

AMENDED

AGENDA

WILSONVILLE CITY COUNCIL MEETING

JANUARY 23, 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

- | | | |
|------------------|---|-----------|
| 5:00 P.M. | EXECUTIVE SESSION | [20 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. | Basalt Creek Concept Plan Partnering Agreement with Tualatin (Mangle) | [20 min.] |
| B. | Bicycle and Pedestrian Action Plan (Mangle) | [10 min.] |
| C. | Extend Comcast Franchise Agreement (Kohlhoff) | [10 min.] |
| D. | City Council Liaison Representation to Various Intergovernmental Regional boards and Committees (Ottenad) | [10 min.] |
| E. | URA Annual Report (Ossanna) | [10 min.] |
| F. | Aquatic Center Consultant Recommendation (Sherer) | [5 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 special session to be held, January 23, 2014 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on January 10, 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. Upcoming Meetings

7:10 P.M. COMMUNICATIONS

- A. Presentation by Leaders of the Korean War Memorial Foundation of Oregon (KWMFO) and Korean War Veterans Assn. (KWVA) (staff – Ottenad)

7:20 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.

7:30 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

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

7:40 P.M. 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. (staff – Kohlhoff)

8:15 P.M. 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. (staff – Kohlhoff)

8:35 P.M. CITY MANAGER'S BUSINESS

8:40 P.M. LEGAL BUSINESS

8:45 P.M. ADJOURN

AN URBAN RENEWAL AGENCY WILL IMMEDIATELY FOLLOW

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

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CITY COUNCIL MEETING STAFF REPORT

| | |
|---|---|
| Meeting Date: January 23, 2014 | Subject: Basalt Creek Concept Plan Update Staff Member: Katie Mangle Department: Community Development |
| 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 checked="" 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: Endorse the Basalt Creek Concept Plan Partnering Agreement. | |
| Recommended Language for Motion: N/A | |
| PROJECT / ISSUE RELATES TO: | |
| <input checked="" type="checkbox"/> Council Goals/Priorities Economic Development | <input type="checkbox"/> Adopted Master Plan(s) |
| <input type="checkbox"/> Not Applicable | |

ISSUE BEFORE COUNCIL:

A subcommittee of the Tualatin and Wilsonville City Councils has worked with staff to develop a Basalt Creek Concept Plan Partnering Agreement and Process Diagram (see Attachment 1). The Agreement outlines how the cities of Tualatin and Wilsonville will generally approach decision-making and public involvement for the project. Upon endorsement of this approach by each Council, staff will move forward with the project.

EXECUTIVE SUMMARY:

On October 29, 2013, the Tualatin and Wilsonville City Councils held a joint work session to discuss the Basalt Creek Concept Plan process. One of the outcomes of the work session was agreement to convene a Joint Council Subcommittee comprised of City Councilors from each City: Wilsonville Councilors Goddard and Stevens, Tualatin Council President Beikman, and

Tualatin Councilor Davis. The Subcommittee was charged with two primary tasks: 1) establish a decision-making framework; and 2) identify community engagement techniques to be used throughout the project.

The Subcommittee held two meetings, on December 12 and 30, 2013, to discuss the decision-making structure and community engagement for the Basalt Creek project. Based on this discussion, a Partnering Agreement and Process Diagram were developed to guide the planning process.

Concurrently with development of the Partnering Agreement, project staff has been negotiating a scope of work with Fregonese Associates, the consulting firm selected to lead the concept planning work. The draft scope of work, included as Attachment B, will be attached to the City of Tualatin contract, which is scheduled to be approved by the Tualatin City Council on January 27, 2014. Note that, because Tualatin is the recipient of the grant that is funding the project, Tualatin City Council will be the only body to approve the consultant contract, and Tualatin staff will manage it.

EXPECTED RESULTS:

The purpose of the Partnering Agreement is to identify the roles and responsibilities of the project partners and establish a unified decision-making structure for carrying out the project. Additionally, the Agreement lays out the general approach to stakeholder and citizen involvement that the project will employ over the next 18 months.

TIMELINE:

The project is expected to take 18 – 24 months to complete.

CURRENT YEAR BUDGET IMPACTS:

The City of Tualatin received approximately \$350K from Metro's Construction Excise Tax (CET) grant program to perform concept planning. For City of Wilsonville staff time, approximately \$10,000 is expected from the grant, and \$25,000 was approved for the project through the supplemental budget process.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: ____JEO____ Date: ____1/10/14____

Project costs are within the current year amended budget.

LEGAL REVIEW / COMMENT:

Reviewed by: _MEK_____ Date: _1/10/2014_____

Information only.

COMMUNITY INVOLVEMENT PROCESS:

The Partnering Agreement describes the recommended structure for involving citizens, businesses, and property owners. Developing a detailed public involvement plan will be one of the first tasks of the consultant team.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): One of the outcomes of the Basalt Creek Concept Plan project will be to establish the future boundary between the cities of Wilsonville and Tualatin. The Basalt Creek area will be important for the long-term growth of Wilsonville's industrial base and the associated employment opportunities. Growth in the Basalt Creek area will affect industrially-zoned properties in the Coffee Creek area, and it will be important to solicit the involvement of representatives from this area.

ALTERNATIVES: None at this time.

CITY MANAGER COMMENT:

This project is tied to two key Council goals related to Economic Development.

ATTACHMENTS

- A. Partnering Agreement and Process Diagram
- B. Draft Consultant Scope of Work

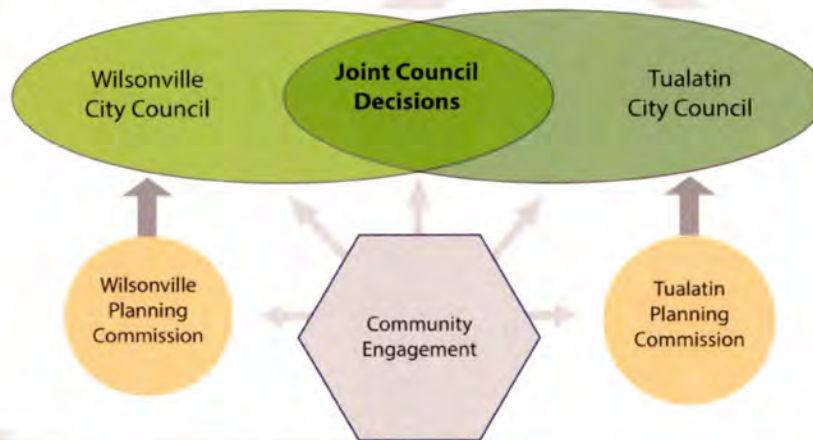
Basalt Creek Concept Plan

DRAFT Project Partnering Agreement – December 2013

Purpose

The purpose of this agreement is to identify the roles and responsibilities of the Basalt Creek Concept Plan project partners. Specifically, it highlights the duties of the multiple stakeholder groups and the two City Councils. In July 2010, the Cities of Tualatin and Wilsonville entered into a Memorandum of Understanding which outlined their commitment to work collaboratively to create a land use concept plan. This document furthers that agreement with additional detail regarding the process to finalize the Basalt Creek Concept Plan.

Decision-making Structure



Roles & Responsibilities:

Council Subcommittee – Two elected officials for each city will serve on this subcommittee to outline and further refine the process for this project. This group will be charged with two primary tasks: 1) establish a decision making framework; and 2) identify community engagement techniques to be used throughout the project. It is envisioned that the subcommittee will meet on a relatively limited basis before key decision points, especially during the beginning of the project.

Joint City Councils – The Tualatin and Wilsonville City Councils will be the ultimate decision-making body for the final Basalt Creek Concept Plan. Both City Councils will be tasked with approving the guiding principles, selecting the preferred land use scenario which will also include the provision of public services, identifying future jurisdictional boundaries, and approving the final Basalt Creek Concept Plan.

Tualatin City Council – While the final plan will be approved jointly by both City Councils, it is recognized that there will be some issues that require greater input from the City of Tualatin. Specifically, measures, ordinances, and resolutions to amend the Tualatin Development Code to implement the final plan will be made by the Tualatin City Council. The Tualatin City Council will receive periodic check-ins from staff throughout the planning process.

Wilsonville City Council – While the final plan will be approved jointly by both City Councils, it is recognized that there will be some issues that require greater input from the City of Wilsonville. Specifically, measures, ordinances, and resolutions to amend the Wilsonville Development Code and Comprehensive Plan to implement the final plan will be made by the Wilsonville City Council. The Wilsonville City Council will receive periodic check-ins from staff throughout the planning process.

Tualatin Planning Commission – The role of the Tualatin Planning Commission will be to consider input gathered through community engagement and from the Agency Review Team to further recommendations to the Tualatin and Wilsonville City Councils. In addition, they will serve in their advisory capacity to amend the Tualatin Community Plan Map to implement the final Basalt Creek Concept Plan.

Wilsonville Planning Commission – The role of the Wilsonville Planning Commission will be to consider input gathered through community engagement and from the Agency Review Team to further recommendations to the Tualatin and Wilsonville City Councils. In addition, they will serve in their advisory capacity to amend the Wilsonville Development Code and Comprehensive Plan to implement the final Basalt Creek Concept Plan.

Community Engagement – Throughout the process, development of the Basalt Creek Concept Plan will be informed through a variety of community engagement opportunities. These will include interviews, focus groups, public workshops, and online survey and comment opportunities. Input gathered through community engagement will be shared with the two Planning Commissions and City Councils.

Agency Review Team – In addition to being informed through community engagement, the Basalt Creek Concept Plan process will be assisted by the Agency Review Team, whose primary role will be to advise staff members of both cities about regulatory and planning compliance. Input gathered from this group will be included in regular updates to the Planning Commissions and City Councils. Involvement in this group will be required for some key agencies that need to approve or agree with the concept plan, while other agencies will be invited to participate in the planning process when their advice is needed on specific issues. The Agency Review Team will include members from the following organizations:

- Required Agencies
 - Metro
 - ODOT
 - Tualatin Valley Fire & Rescue
 - Washington County
 - Bonneville Power Administration
- Invited Agencies
 - City of Sherwood
 - City of Tualatin (Departments other than Community Development/Planning)
 - City of Wilsonville (Departments other than Community Development/Planning)
 - Clackamas County
 - Clean Water Services
 - Sherwood School District
 - SMART
 - Tigard/Tualatin School District
 - Tri-Met
 - Wilsonville / West-Linn School District

Major agreements will be discussed at meetings, but some elements or decisions for moving forward with technical work may be made outside of meetings. As appropriate, the Agency Review Team will be

consulted with and informed. As requested, additional staff from each agency will be copied on communications for meetings, review of materials, and general coordination where other related area projects may be involved.

Tualatin and Wilsonville Staff Members – Staff members from the cities will keep others informed during this process and coordinate information that is distributed to the community. Any information that will be distributed publicly for the Basalt Creek Concept Plan will be reviewed by one key staff member from each of the cities. This will ensure the cities are prepared to field questions that may be raised by the public.

Process Schedule

The process diagram in Attachment A outlines key milestones and deliverables in the project.

Process and Protocols/Communications/Commitments

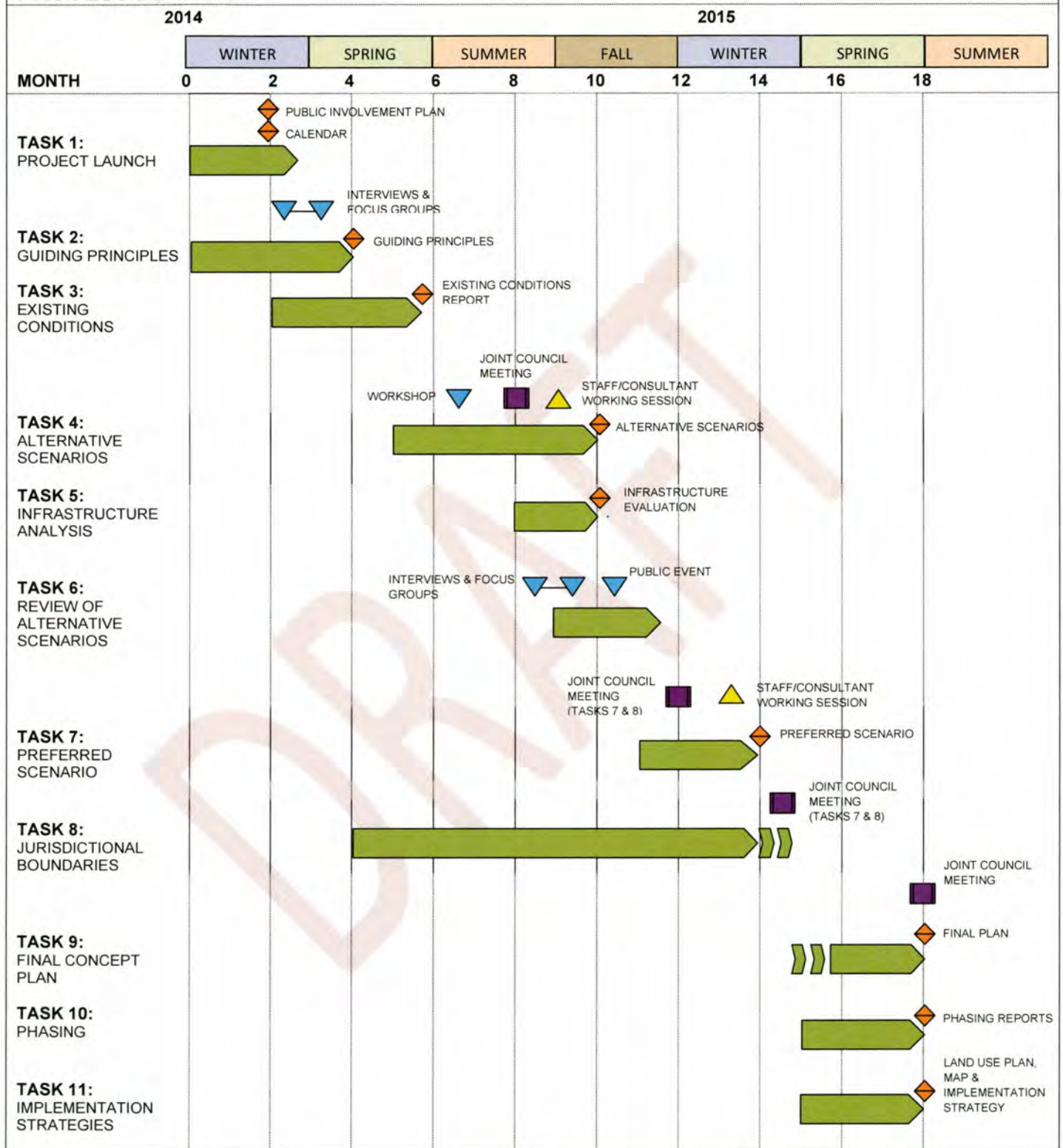
Meeting Ground Rules (all meetings):

- Notify staff if not able to attend a meeting or will be late.
- Read materials in advance.
- Provide comments on draft meeting materials that are distributed in advance of meetings for comment.
- Treat everyone with respect.
- Listen carefully with the intent of understanding.
- Let others finish before speaking.
- Share the air– let others speak once before speaking twice.
- Raise issues honestly, clearly and early in the process.
- Express concerns or issues; silence on an issue will be understood to mean agreement.
- Focus questions and comments on the subject at hand and stick to the agenda.
- When discussing events or issues of the past, apply them productively to the present discussion.
- Collaborate with other group members – seek to find common ground.
- Put cell phones on silent mode.
- Participate!

