may arrange for any or all interested prospective contractors to be interviewed for the assignment by an appropriate City employee or by an interview committee.

(d) Following a review of the qualifications and interview, where conducted, of the interested prospective contractors, the Contracting Agency shall select the prospective contractor, and shall prepare a personal service contract.

(5) The above provisions regarding selection procedures do not apply to amendments, modifications, or supplements to executed personal service contracts.

(6) The following criteria may be considered in the evaluation and selection of a personal service contractor:

(a) Specialized experience in the type of work to be performed.

(b) Capacity and capability to perform the work, including any specialized services within the time limitations for the work.

(c) Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, the exercise of discretion, ability to meet schedules, and contract administration, where applicable.

(d) Availability to perform the assignment and familiarity with the area in which the specific work is located, including knowledge of design or techniques peculiar to it, where applicable.

(e) Any other factors relevant to the particular contract. The procedures and criteria for the screening and selection of a personal services contractor is within the sole discretion of the Contracting Agency and may be adjusted to accommodate the Contracting Agency's scope, schedule, and budget objectives for a particular project.

(7) The competitive selection process for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services, and Related Services, greater than \$100,000, shall follow Qualification Based Selection (QBS) criteria pursuant to ORS 279C.005 - .125 (OAR 137-048-210 through 270), ~~except as allowed under Section 2.312 of this Code.~~

(8) The selection procedures described in this section may be waived by the Contracting Agency where 1) an emergency exists that could not have been reasonably foreseen and requires such prompt execution of a contract to remedy the situation that there is not sufficient time to permit utilization of the selection procedures, 2) selection is from a list of providers with similar qualifications in which selection is determined based upon a regularly scheduled pre-qualification process, not to exceed three years, or 3) a change in contractor to do follow-up work would clearly result in increased costs or increased time.

(9) The Contracting Agency is delegated the authority to sign all personal service contracts.

(10) Unless otherwise provided herein, all personal service contracts shall be awarded on a competitive selection process. Nothing contained in this section shall preclude the City from complying with provisions of Federal or State law that require or allow the City to utilize a different selection or contracting procedure.

2.316 Surplus Personal Property Disposition. Disposition of surplus personal property may be made, at the discretion of the Contracting Agency, under provisions of the State of Oregon Public Contracting Code, or the Model Rules, or under the provisions of this section:

(1) From time to time and after personal property owned by the City of Wilsonville is determined by the Contracting Agency to be surplus to the needs of the City, the City may sell the property at public auction. The City may utilize a contracting firm, approved by the Contract Review Board, for disposition of the property on terms and conditions contained in a contract approved by the Contract Review Board. The City shall give notice of the public auction by posting notice of the means by which the property will be disposed of on the City of Wilsonville Internet Website, or by advertisement in a newspaper of general circulation.

(2) Auction sales may be conducted entirely on the internet. Sale shall be for cash to the highest bidder. All proceeds of the sale shall be paid to the City's general fund, subject to the terms and conditions of the contract (if any) approved by the Contract Review Board between the City of Wilsonville and a firm selected to conduct the auction.

(3) All personal property sold pursuant to this section shall be sold as-is without any warranty, either express or implied, of any kind, including but not limited to warranties of title or fitness for any purpose. Upon receiving payment for the personal property from the successful bidder, the person or company conducting the auction shall execute an appropriate bill of sale, which shall recite that the sale is without warranty, as provided in this sub-section.

(4) The Contracting Agency may sell surplus personal property by a negotiated sale if the value of the property is estimated to be less than the cost of the auction sale and expected proceeds. Surplus property which has a value of less than \$500, or for which the costs of a negotiated sale are likely to exceed sale proceeds, may be disposed of by any means determined to be cost effective, including by disposal as waste. Alternatively the Contracting Agency may transfer personal property without remuneration or only nominal remuneration to another public agency or any recognized non-profit organization.

2.317 Bids Exceeding Budget. If bids are solicited for a public improvement contract, and all bids exceed the budget for the project, the Contracting Agency may, prior to contract award, negotiate for a lower price under the following procedures:

(1) Negotiations will begin with the lowest responsive and responsible bidder. If negotiations are not successful, then the Contracting Agency may begin negotiations with the second lowest responsive, responsible bidder, and so on.

(2) Negotiations may include the inclusion of value engineering and other options to attempt to bring the project cost within the budgeted amount.

(3) A contract may not be awarded under this section if the scope of the project is significantly changed from the description in the original bid documents.

(4) The Contracting Agency will adhere to the provisions of ORS 279C.340 in applying this section.

2.318 Bid Rejection, Disqualification, Appeal. (1) The Contracting Agency may reject any bid not in compliance with all prescribed public bidding procedures and requirements and may reject all bids if it is in the public interest to do so.

(a) The person does not have sufficient financial ability to perform the contract. Evidence that the person can acquire a surety bond in the amount and type required shall be sufficient to establish financial ability;

(b) The person does not have equipment available to perform the contract;

(c) The person does not have personnel or sufficient experience to perform the contract; or

(d) The person has breached contractual obligations to public and/or private contracting agencies.

(2) A person who has been disqualified as a bidder may appeal such disqualification to the Board as follows:

(a) The person shall, within three business days after receipt of notice of disqualification, in writing, notify the City Recorder that the person wishes to appeal the disqualification;

(b) Immediately upon receipt of such written notice of appeal, the Recorder shall inform the Board;

(c) Upon receipt of notice of appeal, the Board shall notify the person appealing the time and place of the public hearing;

(d) The Board shall consider de novo the notice of disqualification, the record of the investigation made by the City Manager and/or the Community Development Director or City Engineer, and any evidence provided by the parties. The Board's decision and reasons therefore shall be in writing.

(3) In addition to the powers and duties established by this Code, the Board and Contracting Agency shall have such additional powers as authorized by State law and may also:

(a) Require notice publication in addition to that required by State law;

(b) Require pre-qualification for persons desiring to bid for public improvement contracts;

(c) Grant exemptions from the bid security and performance bond required on contracts for public improvements;

(d) Make alternate arrangements for retainage pursuant to the Oregon Contracting Code.

2.319 Conflict of Law. In the event of a conflict between any provision of the State of Oregon Public Contracting Code or the Model Rules and this chapter of the Wilsonville Code, the provisions of this chapter shall control.

(Sections 2.310 through 2.319 were repealed and replaced with new Sections 2.310-2.319 by Ordinance No. 578 adopted 2/22/05)

ORDINANCE NO. 734

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING WILSONVILLE CODE CHAPTER 7, BUSINESS LICENSES, SECTIONS 7.300, 7.320, 7.330, AND 7.370 AND DECLARING AN EMERGENCY

WHEREAS, Wilsonville Code Sections 7.300 through 7.370 address the requirements, regulations, and penalties associated with obtaining and maintaining a license to do business within the City of Wilsonville; and

WHEREAS, based on citizen input and legal review in light of recent changes to Oregon law, the Council has determined that certain portions of these Sections of the Code are incomplete or need modification;

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. Wilsonville Code Chapter 7, Section 7.300, License Required, shall be retitled and amended to read as follows:

“7.300 Business Licensing Requirements.

(1) Unless exempt under the provisions of Subsection (4), it is unlawful for a person to carry on or engage in any business within the City without first having obtained a business license from the City.

(2) A person who carries on or engages in a business that is illegal under applicable-City, State, and Federal laws is prohibited from being issued a business license.

(3) As used in Sections 7.300 to 7.370, “person” means domestic or foreign corporations, cooperative corporations, associations, syndicates, partnerships, limited liability companies, professional liability companies, joint ventures, non-profits, individuals, or groups of individuals.

(4) As used in Sections 7.300 to 7.370, “business” means any profession, trade, or occupation carried on for a livelihood or profit, but excluding the following businesses as exempt from the business license requirement:

(a) Suppliers to retailers, and those engaged in wholesale selling, who do not have a place of business in the City;

(b) Municipal, State, or Federal agencies or employees;

(c) Any person employed in the City by one engaged in business in the City, if the employer is licensed pursuant to Sections 7.300 through 7.370 to conduct a business in the City; otherwise such persons shall themselves be deemed to be engaged in business and subject to the requirements of these Sections;

(d) Any person transacting and carrying on any business which is exempt from a license tax by virtue of the Constitution of the United States, the Constitution of the State of Oregon, the laws of the United States, or the laws of the State of Oregon;

(e) Any person engaged as a landlord in leasing property, unless such person leases at any one time more than two (2) separate rental units or parcels (and/or buildings), whether it be residential or commercial, or both, in which event, if the annual gross income from rental exceeds \$500.00, such person shall be deemed to be engaged in business."