End meetings on time. If agenda items cannot be completed on time, groups members will decide if the meeting should be extended, if an additional meeting should be scheduled, or if the issue will be dealt with in another way (subgroup, email, etc.).

ATTACHMENT A

PROCESS DIAGRAM *1



◆ PRODUCT

■ JOINT COUNCIL MEETING

▲ STAFF/CONSULTANT WORKING SESSION

▼ COMMUNITY ENGAGEMENT

*1 Assumes regular individual City Council updates throughout the concept planning process. Timing of meetings and product deliverables is subject to modification as needed.

Consultant Scope of Work

Concept Planning for New Urban Areas: Basalt Creek / West Railroad December 22, 2013

TASK 1. PROJECT LAUNCH

Task 1.1. Final Scope and Budget

Prior to the official launch of the Project the consultant shall develop and refine a detailed scope of work for the Basalt Creek / West Railroad Concept Plan.

Consultant Deliverables

1. Detailed Scope of Work (FA)
2. Budget (FA)

Task 1.2 Execute Contract

The City of Tualatin will engage with Tualatin City Council on January 27th to get approval to execute the contract for the Basalt Creek / West Railroad Concept Plan.

Consultant Deliverables

1. Signed Contract (FA)

Task 1.3 Develop Public Involvement Plan (PIP)

The Fregonese Associates (FA) Team will produce a Public Involvement Plan that clearly articulates the specific strategies, methods, and timing of our public involvement efforts. The expected elements include:

- production schedule for web materials;
- email blast notifications;
- interview and focus group participants;
- schedule for Agency Review Team (ART) meetings (assume meets quarterly or at major milestones)
- Individual Council information sessions (assumes 6 meetings)
- Joint Council Decisions and information sessions (assumes 6 meetings)

The Public Involvement Plan will be developed collaboratively between the consultant and the Cities Project Management Team (PMT) and will be based on the Project Partnering Agreement which provides a framework for the process to engage the public and other stakeholders and the decision making structure to adopt the concept plan.

Up to two drafts of the Public Involvement Plan will be provided to the Cities PMT to review and make comments. A meeting that includes the FA Project Manager and the Cities PMT will be scheduled to discuss the draft and make final revisions after the second draft.

1.2 Detailed Calendar of Milestones

The Detailed Scope of Work will clearly delineate the responsibilities of each team member on the project, as well as the responsibilities of City staff. From this effort FA staff will work with the Cities Project Management Team to clarify the sequencing of the scope activities and create two documents that can be used to communicate the project schedule:

- A detailed calendar to be used internally that includes details on deliverables, review time, meetings and other schedule related activities.
- A more general milestone calendar will be developed to communicate the project process and timeline with outside stakeholders.

The schedule will developed in tandem with the Public Involvement Plan, and after the Partnering Agreement is completed. The Partnering Agreement sets the decision making framework and process necessary to complete the Public Involvement Plan and detailed schedule.

Deliverables:

1. Public Involvement Plan (FA)
2. Detailed Project Schedule for internal use (FA)
3. Calendar of Process and Milestones for external use (FA)

TASK 2. DEVELOP GUIDING PRINCIPLES, EVALUATION MEASURES

Using the Public Involvement Plan developed as part of Task 1 this task is centered on engaging with the public and key stakeholders to get their input to establish guiding principles and evaluation measures that will be used to develop and evaluate alternative land use and transportation scenarios for the Basalt Creek / West Railroad planning area. Information gathered as part of Task 3 (Existing Conditions) will also be used throughout this task to inform discussions with the Agency Review Team and the Joint Council.

Task 2.1 Guiding Principles and Identification of Evaluation Measures

The guiding principles and identification of evaluation measures will be undertaken with the City Councils and Agency Review Team. The consultant team will develop initial guiding principles based upon information gleaned from existing plans and policies and goals for the area and input from previous Joint Council Work Sessions on Basalt Creek. We will also utilize information gathered as part of the existing conditions analysis and focus group meetings. Throughout the planning process it is essential to have agreed upon evaluation measures to assess alternative concept scenarios, proposed transportation and infrastructure systems and boundary possibilities. The consultant will work with the Cities Project Management Team to identify key spatial indicators including, but not limited to, those related to land use, transportation, population growth and demographics, housing mix and affordability, economic development, infrastructure costs and fiscal impacts. The criteria will be established to ensure the concept plan meets the outcomes

outlined in Metro's Title 11 and used to evaluate different land use alternatives to ensure they meet the guiding principles of the plan.

Deliverables:

1. One meeting with the ART (FA)
2. Guiding Principles and Evaluation Measures Memo (FA)
3. Presentation to Joint Councils (FA)

TASK 3 - INVENTORY EXISTING CONDITIONS AND DRAFT REPORT

In this task the Consultant team will assemble baseline information and set the stage for discussions with stakeholders and developing the guiding principles, evaluation measures and informing the alternative scenarios. This task provides critical information on development capacity (buildable lands) key infrastructure constraints that can help guide land use and transportation decisions as well as highlight important considerations for jurisdictional boundaries. This task will start immediately upon project approval and will constitute the foundation for the planning effort, including calibrating the Envision Tomorrow modeling tool to create a base map of existing conditions.

Task 3.1 Inventory Existing Conditions and Market Demand

The FA Team will work closely with City staff to identify relevant land use planning and other documents to examine on the ground conditions of both current and planned land uses within the concept planning area. In this task we will examine the landscape for constraints, buildability and an understanding of existing issues that should be considered for this project. This includes such plans as the recent TSP update, water and sewer planning documents for both cities and other relevant adjacent and nearby planning efforts such as the Coffee Creek concept plan.

The FA Team will also assemble existing Geographic Information System (GIS) data and we will evaluate existing household and employment within the planning area using the Metro regional forecasts for growth for the concept planning area. In this task FA will also use this data to develop base year model conditions within Envision Tomorrow that will inform the development of alternative scenarios in Task 4. This base year model will include estimates of buildable land capacity and other measures to provide a framework to evaluate future land use scenarios. Drawing largely from existing plans and studies, but updating with new data where necessary, the team will prepare a real estate and demographics summary to identify prevailing trends in housing, commercial, and employment land uses and how the study area is positioned to capture these markets relative to adjacent and/or competitive market areas.

CH2M HILL will lead the team in an infrastructure needs assessment. To perform the assessment, CH2M HILL will review Tualatin, Wilsonville, Washington County, and water and sewer district published or ready to use mapping to identify existing infrastructure in the planning area. CH2M HILL staff will interview Wilsonville, Tualatin, and Clean Water Services utility managers to assess current capacity and existing service agreements. Published or ready to use natural resource inventories and mapping from the same agencies and Metro will be reviewed to identify important areas of special consideration, especially in and near existing receiving waters. A general description of the adequacy of existing

infrastructure to support new development will be prepared. Preliminary drainage maps, sewer basins and pressure zones will be developed.

DKS will lead the existing conditions evaluation for the existing transportation system. This evaluation will include documentation of the existing multi-use trails, pedestrian facilities, bicycle facilities, and transit facilities that provide connectivity to the planning area, including the identification of planned facilities. In terms of motor vehicle access DKS will summarize existing conditions based on data available from the Wilsonville TSP, the Tualatin TSP, the Basalt Creek Transportation Refinement Plan, and the SW 124th Extension Project. Intersection operations, motor vehicle volumes, and freight volumes from these plans will be summarized for weekday PM peak hour and AM peak hour (where available) conditions. Future year 2035 PM peak hour baseline conditions will also be documented from the prior planning efforts (primarily the Basalt Creek Transportation Refinement Plan), including identifying planned improvements (both financially constrained and aspirational). To provide a guide for the development of land use scenarios in subsequent tasks, the total amount of PM peak period vehicle trips generated in the study area Transportation Analysis Zones (TAZs) used for forecasting traffic demand for the Basalt Creek Transportation Refinement Plan will be identified. This total trip generation amount will be used as “side-boards” for guiding the overall amount and density of land uses designated throughout the planning area, allowing scenarios that vary by the mix and location of land use types to maintain consistency with the overall traffic forecasting from the Basalt Creek Transportation Refinement Plan. It is assumed that this approach would avoid the need for traffic impact analysis outside of the planning area for demonstrating compliance with Transportation Planning Rule (TPR) requirements. This approach is also assumed to reduce the required study area for traffic operations analysis to the locations described in Task 5.

3.2 Existing Conditions Report

For the existing conditions report we will summarize relevant information gathered as part of Task 3.1 including landscape conditions that impact market demand, and the ability for the area to achieve the guiding principles set for the plan and the potential to capture market demand. A general description of the adequacy of existing infrastructure to support new development will also be prepared.

Deliverables:

1. Draft Existing Conditions Report (assumes 2 revisions) (FA with report sections provided to FA by DKS, CH2 and LCG)
2. Final Existing Conditions Report (FA)
3. Base map of existing conditions in Envision Tomorrow (FA)
4. Presentation to the ART of findings from existing conditions report (FA) PowerPoint presentation
5. Presentation to the City Councils upon request

TASK 4 - DEVELOP ALTERNATIVE SCENARIOS

Fregonese Associates will lead the team’s scenario planning work in which up to three alternative land use and transportation scenarios will be developed. The existing conditions analysis conducted as part of Task 3 will provide the analytical foundation for the public outreach element of the plan. This will enable the public to make informed land use choices given the physical and market conditions of the area. The Public Involvement Plan will outline in detail the engagement strategies and timeline. This task outlines the key outreach strategies and how they will be used in

combination with the guiding principles to form the basis upon which the team will develop a series of three land use and transportation scenarios.

4.1 Online Public Engagement

A key component of the Public Involvement Plan is using the Internet to engage the public. The consultant will provide materials for the Cities' project webpage and Facebook and Twitter channels. As key deliverables are completed over the course of the project, the FA Team will create content for the website, including a schedule of upcoming meetings, meeting agendas, and notes from previous meetings.

Strategies for online public engagement will include:

Email updates: On-going communications via email (using an email distribution list) will generate goodwill and enthusiasm for expanded stakeholder participation. On-going communications will highlight positive momentum toward achieving community goals.

Web and social media content: The FA Team will provide materials to use as on-going updates on the Cities' project webpage and Facebook and Twitter channels. These updates will include:

- Workshop/Public outreach announcements
- Workshop and public outreach results
- General project updates

The Consultant will also administer up to three online surveys for the project to garner public feedback on the alternatives and the preferred scenario. The surveys will reflect the content and nature of related public meetings allowing those who could not attend to view similar information and provide feedback. This information will be summarized and included as part of the development of the land use alternatives for the Basalt Creek area.

Task 4.2 Interviews and Focus Groups

As part of the Public Involvement Plan the FA Team will work with City staff to identify key stakeholders for conducting in depth interviews and focus groups. These interviews and focus groups will occur throughout the project to highlight property owner interests, key issues of concern within the planning area, and other issues that relate to development and implementation of a project vision for the concept plan. The consultant team will conduct two focus groups (up to 6 participants each) organized around a specific topic, and 4 individual interviews with key stakeholders, or a combination thereof with a focus group replacing 2 interviews, or 2 interviews in lieu of a focus group.

Task 4.3 Public Workshop

The consultant will design and run a public workshop that will provide the team with a host of important information for creating a range of scenarios in later tasks. Participants in the workshop will work together in small groups using maps and icons that represent future development and transportation investments. The consultant team will utilize a custom map-based exercise to gather information on community aspirations for future land uses, multimodal transportation network, employment lands, parks and open spaces. We will use the Envision Tomorrow (ET) suite of planning tools to

digitize and analyze maps and comments from the public workshop to uncover themes and unique solutions to guide the scenario development and the development of a final concept plan and vision for the planning area. We will also ask participants to respond to a series of instant polling questions designed to address community priorities, concerns and values. Questions will be made available in web survey form to reach a broader audience.

Task 4.5 Summary Presentation

The FA Team will present findings on the initial themes from the various outreach activities to the ART and each individual City Council (or joint council) to gather input and direction on developing the alternative scenarios. The FA Team will develop a -PowerPoint presentation to summarize themes and input from the various outreach activities. The FA Team will work with the Cities PMT to identify key questions for the ART and Councils that will provide direction for the development of the alternative scenarios.

Task 4.6 Develop Alternative Scenarios

The consultant team will develop up to three alternative scenarios that will depict locations of infrastructure and transportation systems and proposed land uses based on outreach performed in previous tasks. The scenarios will be built using our Envision Tomorrow Suite of Planning Tools, a flexible and powerful analytical system. As part of that analysis, the team will test the financial feasibility of a range of desired building and land use types that is feasible for developers, affordable to local households and meets employment goals. Envision Tomorrow will be used to quantify the scenarios based on the evaluation measures selected in Task 2 and outputs will provide the data necessary for evaluative infrastructure and transportation modeling.

The alternatives will include a conceptual design of the multimodal transportation network. Concepts will include the arterial and local roadway network (with the support of DKS' motor vehicle analysis), active transportation corridors and the location of crossings. Concepts will identify opportunities and constraints for integrating transportation infrastructure into the landscape features and general aesthetics of the proposed land uses.

CH2M HILL will support development of up to three (3) alternatives by advising on opportunities and constraints for integrating water utility services, especially stormwater, into the landscape features and general aesthetics of proposed development. Concepts will include water distribution and storage, and sewer collection and pumping needs. After investigating engineering constraints, CH2M HILL will provide a recommended service boundary for each utility separately, based on technical analysis (as part of Task 8). A general description will be prepared for alternate concepts that might be necessary if service boundaries are selected based on other factors. Support will include advice based on past experience and best practices used regionally and nationally. Detailed plans and cost estimates for infrastructure services will not be prepared as part of this task. CH2M HILL will provide FA with approximate unit cost data for typical utility service, based on past experience and published data sources to support development of conceptual comparative cost estimates.

Task 4.7 Working Session to Refine Scenarios for Evaluation

The draft alternative scenarios will be reviewed with the PMT and the consultant team in a half day working session. Through this working session the consultant team will garner ideas for refinement of the scenarios and ensure that the

direction provided by the ART and Councils have been incorporated prior to the evaluation of the scenarios and infrastructure modeling.

Deliverables:

1. Presentation in initial themes and feedback from public to ART and Joint (or individual) Councils to get direction on the alternative scenarios.
2. Up to three alternative draft scenarios will be developed in Envision Tomorrow using feedback from ART and Councils (FA)
3. Working session with project team to refine draft scenarios (FA, DKS, CH2, LCG)
4. Final scenarios based on working session and ART and Council feedback (FA)

TASK 5. ANALYZE TRANSPORTATION AND WATER INFRASTRUCTURE REVIEW OF MODEL OUTPUT AND DEVELOP PERFORMANCE MEASURES

DKS will lead the motor vehicle transportation system evaluation of up to three alternatives, including the development of future year 2035 PM peak hour volumes using a focus-area travel demand model (built from the Tualatin TSP and Wilsonville TSP travel demand models). Travel forecasts for each scenario will be based on factoring the trip-table from the baseline year 2035 model according to the TAZ-level land use data for each scenario (it is not anticipated that full 4-step travel demand model runs from Metro will be required). As noted in Task 3.1, detailed intersection operation evaluations at off-site locations will not be assumed for this scope. Traffic volume information within the planning area will be used to guide the sizing of facilities (e.g., 2-lane vs. 3-lane roadways) and to identify locations for signalized or roundabout traffic control. Intersection operation analysis (level of service and v/c ratios) based on the forecasted 2035 PM volumes will be conducted using Synchro at up to 15 major intersections in the planning area, including:

- I-5 Northbound/Elligsen Road
- I-5 Southbound/Elligsen Road
- Boones Ferry Road/95th Avenue
- Boones Ferry Road/Day Road
- Boones Ferry Road/Norwood Road
- Boones Ferry Road/Ibach Street
- Grahams Ferry Road/Clutter Road
- Grahams Ferry Road/Day Road
- Grahams Ferry Road/124th Avenue
- Grahams Ferry Road/Tonquin Road
- 124th Avenue/Tonquin Road
- Other future intersections identified by the Project Management Team based on the arterial/collector network

CH2M HILL will develop aggregate water and sewer requirements for each of the three alternatives. Stormwater analysis will compare pre- and post-development discharge for design precipitation events within each major basin. A comparison will be provided indicating required capacity and potential infrastructure elements based on each land use alternative and the existing systems inventory.

Deliverables:

1. Technical Transportation Memorandum (DKS)
2. Technical Water, Sewer, and Infrastructure Memorandum (CH2M Hill)

TASK 6. REVIEW OF ALTERNATIVE CONCEPTS

6.1 Public Review of Scenarios Analysis

The team will provide for the public a comprehensive look at how each scenario performs, as measured against the project's evaluative criteria and guiding principles established in Task 2. Transportation, housing choice, employment and infrastructure indicators will be presented for each scenario, thus allowing the public to weigh the costs and benefits of different choices and investments. The approach to this outreach will ultimately be shaped by the Public Involvement Plan. It is likely to contain some public event that could include a mix of activities such as one on one discussion around maps or boards and a group presentation where keypad polling will be utilized to allow for quantifiable feedback. Materials that would be used in a public event will also be available for web use and accompanied by an online survey to replicate instant feedback polling from the public meeting. Input gathered will be used in shaping a preferred scenario that can move forward as the final concept plan.

The FA Team will also develop visualizations to bring discussions of strategic planning to life. Not only will stakeholders be able to read about the future of their area, they will be able to see the changes in highly realistic but conceptual perspectives and photorealistic before-and-after images. These images and graphics will be used to present the alternative scenarios, and gather additional feedback to develop a preferred option.

6.2 Summarize public feedback

Conversations and written feedback will be summarized and keypad polling results will be included. The summary will be used in leading a conversation with the Agency Review Team and the Joint Council about which elements of the alternative scenarios should move forward as a preferred scenario. We may use instant polling and other techniques to get direction from the Agency Review Team, both Councils and the general public to move forward on a preferred option.

Deliverables:

1. Scenario communication materials such as:
 - a. Evaluation matrix
 - b. Visualizations
 - c. Display boards
2. PowerPoint Presentation to Joint Council (FA)

TASK 7 – PREFERRED SCENARIO

7.1 Preferred Scenario Working Session

A project team working session will be held following the review of alternative concepts completed in Task 6 and the input received from the public, the ART and the Joint Council. The group will consider the feedback gathered and determine the elements that will move forward as a preferred scenario. It is possible that one of the three scenarios will

be selected. However, it is more likely that the preferred scenario will come from either strategic modification of the best performing scenario, or by combining components from two or even all three alternatives.

7.2 Evaluate Preferred Scenario

The consultant team will develop the preferred scenario in GIS using Envision Tomorrow. Subsequently the team will perform the land use, transportation and infrastructure analysis to document the expected performance of the preferred scenario. Results will be included in the Concept Plan document.

Deliverables:

1. Working session with PMT and Consultant Team (FA)
2. Preferred scenario in GIS and evaluation of land use, infrastructure and transportation measures. (FA, DKS and CH2)

TASK 8. RECOMMEND POSSIBLE JURISDICTIONAL BOUNDARIES

CH2M HILL will prepare a summary of options for utility service area delineation. Based on indications of downstream capacity, topography, and the preferred land use plan, recommended utility service area boundaries will be prepared for water, wastewater, and surface water management. The service area boundaries may differ from jurisdictional boundaries. CH2M HILL will provide the FA Team with guidance on implementation for up to three boundary cases. The FA Team in partnership with the PMT will form the final recommendation for both jurisdictional and service area boundaries. CH2M HILL will prepare a final guidance in the form of recommended implementation measures that support the proposed boundaries. For purposes of this task, the evaluation will focus on the physical delivery of services to the planning area. City staff will conduct analysis of impacts to rates, revenue, system development charges, bonding or finance capacity.

Deliverables:

1. Possible Jurisdictional Boundaries Map (Draft and Final) (FA and CH2M Hill)
2. Supporting memorandum on Possible Jurisdictional Boundaries (FA and CH2M Hill)
3. Joint Council Work Session (FA, DKS, CH2)

TASK 9. FINAL CONCEPT PLAN

Develop a Draft and Final Concept Plan based on previously completed research and analysis, input from community workshop and open house, a feasible and widely accepted concept map, and transportation and infrastructure plans. The plan will include a skeletal transportation system based on previously performed research and analysis. CH2M HILL will provide design support in the development of the plan for water services infrastructure and the transportation network based on previously performed research and analysis. The effort will include concept level cost estimates for transportation and infrastructure facilities.

The Draft Concept Plan will comply with the Urban Growth Management Functional Plan and Tualatin and Wilsonville codes. Based on input from the the Tualatin and Wilsonville Planning Commissions, and both City Councils, the draft concept plan will be finalized and presented for a formal acceptance by the Councils. The plan will be implementation-focused, and designed for not only professional planners, but compelling for developers and the community at-large.

The plan will be richly illustrated and include maps and images and allow policymakers and the public to chart implementation progress. The plan will be written and formatted so each City may extract and adopt sections that are pertinent to that City's interests and responsibilities.

Deliverables:

1. Draft Concept Plan with 2 revisions (FA)
2. Final Concept Plan (FA)
3. Transportation System Concept Cost Estimates (FA)
4. Presentation of the Final Plan to the ART and Joint City Council

TASK 10: PREPARE A PHASING SCHEDULE FOR PUBLIC FACILITIES, DEVELOPMENT AND TRANSPORTATION

This task will build off of the analysis conducted in Task 5 and the final concept plan developed in Task 9. CH2M HILL will develop recommendations for a public facilities phasing plan that will include conceptual overviews of the recommended facilities and Class 5 concept-level costs. A general overview of possible funding strategies will also be prepared.

The transportation phasing plan will include recommended priority projects (based on compatibility with the phasing from the Basalt Creek Transportation Refinement Plan and access to priority development areas) and funding sources for early implementation. The development phasing report will include recommended near and long term strategies for land use development.

Deliverables:

5. Public facilities phasing report and schedule (CH2M Hill)
6. Transportation phasing report and schedule (DKS)
7. Development phasing report and schedule (LCG)

TASK 11: RECOMMEND IMPLEMENTATION STRATEGIES AND TOOLS

Implementation of the Concept Plan will take the form of comprehensive plan amendments that will allow for zoning changes in the Basalt Creek planning area. In some instances new districts along with subsequent requirements may be recommended. Accompanying the recommendations will be maps detailing, at the tax lot level, new land use districts, environmental protections, future transportation, and requisite public infrastructure. Language will also be drafted for individual amendment elements, including: transportation system plan, natural resources protection program, and public facilities master plans. The primary goal of this task is to develop a land use plan, map, and implementation strategy. The comprehensive plan amendments will contain both text and maps that define land use and development policies, as well as specific land use districts and suggested development outcomes.

Deliverables:

1. Land use comprehensive plan findings, goals, policies, implementation strategies and action measures (FA)
2. Land use district plan map and text (FA)
3. Evaluate and recommend transportation and land use design options for industrial and employment areas to reduce travel demand and provide convenient services to these areas while reducing transportation impacts and preserving freight mobility capacity. (FA and DKS)

4. Metro Title 11 compliance memo (FA)

King, Sandy

From: G Lucini <grluci@gmail.com>
Sent: Wednesday, January 22, 2014 9:37 PM
To: City Council Members
Cc: Mayor Tim Knapp; Wilsonville Council President Scott Starr; Fitzgerald, Julie; Wilsonville Councilor Richard Goddard; Stevens, Susie
Subject: Please Include as Public Record Wilsonville City Council Meeting 1-23-14 Work Session Item "A" Basalt Creek Concept Plan
Attachments: SIGNIFICANT NATURAL RESOURCES-Goal 5 UBG 1-18-07 Ord 671.pdf; NATIONAL WETLANDS INVENTORY- Basalt Creek Global.pdf; DSL US Corp Engineers- Wetland Delineation SW Boones Ferry Rd Im-Application.pdf

TO: WILSONVILLE CITY COUNCIL

Cc: WILSONVILLE MEMBERS OF THE BASALT CREEK CONCEPT PLANNING PROJECT

FOR INCLUSION AS PART OF PUBLIC RECORD FOR

**CITY OF WILSONVILLE CITY COUNCIL MEETING 1-23-14
PRE COUNCIL WORK SESSION - ITEM "A"**

Basalt Creek Concept Plan Partnering Agreement with Tualatin

Date: 1-22-14

The Basalt Creek Concept Plan Partnering Agreement with the City of Tualatin is scheduled to be presented to the City of Wilsonville City Council for endorsement.

Concurrently, the Consultant Contract with Fregonese Associates for the Basalt Creek/West Railroad Planning is also being presented for endorsement.

In the review of these two documents it is apparent there is a lack in the appropriate level of due-diligence relating to assessment and evaluation impact to the Significant Natural Resources and/or water quality with the Basalt Creek Area within the planning process. Additionally, State and Federal agencies involved with the monitoring, protection and/ or enforcement of statutes relating to Water Quality and/or Natural Resources are absent from the list of participating agencies within the Partnering Agreement.

It is known the Basalt Creek area contains large areas of Goal 5 Resources. When the Basalt Creek area was brought into the Urban Growth Boundary, a large portion of the area was identified as containing "Significant Natural Areas", as well as "Water Areas, Wetland & Fish and Wildlife Habitat". Please see the attached map:



The scope of any development or construction constraints placed upon portions of the area due to the potential impact upon natural resources or water quality should be quantified and included within the decision making matrix. Any of these construction or development limitations should also be quantified and utilized as part of the comparison of proposed alternative scenarios. At any stage along the decision making process, the lack of accurate quantifiable information on the impact on water quality and natural resource, or resulting development limitations and/or the lack of the appropriate level of alternative analysis of this information ---may produce inaccurate results.

The Fregonese Contract identifies a subcontractor who will obtain and review “published or ready to use natural resource inventories and mapping”, and interviews of staff from Wilsonville, Tualatin, and Clean Water Services, and Metro to identify “important areas of special consideration, especially in and near existing receiving waters”. This assessment is very limited as to subject matter, scope of study and quality/source of information to be obtained.

It is important to point out---many of the entities which the Fregonese Contract has identified as the source of information on “natural resources” do not currently have jurisdiction, or provide limited service to the area being evaluated. The Basalt Creek area is outside the city limits of Wilsonville and of Tualatin---and are actually the entities requesting the information and review. Clean Water Services does not currently provide services to all the Basalt Creek Area.

The Fregonese Contract does not specify State or Federal Agencies who have pertinent information; conducted studies; or who have jurisdictional authority or other monitoring/protection responsibilities over water quality or other natural resources in the Basalt Creek Area ---are to be included as sources of information, or consultation within the decision making process.

The Partnering Agreement lists numerous “Required” and “Invited” agencies to be included in the decision making process. This list also lacks State or Federal agencies who have jurisdiction, authority or responsibility

The attached documents provide evidence of portions of the Basalt Creek area have already been identified as having Significant Natural Resources and/or may be under the jurisdiction of State and Federal agencies responsible for protection of natural resources.