2. Wilsonville Code Chapter 7, Section 7.320(2), shall be modified and replaced as follows:

"(2) The annual license fee for each fiscal year commencing July 1, 1975, and payable on or before July 15th shall be \$100.00 plus \$3.00 per each employee who is actively engaged in the City in his/her employer's business, except, however, that if a business has an annual net income of \$12,000.00 or less, the annual license fee shall be \$50.00 plus \$3.00 per each employee. *The fee for businesses whose total annual gross income is documented to be less than \$500.00 will be waived.*"

3. Wilsonville Code Chapter 7, Section 7.330(2)(g), shall be modified and replaced as follows:

"(g) *A signed notarized statement by the applicant, affirming that all of information provided is true and correct and that the business for which the*

application is being made is not illegal under any applicable state, federal, and local laws.” Applications granted under false pretenses where the business being operated is a, in fact, an illegal business will be subject to immediate revocation.

4. Wilsonville Code Chapter 7, Section 7.370, shall be amended to add a new section (3) as follows:

“(3) Any business operating without a business license, will be subject to an action by the City in Circuit Court to immediately seek injunctive relief to enjoin operation of said business This remedy is nonexclusive and is in addition to all other remedies available at law and in equity for such violation.

5. Emergency Declared.

The State of Oregon has adopted HB-3460 providing for the registration of businesses dispensing marijuana for medical reasons effective March 3, 2014. However, the Federal Controlled Substances Act (CSA) lists marijuana as a Schedule 1 Drug, in part due to its huge potential for abuse and such classification makes its manufacturer, importation, use and distribution illegal. The City currently has the Home Rule authority to regulate licensing of businesses within the City and to ensure the safety, health and welfare of its citizens by prohibiting the licensing of businesses operating illegally under federal, state, and local laws. Therefore, unless this ordinance is enacted prior to March 3, 2014, the City could well be faced with State preemption and the loss of its local control to determine how best to preserve the safety, health and welfare of the community from businesses who operate illegally, including in violation of the Federal Controlled Substances Act.

Time is of the essence under the circumstances and an emergency is declared to preserve the City’s ability to protect the public’s safety, health and welfare.

SUBMITTED to the Wilsonville City Council and read for the first time at a special meeting thereof on the 23rd day of January, 2014, and scheduled for a second reading at a regular meeting of the City Council on the 3rd day of February, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall.

ORDINANCE NO. 734

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Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: ____ No: ____

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

ORDINANCE NO. 734

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7.276 Administration - Appeal to Council.

(1) Any person aggrieved by any decision of the Transient Lodgings Tax Review Committee may appeal to the City Council by filing a notice of appeal with the tax administrator within ten (10) days of the serving or the mailing of the notice of the decision given by the Transient Lodgings Tax Review Committee. The tax administrator shall submit said notice of appeal, together with the file of said appealed matter to the Mayor who shall fix a time and place for hearing such appeal from the decision of the Transient Lodgings Tax Review Committee. The Mayor shall give the appellant not less than ten (10) days written notice of the time and place of hearing of said appealed matter. Action by the Council on appeal shall be decided by a majority of the members present at the meeting where such appeal is considered.

7.280 Violations.

(1) Any operator or other person who shall fail or refuse to register as required herein, or who shall fail or refuse to furnish any return, supplemental return or other data required herein or by the tax administrator, or, with intent to defeat or evade the determination of any amount due hereunder, shall make, render, sign or verify any false or fraudulent report, commits an offense which constitutes a violation of Section 7.210 to 7.276, punishable upon conviction as a violation pursuant to Section 1.012. (Amended by Ordinance #253 - February 21, 1984).