- NATIONAL WETLANDS INVENTORY**
Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated

U.S. Fish and Wildlife Service
National Wetlands Inventory

BASALT CREEK AREA
April 19, 2011

Wetlands

 - Emergent (shaded)
 - Forested (shaded)
 - Shrubland (shaded)
 - Water (shaded)
 - Other (shaded)

U.S. Fish and Wildlife Service
National Wetlands Inventory
Basalt Creek Area
April 19, 2011

- [illegible]

- US Department of Fish and Wildlife- National Wetland Inventory
- Oregon Department of Fish and Wildlife

- US Army Corp of Engineers-Portland District
- Oregon Department of Land Services
- CETAS (Oregon's Collaborative Environmental and Transportation Agreement for Streamlining)
- DEQ (State of Oregon Department of Environmental Quality)
- Other Agencies as necessary (i.e. United States Environmental Protection Agency)

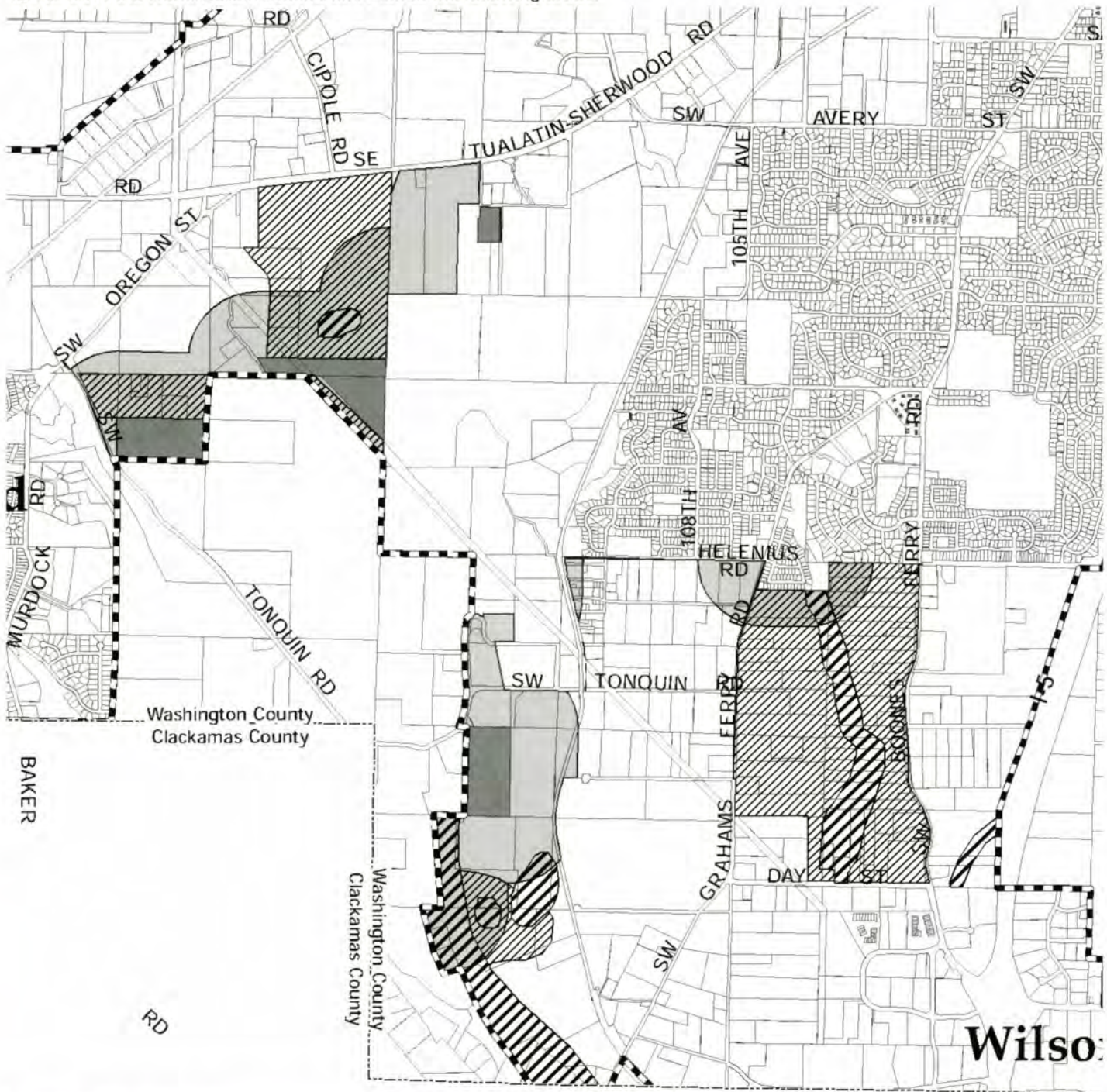
For consistency, agencies from this list should be included within the list of "Invited" agencies within the Partnering Agreement to provide input and to participate in the planning process


An important aspect of community planning and development is the health of its natural resources. The lack of appropriate evaluation of the potential effects of future development upon the natural resources – and potential constraints upon development - within this planning process may lead to the selection of an alternative which may not be able to meet the needs of the citizens or eventually become detrimental to the community.

It would an unfortunate expenditure of time and taxpayer money if the entire planning process lacked an important determinant in the decision making process which needed to be included from the start.

Respectively Submitted,
Grace Lucini
23677 SW Boones Ferry Road
Tualatin, Oregon 97062

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:



- | | | | |
|---|---|---|--|
|  | Significant Natural Area |  | Mineral & Aggregate Overlay District A |
|  | Water Area and Wetland |  | Mineral & Aggregate Overlay District B |
|  | Water Areas, Wetlands & Fish and Wildlife Habitat |  | Urban Growth Boundary |




Approval Expires 6/3/18

 Photo Points



Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:

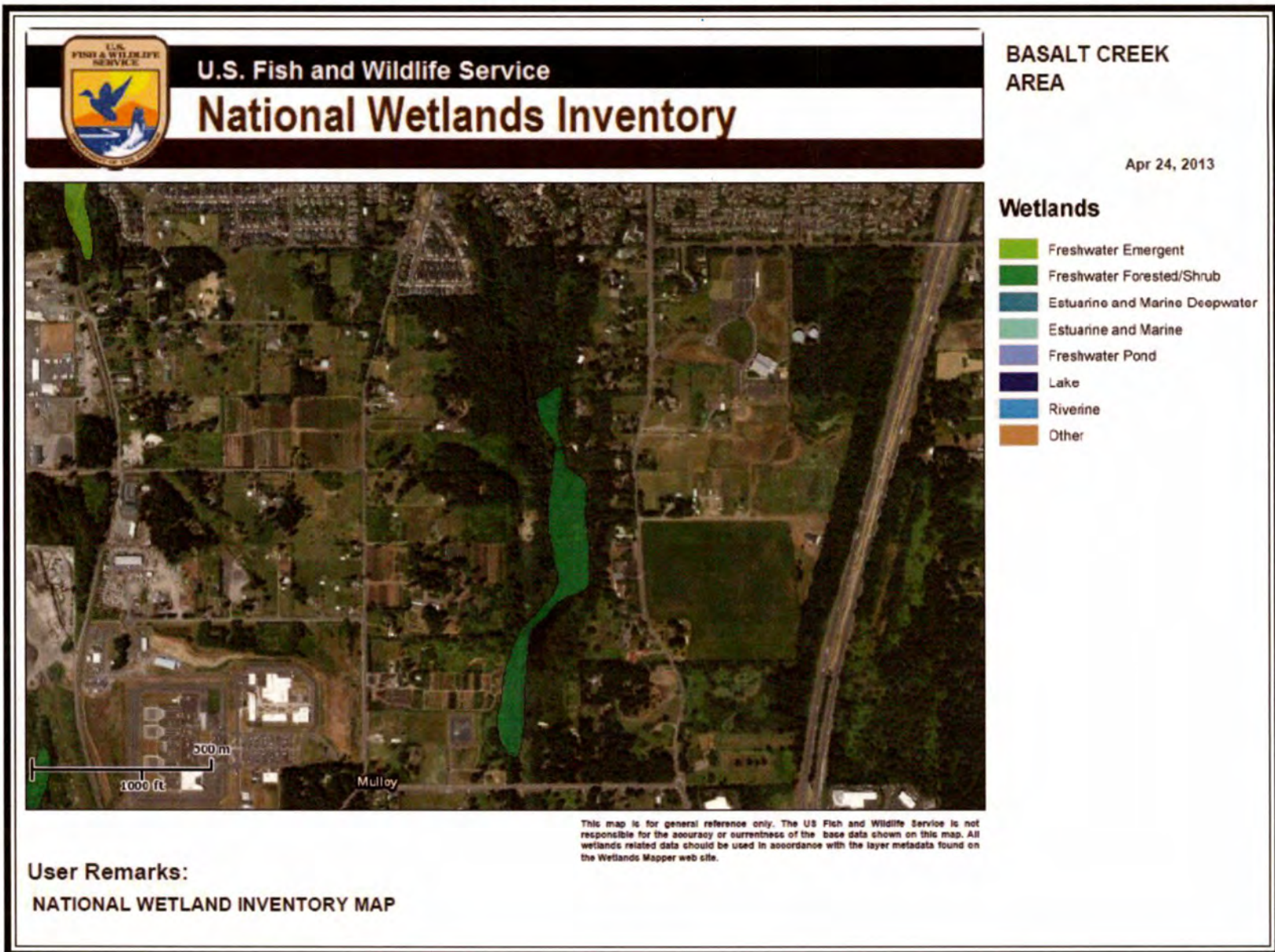


- | | |
|---|--|
|  Significant Natural Area |  Mineral & Aggregate Overlay District A |
|  Water Area and Wetland |  Mineral & Aggregate Overlay District B |
|  Water Areas, Wetlands & Fish and Wildlife Habitat |  Urban Growth Boundary |



NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA

Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



DSL WD # 15-0002

Approval Issued 6/3/13

Approval Expires 6/3/18

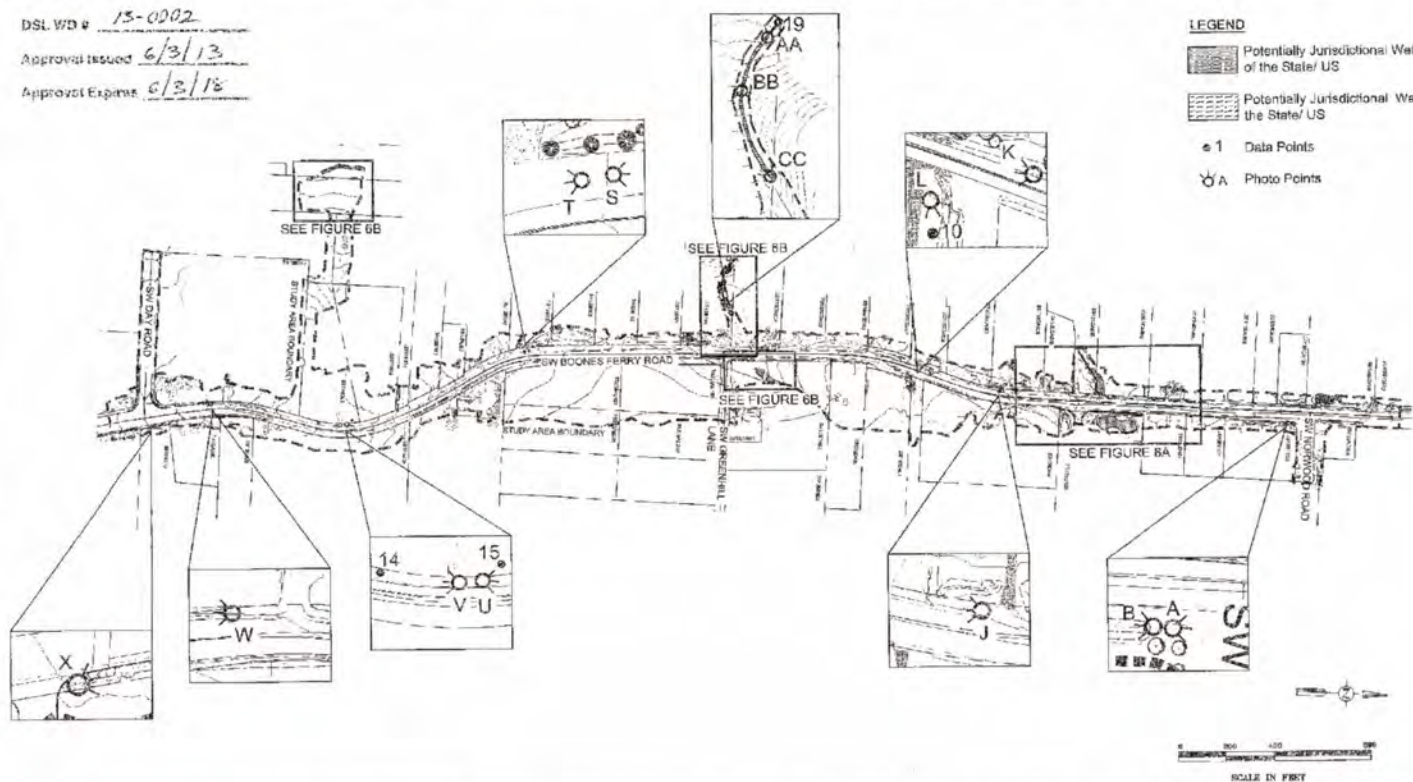
LEGEND

Potentially Jurisdictional Wetlands of the State/ US

Potentially Jurisdictional Waters of the State/ US

• 1 Data Points

⊗ A Photo Points



Note:
Survey provided by MackKey & Spoalto. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.

Wetland Delineation Overall Site Context and Sheet Index Plan
SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE
6

05/15/13

King, Sandy

From: Cosgrove, Bryan
Sent: Tuesday, January 21, 2014 4:06 PM
To: Kohlhoff, Mike; Jacobson, Barbara; Neamtzu, Chris; Kraushaar, Nancy; Mangle, Katie
Cc: King, Sandy; Handran, Angela
Subject: FW: Basalt Creek Planning-Wilsonville Council Meeting 1-23-14- Issues Relating to Partnering Agreement & Consultant Contract- **CITIZEN CONCERN**
Attachments: 2014-01-16 email to Sean Brady Tualatin City Attorney.pdf; Email Chain- Public Meetings Basalt Creek Planning Sept 2013 to Jan 2014.pdf

I can't say that I didn't see this coming. I'd like to make sure that this City errs on the side of caution and makes all meetings and information open and available to the public. I'd like legal and planning to take a stab at responding to this citizen. Please work together to prepare something for me to send back on behalf of the Mayor.

Bryan Cosgrove,
City Manager

503.570.1504 (work)
503.754.0978 (cell)
cosgrove@ci.wilsonville.or.us
29799 SW Town Center Loop
Wilsonville, Oregon 97070

DISCLOSURE NOTICE: Messages to and from this E-mail address may be subject to the Oregon Public Records Law.

"In times of change learners inherit the earth while the learned find themselves beautifully equipped to deal with a world that no longer exists."

- Eric Hoffer

From: Mayor Tim Knapp
Sent: Tuesday, January 21, 2014 4:01 PM
To: Cosgrove, Bryan
Subject: Fw: Basalt Creek Planning-Wilsonville Council Meeting 1-23-14- Issues Relating to Partnering Agreement & Consultant Contract- **CITIZEN CONCERN**

Hi B- Would you take the lead communicating with this concerned citizen, Mr/Ms Lucini? Thx/TK

Sent from my Verizon Wireless Droid

-----Original message-----

From: G Lucini <grluci@gmail.com>

To: Wilsonville Council President Scott Starr <scottstarr97070@gmail.com>, "Fitzgerald, Julie" <fitzgerald@ci.wilsonville.or.us>, Wilsonville Councilor Richard Goddard <richardgoddard2010@gmail.com>, "Stevens, Susie" <stevens@ci.wilsonville.or.us>, Mayor Tim Knapp <knapp@ci.wilsonville.or.us>

Sent: Tue, Jan 21, 2014 21:43:29 GMT+00:00

Subject: Basalt Creek Planning-Wilsonville Council Meeting 1-23-14- Issues Relating to Partnering Agreement & Consultant Contract

To: Wilsonville City Council /
Wilsonville City Council Members/
Wilsonville Members of Joint Cities Basalt Creek Planning Project

Date: Tuesday, January 21, 2014

RE: City Council Meeting 1-23-14 - Basalt Creek Planning- Presentation of Governing Documents

Basalt Creek Partnering Agreement- December 2013 -DRAFT- Staff Request for Endorsement

Basalt Creek Consultant Contract- Fregonese Associates- DRAFT Staff Request for Endorsement

When the discussion regarding the Basalt Creek –Joint Cities Planning Project is brought to the table for discussion during the Wilsonville City Council Meeting – Work Session on January 23, 2014, I would like to bring to your attention concerns regarding compliance with Oregon Public Meetings Laws (**ORS 192.610 to 192.990**) due to the actions already taken by project staff, current deficits, and potential for future non- compliance of these laws.

There are additional questions at the close of this communication regarding concerns with the Partnership Agreement and with the Consultants Contract as they are currently drafted. It is not apparent a review or evaluation of the Significant Natural Recourses which are already documented within the Basalt Creek area, are included within the services being purchased from Fregonese Associates. This omission may impact the validity of planning process as these resources may cause substantial constraints and limitations on future development and should be included as a criteria at the very beginning of the planning process. These appear to be important omissions within both of these documents.

OREGON PUBLIC MEETINGS LAW- COMPLIANCE ISSUES-TRANSPARANCY OF THE GOVERMENTAL PROCESS

As stated in, State of Oregon Department of Justice Attorney General's ---Public Records and Meetings Manual - January 2011:

The key requirement of the Public Meetings Law are to hold meetings that are open to the public unless an executive session is authorized, to give notice of meetings and to take minutes or otherwise record the meeting. In addition there are requirements regarding location, voting and accessibility for disables persons."

"Subject of Meetings and Social Gatherings- Even if a meeting is for the sole purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, the meetings law will apply. This requirement serves the policy express are ORS 192.620 that an informed public must be aware not only of the decisions of government but also of "the information upon which such decisions were made".

"...the scope of the Public Meetings Laws extends even to private citizens, employees and others without any decision-making authority, when they serve on a group that is authorized to furnish advice to a public body."

... "It does not matter that the discussion is "informal" or that no decisions are made; it is still a "meeting" for the purposes of the Public Meetings Law"...

"The public notice requirements apply to any "meeting" of a "governing body" subject to the law, including committees, subcommittees and advisory groups" page 127

... "Governing bodies are cautioned not to misuse the committee appointment process or decisions-making process to subvert the policy of the Public Meetings Law" ... Page 121

"The goal of notice for any meeting is two-fold: to provide general notice to the public at large and to provide actual notice to specifically interested persons". Page 128

"We have acknowledged that strict compliance with the substantive requirements of the Public Meetings Law frequently may "sacrifice speed and spontaneity for more process and formality." Nonetheless, we believe that the law's requirements generally will not interfere with a public body's administration".

Due to the large scope of the planning project, the number of jurisdictions involved, and the potential impact to local property owners, magnifies the need for compliance to Oregon Public Meetings Law, and the public perception of governmental transparency in the planning process.

The City of Tualatin already demonstrated lack of compliance regarding notification of public meetings on another major city planning project in January- March of 2013 (which also included the Basalt Creek area within the scope of the project throughout most of that Project). Similar issues are being observed with the Joint Cities Basalt Creek planning project. (Please see email- City of Tualatin City Attorney 1-16-14)

When a citizen inquiry was made as to lack of Public Notification of the Basalt Creek Planning Project December 2013 Sub Committee Meetings, the Project Manager stated the meetings were "Informal working meetings, therefore, no public notification was made" (Please see email chain September 2013-January 2014)

The rational of the formality or informality of a meeting as the criteria for excluding a meeting from the jurisdiction of Public Meetings Law is not supported by the opinions of the Oregon Attorney General (State of Oregon Department of Justice Attorney General's Public Records and Meetings Manual January 2011).

The continued inability to meet the requirements of the Public Meetings Law, by staff of the same city government- which is a partner in the Basalt Creek Planning – points out additional oversight of the Project Staff is needed. Explicit directions to include compliance with the Oregon Public Meetings Laws should be incorporated into the two governing documents to provide Project staff and the Consultant clear understanding of the Councils' expectations.

One recent example of the lack of commitment by the Project staff to the spirit of governmental transparency (if not lacking compliance to the law) was demonstrated how the project staff handled the directives of the Joint City Councils to convene a City Council Subcommittee "establishing a decision-making framework and identifying community engagement techniques to be used throughout the project" and then to bring "a robust" report back to the full Joint Council.

In addition to the lack of Public Notification of public meetings on Basalt Creek planning, there are no minutes of the two meetings of the Councils' own Basalt Creek Planning Subcommittee posted for general public access- even though the content has potential impact upon a large number of citizens and/or geographic area.

- Due to lack of Public Notification – citizens were denied attendance at the Subcommittee meetings- due to absence of notification.
- There are no minutes of the December 2013 City Councils' Subcommittee meetings attached to the January 2014, City Councils' Agenda Packets -discussion on Basalt Creek Planning- even though the City Councils directed the Subcommittee to provide "robust" feedback of the meetings.
- There is no posting of minutes on the BasaltCreek.com Website or on the Official websites of either City- although it is usual and customary to post minutes of Council meetings, subcommittee meetings, and advisory group meetings on these websites.
- The public lacks reference to any of the documents discussed during the December 2013 Subcommittee meetings - which should be part of the minutes (ORS 192.650(1)).

RESULTING IMPACT DUE TO LACK OF PUBLIC NOTICE AND THE LACK OF MINUTES OF MEETINGS OF THE JOINT CITY COUNCIL'S SUBCOMMITTEE DECEMBER 2013 MEETINGS

- Due to lack of minutes from the Sub Committee meetings, it is unknown what information or directives the four elected Council members gave the Basalt Creek project staff during the December meetings- which generated the legal documents being presented at the Wilsonville Council Meeting 1-23-14, and will become the framework and basis for future decision making for planning the Basalt Creek area.
 - At the Tualatin City Council Meeting on 1-13-14, there was a staff presentation on the results of the December 2013 sub-committee meetings- including the decision making structure and process diagram.
 - Two Tualatin City Council members who were on the Subcommittee also made comments about the discussions held during the Sub Committee meetings- indicated they were sensitive to the concerns of local residents of the Basalt Creek area.
 - Sub Committee member, and Tualatin Council President Beikman, specifically stated Basalt Creek residents, "were to be notified of meetings".
 - However, contrary to the directives apparently given by City Council members during the Subcommittee meetings---there is no statement within either documents being presented (requiring or identified as a guiding principal)- indicating the need for Public Notification of Public Meetings on Basalt Creek Planning.
 - The transparency of this process therefore became very clouded. While in January 2014, the public heard specific directions were apparently given to the project staff during the December meetings--- the staff apparently not complete the directives which they were given. The requirement of Citizen Notification of Public Meetings were not incorporated into the two documents drafted, and which are now before you for approval.
 - This conflicting information should be of concern to the governing body of the Basalt Creek Planning Project- the two City Councils of Tualatin and Wilsonville.
 - Apparently an important concept (legally mandated) action was requested to be specifically included into the governing documents for the Basalt Creek Planning- which did not occur.
 - Due to the lack of recordkeeping- there is a break in the flow of information where the directives apparently given by Council Members which were the basis of the discussion during the December 2013 meetings was not documented.

- Due to the lack of recordkeeping- there is a void in the ability to identify where the apparent break in communication occurred which inhibits correction of the current issues and for operational issues in the future.
- If it was the intention of the Council members to include the need for public notification of public meetings---
- The two documents being presented are still in draft form
- The documents contain statements of assurances and compliance that other actions (which are also legally mandated) will be performed as part of the services to be provided. The inclusion of statements or goals requiring compliance to Oregon Public Meetings Law would not be out of precedence.

The City of Wilsonville publicly posted the Fregonese Contract Draft- Dated 12-22-13, as part of the Information Packet for the Council Work Session 1-23-14 on the City website.

- The 1-23-14 Council Meeting notice was posted to the BasaltCreek.com website late in the week of 1-7-14 (after public request- (Please see email chain September 2013-January 2014).
- Due to the logistics of Council Work Sessions, is no option allowed for public comment prior to the time the Fregonese Contract is scheduled to be presented to the Wilsonville City Council for endorsement and request for action to forward-on a primary document which determines the entire decision making process and provides the services to implement the process.
- This document was apparently generated during the December 2013 Council Subcommittee meetings- for which there was no public notice provided, and no minutes of the meetings have been publicly posted.

The City of Tualatin has not posted their next scheduled Council Meeting for 1-27-14 on the BasaltCreek.com website. Only with a search of the City of Tualatin website produces the Agenda Item – Consideration of Resolution No. 5178-14 Authorizing a Personal Services Agreement for Concept Planning for the Basalt Creek/West Railroad Areas. The Tualatin City Staff report recommends the Council accept the scope and budget and authorize the City Manager to enter in to a contract.

- This is the first and only public posting by the City of Tualatin of Resolution 5178-14, the Personal Services Agreement the Scope of the Work or the Budget
- The City Staff report recommends the Council accept the scope and budget and authorize the City Manager to enter in to a contract.
- The City staff report does not include any stated provisions for considering comments which may be generated from the City of Wilsonville (a partner in the planning process) from the Wilsonville City Council Meeting of 1-23-14 where the Fregonese Contract is also on their agenda.
- Due to the logistics of the Tualatin City Council Meetings – the timing and presentation of Resolution 5178-14 and the attached budget, does not allow for any public comment prior to presentation for adoption by the Tualatin Council.

The citizens should not have to take additional actions with the Basalt Creek Planning staff- to have information regarding the scheduling of Public Meetings on the Basalt Creek Planning posted publicly, "Interested Persons" should automatically receive notification of Public Meetings on Basalt Creek Planning after submitting a request.

Citizens should be expected to have public access to the Public Meetings; and the list of meeting participants, the topics, the substance of information discussed on any matter, a reference to any document discussed, the actions to be taken at the meetings--- all documented and available for public access in a timely manner after the meeting as provided by law.

The lack of compliance by the Basalt Creek Planning staff to the spirit and letter of the Oregon Public Meetings Law has been demonstrated. The outcome from this lack of transparency of governmental process has impacted the public's ability to provide comments into the legal documents which are very tools and method by which the governance of hundreds of acres will change. This has significant impact upon the residents of the area.

As a resident and property owner within the Basalt Creek Area, I am directly affected by the lack of access to public meetings on Basalt Creek planning. I have actively monitored the progress of this project and attend the Public Meetings for which there was public notification. The failure of the staff to follow the requirements of the Public Meetings Law limited my ability to personally hear the discussions and deliberations (as mandated by law), even after I had previously identified myself as an interested individual and requested notification of all meetings relating to the Basalt Creek Planning, and had additionally discussed my desires with project staff.

As a resident of the Basalt Creek area, I am not within the jurisdiction of either the City of Tualatin, nor the City of Wilsonville. Yet the elected officials within these two cities are determining the future of the area in which I live. I have no elected representation within the decision making process.

The identified CPO for the Basalt Creek Area is not currently active, and therefore provides no support to the residents of the Basalt Creek Area.

Coincidentally, there are a disproportionate number of public projects which have been planned or constructed in the Basalt creek Area which have impact on our homes and on our live hoods. The Coffee Creek Correctional Center and the Boones Ferry Road Improvement Project are already constructed. The Grahams Ferry to Boones Ferry Road Connector project which was greatly rebuffed by local residents was written into Washington County Ordinance in 2013.

Now two City Governments are in the process of making plans to make significant changes to most aspects of the local infrastructure and governance of the area- without the affected citizens having elected representation in the process.

The need for governmental transparency is extremely necessary.

The Fregonese Associates Contract states as part of the services they will provide:

"On-going communications via email (using an email distribution list) will generate goodwill and enthusiasm for expanded stakeholder participation. On-going communications will highlight positive momentum toward achieving community goals."

It should be noted there are Oregon Laws are written to assist citizens with witnessing and understanding governmental decision making process such as the Basalt Creek Planning Project. The Fregonese Contract should include this requirement to be written into the services to be provided.

Once the public gains clear insight into the planning process, and access to information is provided -due to actual compliance to Public Meetings Laws - the amount of citizen "enthusiasm" will most likely go up when communication is a two way process.

Please assist me in correcting existing compliance problems and take action to rectify future problems regarding governmental transparency as the documents are still in draft form.

It is only by the actions of the City Councils directing governmental transparency to be a stated goal -within the project documents- will it be officially recognized as an important tenant of the process; with documentation of implementation part of the required tasks of the planning project.

ADDITIONAL ISSUES –LACK OF EVALUATION OF SIGNIFICANT NATURAL RESOURCES AND INCLUSION OF RELATED AGENCIES WITHIN THE PLANNING PROCESS, MAY CAUSE INACURATE OR LIMITED UTILITY OF RESULTS

The Agreement lists agencies to be included within the planning process (page 2 of 3) –

- A. It should be noted portions of the Basalt Creek area are outside the jurisdiction of Clean Water Services
- B. Tapman Creek which runs within the Basalt Creek Area- is a tributary to the Willamette.
- C. It should be noted following agencies are not included within the scope of these documents:
 - o CETAS (Oregon's Collaborative Environmental and Transportation Agreement for Streamlining),
 - o US Army Corps of Engineers,
 - o DEQ,
 - o Department of Fish and Game- (National Wetlands Inventory) and
 - o Oregon Department of Land Services
 - A significant portion of the Basalt Creek Area contains wetlands are already identified in the National Wetland Inventory
 - The Basalt Creek Area contains wetlands listed on the SW Boones Ferry Road Improvement Project (within the Basalt Creek area) included wetlands under the jurisdiction or authority of the Army Corp of Engineers.
 - all or a combination of these agencies will be required to evaluate the impact of construction and the installation of infrastructure within most of the Basalt Creek area
 - These agencies should be involved to determine at the beginning of planning for the Basalt Creek Area- what portions of the area will future development be feasible due to the topography

and significant natural resources- including wetlands which comprise a large portion of the area being studied?

Respectfully,

Grace Lucini

23677 SW Boones Ferry Road Tualatin, Oregon 97062

503 692 9890

**ATTACHMENT TO 1-20-14 CORRESPONDENCE Wilsonville City Council- Council Meeting 1-23-14
SPECIFIC COMMENTS RELATING TO DOCUMENTS FOR REVIEW:**

BASALT CREEK CONCEPT PLAN- DRAFT PROJECT PARTNERING AGREEMENT – DECEMBER 2013

The Draft Partnering Agreement identifies roles and requirements for exchanging information and communicating information between agencies, staff, and City Councils.

The Draft Agreement does not establish any requirements for public notification of Public Meetings (as defined under ORS 192.610 to 192.690) which was established to facilitate and mandate the inclusion of the public as a witness to the decision making process.

THE PARTNERING AGREEMENT-

Roles and Responsibilities Section Pages 1 and 2

The Fregonese Contract states, "The Partnering Agreement sets the decision making framework and process necessary to complete the Public Involvement Plan and detailed schedule". It is therefore important the Partnering Agreement clearly specifies the Council's intent – as this will be the tool by which the consultant will implement Public Involvement.