BUSINESS LICENSES

7.300 Business Licensing Requirements.

(1) Unless exempt under the provisions of Subsection (4), it is unlawful for a person to carry on or engage in any business within the City without first having obtained a business license from the City.

(2) A person who carries on or engages in a business that is illegal under applicable ~~does not~~ ~~comply with all applicable~~ City, State, and Federal laws is prohibited from being issued a business license.

(3) As used in Sections 7.300 to 7.370, "person" means domestic or foreign corporations, cooperative corporations, associations, syndicates, partnerships, limited liability companies, professional liability companies, joint ventures, non-profits, individuals, or groups of individuals.

(4) As used in Sections 7.300 to 7.370, "business" means any profession, trade, or occupation carried on for a livelihood or profit, but excluding the following businesses as exempt from the business license requirement:

(a) Suppliers to retailers, and those engaged in wholesale selling, who do not have a place of business in the City;

(b) Municipal, State, or Federal agencies or employees;

(c) Any person employed in the City by one engaged in business in the City, if the employer is licensed pursuant to Sections 7.300 through 7.370 to conduct a business in the City; otherwise such persons shall themselves be deemed to be engaged in business and subject to the requirements of these Sections;

~~7.300 License Required.~~

~~(1) — All persons as defined in this Section who are engaged in business as defined by this Section in the City are required to apply annually for a business license and pay the license fee as prescribed by Section 7.320.~~

~~(2) — As used in Sections 7.300 to 7.370, "person" means all domestic and foreign corporations, cooperative corporations, associations, syndicates, partnerships of every kind, joint ventures and individuals or societies of individuals transacting and carrying on any business in the City.~~

~~(3) — As used in Sections 7.300 to 7.370, "business" means any profession, trade or occupation carried on for a livelihood or profit, when the annual gross income of such business exceeds the sum of Five Hundred Dollars (\$500.00); but not including, however, the following:~~

~~—— (a) — Suppliers to retailers and those engaged in wholesale selling, who do not have a place of business in the City.~~

~~—— (b) — Municipal, State or Federal agencies or employees.~~

~~—— (c) — Any person employed in the City by one engaged in business in the City, if the employer is licensed pursuant to Sections 7.300 to 7.370 to conduct a business in the City; otherwise such persons shall themselves be deemed to be engaged in business and subject to the requirements of these Sections.~~

~~—— (d) — Any person transacting and carrying on any business which is exempt from a license tax by virtue of the Constitution of the United States, the Constitution of the State of Oregon, or the laws of the United States or the laws of the State of Oregon.~~

~~—— (e) — Any person engaged as a landlord in leasing property, unless such person leases at any one time more than two (2) separate rental units or parcels (and/or buildings), whether it be residential or commercial, or both, in which event, if his annual gross income from rental exceeds \$500.00, such person shall be deemed to be engaged in business.~~

7.310 Purpose.

(1) Sections 7.300 to 7.360 are enacted to provide revenue for municipal purposes, as provided by Chapter II, Section 3 of the Wilsonville Charter of 1969.

(2) The levy or collection of a license fee and the issuance of a license shall not be construed as a permit by the City for the person to whom such license is issued to engage in any business which is unlawful, illegal or prohibited by the laws of the United States or the laws of the State of Oregon, or this Code.

7.320 Fee.

(1) No person who is required to be licensed under the provisions of Section 7.300 shall engage in business in the City until he has paid a license fee.

(2) The annual license fee for each fiscal year commencing July 1, 1975, and payable on or before July 15th shall be \$100.00 plus \$3.00 per each employee who is actively engaged in the City in his/her employer's business, except, however, that if a business has an annual net income of \$12,000.00 or less, the annual license fee shall be \$50.00 plus \$3.00 per each employee. The fee for businesses whose total annual gross income is documented to be less than \$500.00 will be waived.

~~(2) — The annual license fee for each fiscal year commencing July 1, 1975, and payable on or before July 15th shall be \$100.00 plus \$3.00 per each employee which is actively engaged in the City in his employer's business, except, however, that if a business has an annual net income of \$12,000.00 or less, the annual license fee shall be \$50.00 plus \$3.00 per each employee.~~

(3) The license fee for the period January 1 to July 1 in any year hereafter shall be one-half (1/2) the annual license fee, payable on or before January 15th; and the annual license fee as required by the foregoing subsection (2) shall be paid hereafter for each year or fraction thereof that the licensee continues in business in the City and is otherwise subject to the requirements of this Code. (Amended by Ordinance #205, - March 5, 1982).