The Partnering Agreement does not comment as to how the Public will notified of meetings held by these various agencies as per Oregon's Public Meetings Law, when public meetings are held to discuss or deliberate on issues which will culminated in the document which will be the Basalt Creek Plan:

1. Council Subcommittee- December 2013 meetings

a Request Posting of Minutes of the Council Subcommittee Meetings

1. Post Past Minutes of Meetings – December 2013-including documents discussed during the meeting

b Any Future Meetings of this Subcommittee- – Include statement within the Partnering Agreement- "Subcommittees or other Council authorized / designated Advisory Group to the Councils be kept in compliance with Oregon Public Meetings Law."

2. For the Following Groups and Agencies identified within the Partnering Agreement-It is suggested the following statement be included when Public Meetings are scheduled: Public

Notification of Public Meetings -should be provided as per requirements/recommendations Public Meetings Laws including public notification and notification of interested parties who have previously requested notification and appropriate Documentation of Public Meeting events will be completed and made available for Public review in a timely manner according to Oregon Public Meetings Law.

- a. Joint City Councils- individually and jointly
- b. City Planning Commissions - individually and jointly
- c. Community Engagement
- d. Agency Review team-
- e. Public Meetings of other groups or agencies- meeting under the direction of the Basalt Creek Planning Project

3. Cities Project Management Team (PMT)-not is listed in Partnering Agreement- yet decision making power given within the Fregonese Contract- To provide continuity and consistency between the two documents :

- a *It is suggested the Project Management Team (PMT) be included within the lists of other contributing groups and agencies in the Partnering Agreement.*
- b *It is suggested the Partnering Agreement list the members of the Project Management Team (PMT)- their roles and responsibilities as was done with other groups/agencies within the Partnering Agreement*
- c *Since it appears the Project Management Tear (PMT) is being given decision making authority in the Fregonese Associates Contract by the Partnership Agreement-*
 - *Public Notification of the public meetings of the Project Management Tear (PMT -should be provided as per requirements/recommendations Public Meetings Laws including public notification and notification of interested parties who have previously requested notification*

4. Since the stated requirement of the Fregonese Consultant Contract is to implement the Public Involvement Plan as based upon the Partnering Agreement-

- *It is suggested there be consistency and compatibility between the two documents*
- *It Is suggested The Partnering Agreement include the goal of governmental transparency as a guiding principal, and*

- *It is suggested The Partnering Agreement include a directive to meet compliance requirements of Oregon Public Meetings Law.*

5. There is an omission of evaluation of the Significant Natural resources some of which have been previously documented.

a this factor has the potential for greatly limiting the development of lands and the construction of infrastructure within the Basalt Creek Area

b The omission of this factor within the beginning planning process places the accuracy and utility of future decisions in jeopardy.

c *It should be asked why- CETAS (Oregon's Collaborative Environmental and Transportation Agreement for Streamlining), US Army Corps of Engineers, DEQ, or Oregon Department of Land Services, US Department of Fish and Game (National Wetlands Inventory) are all agencies not listed under Required or Invited Agencies –*

- *It should be noted portions of the Basalt Creek area are outside the jurisdiction of Clean Water Services*
- *Tapman Creek which runs within the Basalt Creek Area- is a tributary to the Willamette.*
- *A significant portion of the Basalt Creek Area contains wetlands identified in the National Wetland Inventory*
- *The Basalt Creek Area contains wetlands listed on the SW Boones Ferry Road Improvement Project (within the Basalt Creek area) included wetlands under the jurisdiction or authority of the Army Corp of Engineers.*
- *all or a combination of these agencies will be required to eventually evaluate the impact of construction and the installation of infrastructure within most of the Basalt Creek area*

THE PARTNERING AGREEMENT-

Community Engagement Section Page 2 .

6. Sharing and exchange of information with the Public is relegated primarily to the section on Community Engagement.

a. The Agreement Draft identifies the public's source of information as through engagement opportunities such as interviews, focus groups, workshops, online survey and comment opportunities.

- The Draft Agreement specifically addresses how information will be provided to the public and controlled by staff members
- "Staff members from the cities will keep others informed during this process and coordinate information that is distributed to the community",
- "Any information that will be distributed for the Basalt Creek Concept Plan will be reviewed by one key staff member from each of the cities".

b. Rather than giving the appearance of transparency of the governmental process, this Draft Agreement can be perceived to be attempting to specifically control flow of information to the public. There is NO statement identifying or implementing public access to meetings where information, discussion and deliberations about the Basalt Creek will take place, which will eventually develop into the Concept Plan for the area upon which the Councils will vote.

7. It is requested the following issues be addressed prior to acceptance of this document -to promote Public access to the decision making process and to document compliance with Public Meeting Laws:

a There is no comment within this section to denote the project commitment to compliance with Oregon's Public Meetings Law .

COMMENTS----BASALT CREEK CONSULTANT CONTRACT- FREGONESE ASSOICATES- DRAFT

Fregonese Associates Consultant Scope of Work Concept Planning for New Urban Areas: Basalt Creek/ West Railroad- December 22, 2013

Similar to the approach to the Partnering Agreement Draft, there is little -if any- emphasis on the need for governmental transparency.

If it is the desire or intent of the City Councils to indicate support of governmental transparency in the decision making process on Basalt Creek Planning-- it would appropriate to state these expectations, and include such directions and goals within the contract. (I.e. assist with establishing and maintaining compliance with Oregon Public Meetings Law) -as this is not included as part of the services listed to be provided.

FREGONESE ASSOCIATES CONTRACT

CONSULTANT SCOPE OF WORK

Task 1 Project Launch 1.3 Page 1

Develop Public Involvement Plan (PIP) under the expected elements .

1. *If the Council wishes to indicate the importance and desire to improve transparency of the planning process- the goal and expectation should be included within the expected elements- and within the Public Involvement Plan (PIP) (i.e. "Include/ enhance public notification of public meetings as per Oregon Public Meetings Law to promote transparency within the planning process"*

a *It is suggested the Council direct the inclusion of the stated goal of governmental transparency – at the onset and within the final draft of the contract- so as to reduce additional costs to include the goal in subsequent draft revisions of the Public Involvement Plan.*

2. The Contract includes a statement about the **Cities Project Management Team (PMT)** (Page 1 – bottom)

a This team (PMT) is not listed or identified within the Partnering Agreement-as are other groups or agencies

b There is no identification of team members or their respective employers

c There is no identification of the scope or limit of work this group is being authorized to implement.

d *There should be consistency between the Partnering Agreement and the Fregonese Contract with regards to identification of collaborating groups or teams within the planning process*

e *The **Cities Project Management Team (PMT)** should be listed and members identified within the Partnering Agreement- especially if this group is being given decision making authority as indicated within this portion of the Fregonese Contract.*

f *The Fregonese Associates Contract gives the **Cities Project Management Team (PMT)** decision making authority to develop the Public Involvement Plan (PIP) with the Consultant- clarification of the scope of this decision making authority should be requested.*

g *Due to the Decision making authority of this group- applicable Public Meetings Laws should be strictly enforced*

h Under "expected elements include"--- a statement should be added regarding the compliance with... Public Notification of Public Meetings (as per Oregon Public Meeting Laws). This will provide the consultant the information necessary to incorporate the communication, as well as the logistical needs required by the law.

Task 2. Develop Guiding Principles, Evaluation Measures Fregonese Contract page 2 of 11

3. *If it is the desire of the Joint Cities Basalt Creek Planning Project to identify governmental transparency as a of the planning process --- this information should be specified and included within Task 2. Develop Guiding Principles, Evaluation Measures as a guiding principle within the consultant's contract.*

Task 3 Inventory Existing Conditions and Draft Report page 3 of 11

4. The Consultant's contract neglects to specify services to be include assessment of the significant natural resources within the Basalt Creek area-
5. There are significant natural resources currently documented within the Basalt Creek Area by US Army Corps of Engineers and the Oregon Department of Land Services.
6. *The Council should direct the Consultant to obtained input from CETAS, Us Army Corps of Engineers, Oregon Department of Land Services or DEQ as to the feasibility of development and the anticipated impact upon the natural resources in the area. These agencies should be listed along with other agencies within the Partnering Agreement-*
7. *The Consultants Contract should include services for obtaining information from Metro, and State and National agencies (i.e. U.S. Fish and Wildlife Service-National Wetlands Inventory; US Corps of Engineers; Oregon Department of Land Services; CETAS; and DEQ) as to the documenting the significant natural resources within the Basalt Creek area- including water quality, wetlands, Uplands, and riparian habitat.*
8. *The Consultants Contract should include services for determining potential limitations to future development or construction of infrastructure may develop due to the significant natural resources known to currently exist in the Basalt Creek area.*
9. *The Consultants Contract should include services for determining potential impact to the significant natural resources due to the construction of infrastructure and development.*
10. *The Consultants Contract should include the potential impact to significant natural resources as one of the evaluation criteria when evaluating various alternative scenarios.*
11. *This information gained should be qualified and included as one of the analysis criteria for each proposed scenario.*

Develop Alternative Scenarios Task 4 Page 4 of 11

12. *The consultant team and CH2M HILL should be directed to include the Significant Natural Resources located within the Basalt Creek area in addition to other existing constraints in the development of Alternative Scenarios*
13. The comment needs to be made--- Public Engagement is not a one way street.
 - a Information needs to flow from the public and well as to the public.
 - b The public should have access to the data obtained and any statistical analysis from public input which is utilized in the formulation of the development of alternatives

ALTERNATIVE CONCEPTS TASKS 5, 6 AND 7 Pages 5-9 OF 11

14. The public should have access to the discussions and deliberations of the alternative analysis- which will provide for and informed public. This understanding the constraints and limitations of the alternative scenarios and the factors which goes in to the decision making process.

RECOMMENDED POSSIBLE JURISDICTIONAL BOUNDARIES TASK 8 Page 9 of 11

15. CH2M HILL should be directed to include the Significant Natural Resources located within the Basalt Creek area in addition to the topography in the preparation of options for jurisdictional boundaries.

16. The public should have access to the discussions and deliberations of the alternative analysis- which will provide for and informed public. This understanding the constraints and limitations of the alternative scenarios and the factors which goes in to the decision making process



G Lucini <grluci@gmail.com>

Meetings on Basalt Creek Planning

messages

From: G Lucini <grluci@gmail.com>
 To: "Sean Brady, City Attorney Tualatin" <SBrady@ci.tualatin.or.us>
 Cc: Grace Lucini <grluci@gmail.com>

Thu, Jan 16, 2014 at 2:16 PM

Sean,

I appreciate your efforts in assisting me at Monday's Council Work Session and following Council Meeting- in understanding the tangent the City of Tualatin/ Joint Cities Planning Project staff utilized in applying Oregon's Public Meeting Laws to the December 2013 Sub Committee's meetings on Basalt Creek Planning.

As I previously mentioned, I have now experienced difficulties with two different departments within the city government of Tualatin regarding posting and/or notification on Public Meetings- after I identified myself as a interested party, provided written notice via the identified staff contact person and requested notification of meetings on a specific topic and of significance and large potential impact--- 1) Tualatin's Master Water Plan Revision, and 2) on the Joint Cities Basalt Creek Planning.

I recently discovered the difficulty I experienced in receiving notice on specific Public Meetings after providing a request --is not unique to me. Another property owner within the Basalt Creek Area told me they also requested notification on Public Meetings on the Joint Cities Planning- did not receive advance notification of the scheduled City Council Work Sessions on Basalt Creek Planning-and stated follow up contacts to City staff were necessary to obtain discussion of the problem.

There is apparently a culture within the City offices which does not embrace the philosophy of governmental transparency, public observation of governmental process or need for public notification of Public Meetings.

At the Tualatin City Council Meeting 1-13-14, City of Tualatin staff members acknowledged the lack of Public Notification regarding previous meetings held on the Basalt Creek Planning within the last months, but again attempted to minimize the lack of compliance with the law-- by saying it was due to the absence of a public relations consultant who will be hired in the near future.

The Co-Coordiators of the Basalt Creek Planning Project are both City Planners; employed by the cities of Tualatin and Wilsonville, as are their support staff; and should be knowledgeable of the requirements of the Public Meetings Laws. Lack of additional support staff does not negate their legal responsibilities regarding the Public Meeting Laws- especially considering the established size of the cities and governments, and the large scope of the project.

There are additional concerns with respect to the Joint Cities Planning Project for Basalt Creek Planning.

Recognizing additional work is needed to fulfill the requirements of the Oregon Public Meeting Laws may cause a reduction in the speed at which an agency or department may wish to forward a project---is not a valid reason for resistance to fulfilling the requirements of the law and is not supported by the State Government.

State of Oregon Department of Justice Attorney General's Public Records and Meeting Manual January 2011, page 115,

We have acknowledged that strict compliance with the substantive requirements of the Public Meetings Law frequently may "sacrifice speed and spontaneity for more process and formality." Nonetheless, we believe that the law's requirements generally will not interfere with a public body's administration".

As a result of our discussion after the Council Work Session on Monday, I realized I was unaware of the stipulation allowing for individual reporting of meetings' activities to a governmental body could influence the determination of a prior meeting's Public Meeting status. In retrospect, this type of action appears to be either a circumstance where the group

who is orchestrating the meeting, knows in advance they do not want any public review (and purposely not post a meeting notice), or a post-event strategy to attempt to correct noncompliance of Public Meeting Laws.

So I spent a few days reading –in order to become more familiar with the subject of Oregon's Public Meeting Laws.

The best which can be said about the actions of the Basalt Creek Planning Project Planners – (who are employees of the cities of Tualatin and Wilsonville) is that taking the actions such as...

- Stating the December 2013 Subcommittee meetings were "informal working meetings" and therefore Public Meeting Laws were not applicable (Email from Cindy Hahn, Project Co-Coordinator , Tualatin City employee 1-7-14)
- Making individual presentations to the Tualatin City Council on 1-13-14- relating their perceptions of the December 2013 Sub Committee meetings

-- has caused a negative beginning to a long planning process, which dulled the appearance of governmental transparency at the very start of the process---- and causes concern as to the limiting the public's ability to be informed about the process (including discussions which may be the basis of future deliberations), as well as public involvement in the future planning process.

In reading the "State of Oregon Department of Justice Attorney General's Public Records and Meeting Manual (January 2011)", I did see the citation which provides the basis of your comments on individual presentations ...

"A gathering of less than a quorum of a committee, subcommittee, advisory group or other governing body is not a "meeting" under the Public Meetings Law. Moreover, if the members of a committee, subcommittee or advisory group are charged to form their recommendations individually rather than collegially through a quorum requirement, the Public Meetings Law does not apply." (Page 121).

Yet, following this very citation- the Manual provides cautions about misuse when meeting participants are instructed to provide individual rather than joint presentation to subvert the policy of Public Meeting Laws:

"In other words, the application of the Public Meetings Laws to meetings of a committee, subcommittee or advisory group depends on whether the appointing body directs the committee members to make their findings and recommendations individually or as a recommendation of the group. If the decision or recommendation is to be made by the group, whether by consensus or majority vote, the Public Meeting Law applies. However, if committee members are instructed to make individual rather than group decisions or recommendations, the "meetings" of the committee are outside the scope of the meetings law. This unquestionably is a difficult area of interpretations, and governing bodies are cautioned not to misuse the committee appointment process or decision-making process to subvert the policy of the Public Meetings Law."