(4) The license fees prescribed in the foregoing subsections (2) and (3) shall be paid to the City Recorder upon the filing of an application for a business license or upon the annual renewal of a business license.

(5) Each branch establishment of any business for the purpose of Sections 7.300 to 7.320 shall be considered a separate business and subject to the license therefore, as herein provided, but a warehouse or storage building used solely in connection with the business licensed and operated by the person conducting such business shall not be considered a separate business or branch establishment.

7.330 Application.

- (1) All business licenses shall be issued by the City Recorder of the City of Wilsonville, Oregon.
- (2) The application for such license shall be filed with the City Recorder, and the application form shall be furnished by him, and shall contain the following information:
 - (a) Brief description of the trade, shop, business, profession, occupation or calling carried on or to be carried on in the City.
 - (b) The name of the owner, the name of the applicant, if different from that of the owner, and his title, and the address of such person
 - (c) The address of the principal office of such business; and in cases of corporations, the state of incorporation.
 - (d) The location of the place in the City where such business is to be carried on.
 - (e) Date of application.
 - (f) Amount of money tendered with application.

“(g) A signed notarized statement by the applicant, affirming that all of information provided is true and correct and that the business for which the application is being made is not illegal under any applicable ~~will be in compliance with all applicable~~ state, federal, and local laws. Applications granted under false pretenses where the business being operated is, in fact, an illegal business will be subject to immediate revocation.

———(g)——— Signature of applicant.———

- (3) The City Recorder shall have authority to reject any application of a license or to postpone the issuance of a license when a materially falsification of the application is evident.

7.340 Enforcement -Notice.

- (1) If the City Council or any member thereof or any other person designated by the Council to enforce Sections 7.300 to 7.370 has reason to believe that any person is doing business in the City without first having obtained a license to conduct such business, the Council or person designated by the Council shall issue a NOTICE to the person believed to be doing business in the City requiring such person to apply to the City Recorder within fifteen (15) days from the date of such NOTICE for a business license. Such notice may be served personally on the person to whom such NOTICE is given by a City Police Officer or by any other person designated by the Council, or such NOTICE may be served by Certified Mail, and a copy of the NOTICE showing the date and manner of service shall be filed immediately with the City Recorder. Any person upon whom such NOTICE is served and who feels that he is not subject to licensing under this Code shall appear before the City Recorder, either personally or in writing,

within fifteen (15) days from the date of such NOTICE and request a hearing before the City License Review Board.

7.342 Enforcement - License Review Board.

(1) A License Review Board is hereby created. It shall consist of three (3) members, who are qualified electors of the City, and shall be appointed by the Mayor with the consent of the Council, and shall hold office at the pleasure of the Mayor. The Mayor shall designate one of the members as the Chairman of the Board and another as its Secretary, who shall keep a record of its decisions.

7.344 Enforcement - Hearing.

(1) When any person has filed a request with the City Recorder for a hearing before the License Review Board, the City Recorder shall notify the Chairman of the Board of such request, and the Board shall hold a hearing within thirty (30) days to consider such matter, and Notice of the time, place and purpose of such hearing shall be mailed by the City Recorder, by First Class Mail, to the person requesting such hearing.

(2) Decisions of the Board shall be limited to interpretations of Sections 7.300 to 7.370. It shall adopt rules of procedure for considering matters before it and may act by majority vote. It shall render its findings and decisions in writing. One copy thereof shall be filed with the City Recorder, and one copy filed with the City Police Department, and one copy delivered to the person requesting the hearing. The decisions of the Board shall be conclusive, except in case of mistake or fraud. The Board may recommend to the Council amendments to Sections 7.300 to 7.370 and other new legislation.

7.350 License - Transfer.

(1) If any person licensed to do business within the City shall sell or transfer such business to another, the license for such business shall be transferred to such other person upon application being made to the City Recorder for a transfer permit, and upon payment of \$5.00 transfer fee. The City Recorder shall provide the necessary application and transfer permit forms; and shall make appropriate entry in the records of licenses after a transfer of business has been completed.

7.352 License - Records.

(1) The City Recorder shall make and keep as a part of the City's records a record of each person licensed to transact and carry on a business in the City, which is required to be licensed by Section 7.300. Such records shall include copies of all applications for licenses, licenses issued, licenses transferred, appropriate information concerning the action of the Recorder in rejecting any application for a license, or in postponing the issuance of any license, and the action of the License Review Board. All such records shall be of a public nature and open to the

inspection of any person at any reasonable time; but no part of such records shall be removed from the City Hall, except by authority of the City Recorder or Council.

7.360 Violation.

(1) It shall be unlawful for any person to willfully make any false or misleading statement to either the City Recorder or the License Review Board for the purpose of either avoiding the payment of a license fee or for the purpose of obtaining a business license; and it shall be unlawful for any person to refuse to comply with any of the provisions of Sections 7.300 to 7.370 to be complied with or observed by such person; or to fail or refuse to pay a license fee, if required by Sections 7.300 to 7.370, or to refuse or fail to pay any penalty that might lawfully be assessed against such person under the provisions of Section 7.300 to 7.370.

(2) In the event any person hereby required to obtain a license shall fail or neglect to obtain the same within fifteen (15) days from the date he engages in a business in the City required to be licensed under Section 7.300, or within fifteen (15) days from the anniversary date of any license previously issued, if such person continues to engage in such business, the Recorder shall collect upon payment thereof and in addition thereto a penalty of ten percent (10%) of the annual license fee for each calendar month, fraction thereof, during which the same shall be delinquent.

7.370 Penalty.

(1) The conviction of any person for violation of any provision of Sections 7.300 to 7.360 shall not operate to relieve such person from paying any license fee required to be paid, or any penalty thereon; nor shall the payment of any such fee be a bar to or prevent any prosecution in the Municipal Court of any complaint for the violation of any of the provisions of this Code.

(2) Any person violating any of the provisions of Section 7.300 to 7.360 shall, upon a first conviction thereof, be punished for a violation pursuant to Section 1.012 and upon a subsequent conviction thereof, be punished for a Class C Misdemeanor, pursuant to Section 1.011. (Amended by Ordinance #253 - February 21, 19/84).

~~“(3) Any business operating in violation of state, federal, or local laws, or without a business license, will be subject to an action by the City in Circuit Court to immediately seek in junctive relief to enjoin operation of said business. until the violation is fully cured or a business license is applied for and granted by the City.” This remedy is nonexclusive and is in addition to all other remedies available at law and in equity for such violation.~~

7.400 Definitions

(1) As used in this ordinance, the following terms shall have the following meaning unless the context clearly indicates that a different meaning is intended:

**CITY OF WILSONVILLE
CITY COUNCIL
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN that the Wilsonville City Council will conduct a public hearing on **February 3, 2014**, 7 p.m. at City Hall, 29799 SW Town Center Loop, Wilsonville, Oregon.

The purpose of this public hearing is to consider public testimony on a proposed ordinance entitled:

ORDINANCE NO. 733, An Ordinance Of The City Of Wilsonville Amending Wilsonville Code, Public Contracts, Sections 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, And 2.318.

Copies may be obtained at a cost of 25 cents per page, at City Hall or by calling the City Recorder at 503-570-1506 and requesting a copy to be mailed to you.

Specific suggestions or questions concerning the proposed ordinance may be directed to Barbara Jacobson, Assistant City Attorney, at 503-570-1509. Public testimony, both oral and written will be accepted at the public hearing. Written statements are encouraged and may be submitted to Sandra C. King, MMC, City Recorder, 29799 SW Town Center Loop E, Wilsonville, OR 97070.

Assistive listening devices are available for persons with impaired hearing and can be scheduled for this meeting. The City will endeavor to provide qualified sign language interpreters without cost if requested at least 48 hours prior to the meeting. To obtain such services call the office of the City Recorder at 682-1011.

Published in the Wilsonville Spokesman January 22, 2014.