The scope, intent and interpretation of Oregon's Public Meeting Laws is explained in several sections of the Public Meeting Laws Manual.

The Manual provides citations of previous Attorney Generals' interpretation of Oregon's Public Meeting Laws ----some citations seem very relevant to the Inter-governmental meetings which took place in December 2013 on Basalt Creek Planning meetings.

The scope and long term goal of these meetings and the future deliberations of the Joint Cities Planning Project- including important issues such as future growth, zoning, infrastructure, transportation, annexation and changing city limits of a very large geographic area --- all requiring substantive inter-governmental discussions and decisions -- should have caused the Project Planners to post Public Notice of the December 2013 meetings- including specific information sent to Interested Persons who requested notification of Public Meetings on the subject.

Definitions as per the Manual:

The Public Meeting Law applies to meetings of the "governing body of a public body." ORS 192.630(1). A "public body" is the state, any regional council, county, city or district, or any municipal or public corporation. A "public

body is also a board, department, commission, council, bureau, committee, subcommittee or advisory group of any of the entities in the previous sentence. ORS 192.610(4). We interpret the definition of a "public body" to require that the body be created by or pursuant to the state constitution, a statute, administrative rule, order, intergovernmental agreement, bylaw or other official act. If two or more members of any public body have "the authority to make decisions for or recommendations to a public body on policy or administration, "they are a "governing body" for the purposes of the meeting law. ORS 192.610(3)."

Public Meeting Law Identifies Participants including employees without decision making authority as included within the scope of the laws as provided by the Manual

"...the scope of the Public Meetings Laws extends even to private citizens, employees and others without any decision-making authority, when they serve on a group that is authorized to furnish advice to a public body."

The Manual provides explanation of Quorum Requirements

"Quorum" is not defined in the Public Meetings Law. Special statutes often define "quorum" for state governing bodies. Local city and county governing bodies may have "quorum" defined by charter, bylaws or rules of order. ORS 174.130 defines "quorum" as a majority: Any authority conferred by law upon three or more persons may be exercised by a majority of them unless expressly otherwise provided by law."

Types of Public Meetings which are included within Public Meeting Laws – Formal, Informal, Informational, or meetings for Gathering Information for subsequent decision (with or without decisions being made) all qualify under Public Meeting Laws as per Manual

"Subject of Meetings and Social Gatherings-* The Public Meetings Law applies to all meetings of a quorum of a governing body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. ***Even if a meeting is for the sole purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, the meetings law will apply. This requirement serves the policy express are ORS 192.620 that an informed public must be aware not only of the decisions of government but also of "the information upon which such decisions were made". (Bold font added)...**

"...Governing bodies sometimes want to have retreats of goal-setting sessions. These types of meetings are nearly always subject to the Public Meetings Law because the governing body is deliberating toward a decision or official business or gathering information for making a decisions. For example, members of a commission may wish to have an informal, long-range planning session to help guide (in general terms) the future priorities of the commission. Because the discussion at such a session is very likely to lay the foundation for subsequent decisions, whether a decisions on which general issues to pursue over the next year or a decision on how to approach particular issues, it would be subject to the meetings law. Even an informal "get together between a state commission and state legislators or the Governor would be subject to all of the requirements of the meetings law."...

"...It does not matter that the discussion is "informal" or that no decisions are made; it is still a "meeting" for the purposes of the Public Meetings Law".

Additionally, the Manual provides a FAQ section-- with a response provide by the Oregon State's Attorney General's office.

Two questions presented as examples of how to interrupt the Open Public Meeting Laws are very similar to the situation at hand:

Oregon Attorney General's Public Records and Meetings Laws Manual- Appendix A Frequently Asked Questions

1) "Q. May a three-member governing body meet with staff in carrying out its administrative functions, without complying with all the notice and other requirements of the Public Meetings Law?"

A If the governing body is meeting in order to obtain information on which it later will deliberate, or to deliberate or decide on substantive matters, it must comply with the notice, public attendance and recordkeeping requirements of the Public Meetings Law."

2) "Q. As a member of a three-member governing body, must I notify the press and public and arrange for their attendance every time I drop into a colleague's office or make a phone call to another member?"

A Yes, if you discuss the business of the governing body. The law requires that the public have access to any meeting or a quorum of a governing body when the governing body meets to gather information, on which it will alter deliberate, or to deliberate or make a decision on any matter of policy or administration."

While it is apparent there are potentially conflicting interpretations of laws regarding the classification of the two meetings which were held in December 2013, regarding the Basalt Creek Planning, the Manual also addresses cases of conflict in the opening comments under Policy of the Public Meeting Law (Page 115):

All substantive provisions of the Public Meetings Law should be read in light of the policy declaration in ORS 192.620. In case of questions about the application of the Public Meetings Law to particular circumstances, the policy section of the law ordinarily will require a decision favoring openness"

The key requirement of the Public Meetings Law are to hold meetings that are open to the public unless an executive session is authorized, to give notice of meetings and to take minutes or otherwise record the meeting. In addition there are requirements regarding location, voting and accessibility for disabled persons."

As a result of my attempts to understand and gain a working knowledge of the requirements of Oregon's' Open Meeting Laws, I think a fair argument can be made to substantiate the reasons why the two December 2013 meetings held over a 2 weeks period of the Joint City's Basalt Creek Planning Subcommittee – did not comply with the Attorney Generals interpretation of the Public Meeting Laws with respect to notification and posting of the minutes of the meetings- based upon-

- The Basalt Creek Joint Cities Sub Committee was selected and developed to comprise of two elected council members from two different city governments for a total of four elected officials established to expedite the goals of the Basalt Creek Joint Cities Planning project...
- The minutes of the 10-29-13 Joint Cities meeting provides the scope and authority of the Sub Committee..."
 - Will provide input to structure and timeline and then come back.
 - Okay with subcommittee setting up structure of the process and recommendation
 - on how to get other peoples' input throughout process
 - Need robust information brought back to both Councils from the subcommittee
 - Councilors Monique Beikman and Joelle Davis volunteered for the subcommittee from the City of Tualatin.
 - Councilors Richard Goddard and Susie Stevens volunteered to represent the City of Wilsonville"
- During the December meetings, discussions were held as to how to start the planning of the future of a significant intergovernmental project---the changing of governance over hundreds of acres of residential and industrial land.
- During the two December 2013 meetings, the Sub Committee was "convened charged with establishing a decision making framework and identifying community engagement techniques to be used throughout the project." (Tualatin City Memorandum Work Session Agenda of 1-13-14)
- Specific documents were discussed at the meeting and subsequent drafts generated which will provide the basis and time line for all future deliberations on the Joint Cities Planning.

The method by which the Project Planners orchestrated the two meetings in December 2013 does not meet the spirit of the laws as stated in the Public Meetings Manual, *"The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly."*

The Public Meetings Manual is very informative in providing clarification as to how to implement notification; to whom public notice should be given- and how specific the subject matter of the public notice should be given.

It is apparent the Project Planners did not originally comply with this portion of the law with respect to the scheduled January 2014 City Council Work Sessions for Tualatin and for Wilsonville where the Project Planners submitted content for inclusion into the agendas. Now several days after this issue was brought to their attention, there is only partial compliance.

Requirements of the Law- Notice

The Public Meetings Law requires that public notice be given of the time and place of meetings. This requirement applies to regular, special and emergency meetings as those terms are used in ORS 192.640. The public notice requirements apply to any "meeting" of a "governing body" subject to the law, including committees, subcommittees and advisory groups."...

The Public Meetings Law does not require that every proposed item of business be described in the notice. The law requires a reasonable effort to inform the public and interested persons, including news media, of the nature of the more important issues ("principal subjects") coming before the body."...

The Public Meetings Law requires that the notice of any meeting "include a list of the principal subjects anticipated to be considered at the meeting" ORS 192.640(1). This list should be specific enough to permit members of the public to recognize the matters in which they are interested."... *"For example, "public works contract" probably is not a sufficient description when the governing body intends to let a contract for demolition of a landmark building."*...

"The goal of notice for any meeting is two-fold: to provide general notice to the public at large and to provide actual notice to specifically interested persons. The following are suggested methods of meeting the" requirements..."

"Press Releases- Local Media Representatives- *If a meeting involves matters that affect a particular geographic area, press releases should be sent to the local media."*...

"Mailing Lists- *Agencies maintaining mailing lists of licensees or other persons or groups for notice purposes, wither as a regular practice or under the requirements of ORS 183.335(8), should mail for fax notices of regular meetings to persons on those lists."*

"Interested Persons- *If a governing body is aware of persons having a special interest in a particular action, those persons generally should be notified, unless doing so would be unduly burdensome or expensive."*

After a Public Meeting- the Manual provides clarification on the requirement for all Public Meetings to generate minutes of the meeting

"Minutes and Recordkeeping- the Public Meetings Law requires that the governing body of a public body provide for sound, video, or digital recording or written minutes of its meetings ORS 192.650(1). The record of a meeting, whether preserved in written minutes or a sound, video, or digital recording, shall include at least the following information:

- *Members present*
- *Motions proposals, resolutions, orders, ordinances and measures proposed and their disposition:*

- Results of all votes and except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;
- The substance of any discussion on any matter; and
- Subject to the Public Records Law ORS 192.410 to 192.505, a reference to any document discussed at the meeting. (Such reference does not change the status of the document under the Public Records Law. ORS 192.650(3).)“...

"Written minutes or a sound, video or digital recording of a meeting be made available to the public "within a reasonable time after the meeting." ORS 192.650(1). If written minutes are prepared, they cannot be withheld from the public merely because they will not be approved until the next meeting of the governing body. If minutes have not been approved, they may be so identified. In any event, any completed minutes or sound, video or digital recordings are public records subject to disclosure under the Public Records Law."

It is my hope and intent that actions be taken to ensure future meetings on Basalt Creek Planning are carried out in the spirit of Oregon Public Meeting Laws which are intended to provide transparency in governmental activities.

I request:

Notification:

- The Project Planners, staff and their respective departments make a concerted effort to fulfill all written requests for Notification of Interested Parties of Public Meetings on Basalt Creek Planning.
- Provide the public clear instructions as to the procedure for requesting for Notification of Interested Parties on public meetings on Basalt Creek Planning
- Establish a designated staff member or entity and procedure (with accountability required) for ensuring requested notification has been sent prior to a Public Meeting on Basalt Creek Planning
- Develop an electronic mail list
 - specifically for Basalt Creek Planning –
 - including all future Public Meetings, dates, locations ;
 - identified as and containing sufficient pertinent information as to be meaningful on the subject.
 - The City of Tualatin has previously established and disseminated electronic postings to individuals on specific subject matters- so the development of an electronic notification list specifically for Basalt Creek Planning should not be financially burdensome or difficult.
- Include dissemination of notification of Public Meetings regarding Basalt Creek Planning to the News Media
- If the Basalt Creek Joint Cities Planning Project elects to continue to utilize the BasaltCreek.com website to disseminate information –
 - provide written notice of this website to interested parties-including but not limited to those owning property within the Basalt Creek Area, and to recognized neighborhood associations in the near proximity.
 - provide reference to the BasaltCreek.com in public notifications on the planning
 - provide cross reference between the BasaltCreek.com website and the posting of meetings and meeting minutes to the websites of both cities.

Planning of Meetings

- Staff should expect public attendance at any Public Meeting on Basalt Creek Planning. Future Public Meetings on Basalt Creek Planning be located in locations and rooms with facilities to accommodate public attendance.
- Information be provided in the public notice on Basalt Creek Public Meetings indicating if public comment/testimony will be allowed at the public meeting.
 - This request is not based upon a legal requirement,
 - The request is an attempt to clarify expectations for citizens who are not familiar with governmental process, and the Public Meeting Laws and the rights of citizens to attend does not also infer participation.
 - The benefits of this request may provide assistance to
 - keeping the public informed and setting their expectations for participation as to the mechanics of the various meetings--- some which allow public testimony and some which do not.
 - sets the establishment of a meetings ground rules by those directing a meeting – by addressing the issue prior to a meeting, and can assist in reducing time taken during a meeting to address a citizen's request

Minutes and Record Keeping

- Due to the large scope of the project- involving a large geographic area, multiple governmental jurisdictions and agencies-demonstrates the broad need for general public dissemination of the Minutes of Public Meetings on Basalt Creek Planning
 - Minutes of Public Meetings to be posted in a timely manner
 - Minutes be disseminated in a manner similar to other Public Meetings held by the City's Councils, Subcommittees, or other Advisory Groups (i.e. City Website) which are available for free public electronic access-
 - Minutes of Public Meetings on Basalt Creek Planning should include information as identified in the Oregon Attorney Generals Public Records and Meetings Manual – Public Meetings- Minutes and Record Keeping.
- Post the minutes of the two December 2013 Sub Committee Meetings

Implementation

- Review of the purpose and need for Public Notice of Public Meetings with City of Tualatin staff - to address the apparent lack of compliance within the City government.
 - Staff members should be provided the knowledge that "informational" meetings are also included within the scope of Public Meeting Laws, and should not be used as a rational for lack of providing Public Notice.
- Provide additional education to other members of the Basalt Creek Planning Project who are not employees of the City of Tualatin regarding Public Meeting Laws.
- Include emphases on the need and goal for governmental transparency-
 - as an important criteria within the planning process and
 - a working principle for consultants hired for the project

Continuing Concerns

As a result of my previous written requests for notification of Public Meetings as an Interested Person for a public project; the type of responses I received from the staff of the City of Tualatin, and staff of the Basalt Creek Joint Cities Planning Project; and their apparent lack of knowledge/compliance with the Oregon Public Meetings Laws, I continue to have concerns as to future compliance issues and who will be responsible for monitoring these issues.

- I do have continuing concerns regarding the development of the "Agency Reviews Team" as identified in the Basalt Creek Concept Plan – Project Partnering Agreement- December 2013 Draft.
- I would appreciate the City Attorneys of Tualatin and Wilsonville clarifying the various entities listed in the Roles and Responsibilities section of the Basalt Creek Concept Plan – Project Partnering Agreement- December 2013 Draft and how any meetings held by these entities will comply with the Public Meetings Laws.
 - Council Subcommittees
 - Joint City Councils
 - Tualatin City Council
 - Wilsonville City Council
 - Tualatin Planning Commission
 - Wilsonville Planning Commission
 - Community Engagement
 - Agency Review Team
 - Tualatin and Wilsonville Staff Members
- I would appreciate the City Attorneys of Tualatin and Wilsonville to clarify the statements within these documents with regard to Oregon's Public Meeting Laws ----and an identification of who will be responsible for monitoring compliance as the Joint Planning progresses.
 - Basalt Creek Concept Plan – Project Partnering Agreement- December 2013 Draft states –"*Major agreements will be discussed at meetings, but some elements of decisions for moving forward with technical work may be made outside of meetings. As appropriate, the Agency Review team will be consulted with and informed. As requested, additional staff from each agency will be copies on communications for meetings, review of materials and general coordination when other related area projects may be involved.*"

- The Minutes of the Basalt Creek Planning Joint Cities Meeting held 10-29-13 stated, "*Staff should develop the structure; do not have issue with staff coming up with plan and then the Councilors can provide input on that*"-which appears to exclude the public from witnessing the deliberations taking place involving the discussions on the creation of the eventual plan.