**City of Wilsonville
City Council Meeting
February 3, 2014 Sign In Sheet**

[illegible]

City of Wilsonville
February 3, 2014 City Council Meeting

SPEAKER CARD

NAME: DAVE DeHARTS

ADDRESS: 7647 SW Lowrie Ln

TELEPHONE: 503 855-4701 E-MAIL David@DeHart.com

AGENDA ITEM YOU WANT TO ADDRESS: ARTS & CULTURE

Please limit your comments to 3 minutes. Thank you.

City of Wilsonville

February 3, 2014 City Council Meeting Action Minutes

COUNCILORS	STAFF	STAFF	STAFF
Mayor Knapp	Bryan Cosgrove	Stan Sherer	Barbara Jacobson
Councilor Goddard- excused	Mike Kohlhoff	Chris Neamtzu	Delora Kerber
Councilor Starr- excused	Jeanna Troha	Steve Adams	Steve Munsterman
Councilor Fitzgerald	Sandra King	Angela Handran	Eric Mende
Councilor Stevens	Stephan Lashbrook	Martin Brown	
	Nancy Kraushaar	Mark Ottenad	
	Joanne Ossanna	Jon Gail	

AGENDA	ACTIONS
WORK SESSION	
<ul style="list-style-type: none"> Council Concerns <ul style="list-style-type: none"> Starr – morning traffic on Wilsonville Rd going east to the highway backs up, is there a way to provide 2 turn lanes to I-5 South Fitzgerald thanked staff for the public education efforts about the leash law. Stevens suggested looking into a possible location for a dog park on the west side of town, possibly in the Villebois area. 	
<ul style="list-style-type: none"> Urban Renewal Strategic Plan Update 	No presentation due to time restrictions. Staff will prepare a memo and send to Council.
<ul style="list-style-type: none"> Parks & Recreation Tenant Improvements 	Staff presented three options to Council for tenant improvements for the former Visitor Center building. Council indicated they preferred Option B with additional value engineering to reduce costs.
<ul style="list-style-type: none"> Metro Solid Waste Community Enhancement Program 	Staff and Metro representatives presented an overview of the program. Council concurred with staff's recommendation to pursue option 1.
<ul style="list-style-type: none"> Public Contracting Code 	Staff gave a very brief outline of the changes noting additional discussion could be held during the public hearing.
REGULAR MEETING	
<u>Mayor's Business</u>	
<ul style="list-style-type: none"> State of the City Address 	Mayor Knapp presented his State of the City Address.
<ul style="list-style-type: none"> Library Board Appointment 	Megan Chuinard was appointed to the Library Board to fill the unexpired term of Ms. Williams whose term expires 6/30/14.
<ul style="list-style-type: none"> DRB Panel A Appointment 	Kristin Akervall was appointed to the DRB Panel A to fill the unexpired term of Mr. Greenfield whose term will expire 12/31/14.
<u>Public Hearing</u>	

<ul style="list-style-type: none"> Ordinance No. 733 – amending Public Contracting Code 	<p>Adopted 3-0 on first reading Staff will create written policies to ensure contracts do not routinely go to one contractor/provider. A list of awarded contracts will be maintained, and an annual audit conducted with the results brought to Council.</p>
<p><u>Continuing Business</u></p> <ul style="list-style-type: none"> Ordinance No. 734 – Amending W.C. Section 7, Business License Code 	<p>Adopted on second reading 3-0 With emergency clause. Provisions of the Ordinance are effective immediately.</p>
<p><u>City Manager's Business</u></p>	<ul style="list-style-type: none"> “Spring Training” – A facilitated joint gathering of all City Boards and Commissions tentatively set for a full Saturday in May, either the 10th, 17th, or 24th. Staff will poll their respective boards to find the best possible date. Purpose is to discuss strategy, vision, communication. Recognized staff for participation in Super Bowl Food Drive for Wilsonville Community Sharing. Over 1,175 food items collected, and \$275.00 donated. Jon Gail, Community Relations Coordinator was introduced.
<p><u>Legal Business</u></p>	<ul style="list-style-type: none"> During this short Legislative Session, staff will follow legislative priorities set by Council.

RECORDED BY: SCK