I have attached a copy of the Public Meetings Checklist should the City staff find the information helpful.

I hope you will bear with me as I attempt to understand this process and learn how to navigate through two different City Governments; in a process in which I have no representation; while the two cities work on developing methods to cooperate and jointly solve this planning project; over future governance of land in which they may have conflicting goals. The outcome of these deliberations and planning will directly impact my home.

I am attempting to work with the Cities in resolving my concerns.

My goal is to try to promote transparency and restore some trust which some residents of the local area feel has been broken- based on actions taken by various governments (including the cities of Tualatin and Wilsonville) over the past years which have or may have a negative impact on our homes and livelihoods.

As always, thank you for your time,

Grace

503 692 9890

Published Citations by Oregon Attorney Generals – Opinions and Advice on Public Meeting Laws-

State of Oregon Department of Justice Attorney General's Public Records and Meeting Manual, January 2011

Letter of Advice (OP-6292), September 12, 1988


The Public Utility Commission must comply with the Public Meetings Law when a quorum of the commission meets with staff to receive informational briefings on general topics of public utility regulation and agency administration. Even if information conveyed at the briefing did not relate to a matter requiring immediate action, the information could have some bearing on future decisions, the responsibility for which is placed upon a quorum of the commission"

38 OP Attn Gen 1471, November 4, 1977

Information-gathering sessions of a public body (except on-site inspections) are "meetings" under the Public Meetings Law

41 OP Atty Gen 28, July 14, 1980

Home-rule cities and counties are subject to the Public Meetings and Records Laws. Regular or special meetings between members of administrative staff and a county governing body are "public meetings". Notation of regular and special meeting dates on a master calendar in the board's office is not sufficient notice of meetings. Notice is not specifically required to contain an agenda but other statutes governing specific subject matter may require an agenda. (Note: ORS 192.640(1) has since been amended to require "a list of the principal subjects anticipated to be considered at the meeting.") Any meeting of two or more members of a three-member governing body is a "public meeting" if the purpose is to decide or deliberate toward a decision on matters within the jurisdiction of the board, regardless of who may or may not be present"

 **Public Meeting Check List - OR Attorney Generals Public Meeting Manual.pdf**
103K

Sean T. Brady <SBrady@ci.tualatin.or.us>
o: G Lucini <grluci@gmail.com>

Thu, Jan 16, 2014 at 3:07 PM

Hi Grace,

Thank you for your email. I completely understand your concerns and the issues you've raised. I forwarded a copy to Ms. Sherilyn Lombos (City Manager) and Ms. Alice Cannon, Assistant City Manager, who supervises the Planning Department. My understanding is that this particular subcommittee is no longer meeting. If there are meetings in the future and the meetings are such that the public meeting law applies, they will be appropriately noticed. For those meetings where the public meeting law does not apply, it is not my individual decision whether to still notice these meetings to the public, so I cannot make any commitments to you on that issue. I certainly understand where you are coming from and I have notified City staff of your concerns. Thank you.

Sean T. Brady

City Attorney

City of Tualatin | Legal Services

18880 SW Martinazzi Avenue

Tualatin, OR 97062-7092

503.691.3015 | Fax: 503.692.0147

www.tualatinoregon.gov

sbrady@ci.tualatin.or.us

From: G Lucini [<mailto:grluci@gmail.com>]
Sent: Thursday, January 16, 2014 2:16 PM
To: Sean T. Brady
Cc: Grace Lucini
Subject: Meetings on Basalt Creek Planning

[Quoted text hidden]

Grace Lucini <grluci@gmail.com>
o: Tualatin Councilor Joelle Davis <jdavis@ci.tualatin.or.us>
cc: Grace Lucini <grluci@gmail.com>

Thu, Jan 16, 2014 at 6:32 PM

Joelle,

Thought you might be interested in the follow-up to my communications with City Attorney Sean Brady regarding Basalt Creek Planning-lacking compliance with Oregon Public Meeting Laws

- impacting an "informed public which must be aware not only of the decisions of government but also of "the information upon which such decisions were made".

Grace

[Quoted text hidden]



Public Meeting Check List - OR Attorney Generals Public Meeting Manual.pdf

103K



G Lucini <grluci@gmail.com>

Basalt Creek Area Planning**G Lucini** <grluci@gmail.com>

Wed, Jan 8, 2014 at 1:09 PM

To: Grace Lucini <grluci@gmail.com>

Hi Cindy,

Thank you for your follow-up phone call yesterday --to the email below.

I appreciated the opportunity to discuss the merits of informing citizens of public meetings-- which can be beneficial to the goal of the Basalt Creek -Joint Cities Planning.

Residents of the Basalt Creek area have proven their interest in the planning of the area by attendance at meetings which have been posted publicly, as well as having requested notification either directly or through the BasaltCreek.com website over the past years.

Providing potentially affected citizens an opportunity to hear the discussions and limitations on this project now that the Joint Cities is refining the planning allows a greater understanding of the constraints and limitations within the decision making process.

By encouraging public involvement within the process, providing ample opportunities for public input and most importantly utilizing and incorporating the wealth of information and feedback which the citizens of the area are willing to share into the plans which will ultimately develop from this process---- will most likely promote and encourage community support and buy-in.

And, by providing the notification on meetings where two or more members, with the authority to make decisions for or recommendations to their respective City Councils on policy or administration, will assist in addressing the publics' need for transparency as the Basalt Creek planning progresses.

As I understand from yesterday's conversation, future public meetings on Basalt Creek planning will be posted on the BasaltCreek.com website.

These notifications will include City Council meetings (including work sessions) for both Tualatin and Wilsonville, as well as other public meetings (ORS 192.610 to 192.690) relating to the Basalt Creek- Joint Cities Planning.

As we discussed, I forwarded your email from yesterday to many of my neighbors - to provide them access to the information on the additional public meetings scheduled regarding the Basalt Creek-Joint Cities Planning which had not yet been posted to the BasaltCreek.com website.

A suggestion I poised in my email to Ben Bryant (but we did not discuss in yesterday's call) is the creation of a ListServe

specifically for the Basalt Creek Planning. I bring this suggestion up again, as you mentioned during our conversation--the citizen comment and request for notification from BasaltCreek.com is apparently co-mingled with a much larger generic community transportation database.

Since the scope and impact of the Basalt Creek Planning spans multiple jurisdictions, zoning issues, development codes, and affects property owners outside the city limits of Tualatin and Wilsonville, it may warrant a separate ListServe.

While I do not know the limitations of how the current database is structured and the difficulties involved in creating a separate list for Basalt Creek, I do know the benefits would include improved direct communication to interested citizens- as they will not be bombarded with extraneous notifications on transportation projects relating to other communities.

An additional benefit of a separate ListServe will be the ability to document early stage community outreach specifically for Basalt Creek when necessary for all stages of development and implementation.

I appreciate the time you took to call me and your offer to call you should I have future questions or concerns.

Please let me know if I miss-understood any parts of our conversation.

Thanks again for your phone call.

Grace
503 692 9890

On Tue, Jan 7, 2014 at 2:22 PM, CINDY HAHN <CHAHN@ci.tualatin.or.us> wrote:

> Hi Grace,
>
>
>
> You are correct that there were two Joint Council Subcommittee meetings, on
> December 12 and 30, 2013, to discuss a decision making framework and
> community engagement for the Basalt Creek Concept Planning process. These
> were informal working meetings, therefore, no public notification was made.
>
>
>
> Tualatin staff and Subcommittee members will be providing an update on the
> Basalt Creek Concept Plan process to the Tualatin City Council at work
> session on January 13, 2014. An agenda and packet for this presentation can
> be found here:
> <http://www.tualatinoregon.gov/citycouncil/city-council-work-session-44>.
> Scroll to page 91 of the packet to read the staff memorandum and
> attachments. The draft Partnering Agreement and a process diagram are
> included as attachments and I encourage you to review these at your
> convenience.
>
>
>
> Tualatin staff will be taking the consultant contract, scope of work, and
> budget to City Council at the meeting on January 27, 2014. This agenda and
> packet will be posted on January 17, 2014, at this location:
> <http://www.tualatinoregon.gov/citycouncil/city-council-meeting-140>.
>

>
>
> Wilsonville staff will be providing an update to the Wilsonville City
> Council at work session on January 23, 2014. Please check the Wilsonville
> website for the staff report and attachments.
>
>
>
> You are on the contact list to receive email updates on the Basalt Creek
> Concept Planning project in the future once the process is underway. Updates
> also will be posted to the Basalt Creek website:
> <http://www.basaltcreek.com/>.
>
>
>
> Thank you for your interest in this project. Please let me know if you have
> any other questions.
>
>
>
> Best regards,
>
>
>
> Cindy
>
>
>
> Cindy L. Hahn, AICP
>
> Associate Planner
>
> City of Tualatin | Community Development Department, Planning Division
>
> 18880 SW Martinazzi Avenue, Tualatin, OR 97062
>
> 503-691-3029 | chahn@ci.tualatin.or.us | www.tualatinoregon.gov
>
>
>
> From: G Lucini [<mailto:grluci@gmail.com>]
> Sent: Monday, January 06, 2014 7:53 PM
> To: BEN BRYANT
> Cc: Alice Cannon; AQUILLA HURD-RAVICH; CINDY HAHN
> Subject: Re: Basalt Creek Area Planning
>
>
>
> Hi Ben,
>
>
>
> Hope you had a good New Year.
>
>
>
> I am following up on the planning of the Basalt Creek area by the Cities of
> Tualatin and Wilsonville. I see there is an agenda item on Basalt Creek
> Planning on the Jan. 13, 2014 Tualatin Council Work Session.
>
>
>
> Since my neighbors and I do not have any elected representation within the

1/10/2014

> Tualatin-Wilsonville Joint Planning Project, it is extremely important to us
> that we hear discussion which is held on all phases of the planning for this
> area.
>
>
>
> I attended the Basalt Creek Joint City meeting on October 29, as did my
> husband and some of my other neighbors who live within the area being
> discussed.
>
>
>
> It appears that there were two subsequent meetings on December 12 and on
> December 30, 2013 of a Joint Council subcommittee comprised of two elected
> officials from the City of Tualatin and two elected officials from the City
> of Wilsonville (as well as staff and consultants) where a decision making
> framework was discussed, as was community engagement techniques for the
> Basalt Creek Area.
>
>
>
> Although I previously requested to be included in any public notification
> regarding any planning for the Basalt Creek Area, I did not see any posting
> of either of these two meetings.
>
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>
> Would you let me know where and how I will be able to find in the future -
> the posting for any other public meetings relating to the planning of the
> Basalt Creek area-especially those involving 2 or more elected
> officials-prior to the date of the meetings.
>
>
>
> Since the residents of this area do not have an elected official
> participating in these meetings, would it be reasonable to at least provide
> a list serve to the potentially affected residents, to provide us some
> enlightenment as to what the future may hold.
>
>
>
> Looking forward to hearing from you.
>
>
>
> Grace Lucini
>
> 503 692 9890
>
>
>
>
>
> On Thu, Sep 26, 2013 at 8:29 AM, BEN BRYANT <BBRYANT@ci.tualatin.or.us>
> wrote:
>
> Hi Grace,
>
>
>
> Thanks as always for your interest. We haven't quite started the outreach

> meetings yet, but we definitely will make sure you are involved. The next
> meeting for the Basalt Creek Concept Planning (land use phase) is October 29
> at Wilsonville City Hall. That meeting is scheduled as a joint Council
> meeting with both City of Tualatin and Wilsonville Councils. It should mark
> the kick-off of concept planning work. Once we are closer to that date, we
> will post an announcement on our website.

>
>
>
> In the meantime, we are developing our staff team and getting ready for the
> next phase if this project.

>
>
>
> Thanks, Ben

> Sent from my iPhone

>
> On Sep 25, 2013, at 3:23 PM, "G Lucini" <grluci@gmail.com> wrote:

> Hi Ben,

>
>
> I remember the last time we discussed Basalt Creek Planning, it was
> mentioned formation of public input groups would start around September
> 2013.

>
>
> Can you tell me how the process is going?

>
>
> Let me know if there someone I should contact, or any action I should take,
> to become involved in any meetings/ groupings / planning--- involving the
> Basalt Creek area.

>
>
> I am interested in all aspects of planning for the area-- including (but not
> limited to) transportation, zoning, environmental impact etc.

>
>
> Thanks,

> Grace Lucini

>
> 503 692 9890

King, Sandy

From: Cosgrove, Bryan
Sent: Thursday, January 23, 2014 9:41 AM
To: grluci@gmail.com
Cc: Mangle, Katie; Kraushaar, Nancy; Neamtzu, Chris; King, Sandy; Fitzgerald, Julie; Mayor Tim Knapp; richardgoddard2010@gmail.com; scottstarr97070@gmail.com; Stevens, Susie
Subject: Basalt Creek

Ms. Lucini,

Thank you for contacting Wilsonville City Council regarding your concerns about the Basalt Creek Concept Planning project. With regard to how the cities follow Oregon Public Meetings Law, you make some good recommendations about how the Basalt Creek Planning process should implement this law going forward. While this is a joint planning project with Tualatin, I am confident your solutions will be incorporated into the final drafts of the Decision Making Agreement, Scope of Work, and future Public Involvement Plan. Wilsonville is committed to conducting a transparent process that uses public resources wisely.

Thank you also for your feedback on the draft scope of work, which was prepared by Fregonese Associates in collaboration with project staff. Though Wilsonville staff collaborated on drafting the scope of work, there is no action to be taken by Wilsonville Council at its January 23 meeting. Keep in mind that this is a broad scope of work that outlines the project approach for budgeting purposes. The very first task (Task 1) will be to develop a detailed action plan and specific implementation steps, including public involvement, natural resources data collection, and preparing findings for compliance with Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces).

Please attend the work session on January 23, and if you do not feel we have appropriately responded to your concerns, you are welcome to address the Council during the Citizen Comment portion of the 7pm Regular Session meeting the same evening.

Bryan Cosgrove,
City Manager

503.570.1504 (work)
503.754.0978 (cell)
cosgrove@ci.wilsonville.or.us
29799 SW Town Center Loop
Wilsonville, Oregon 97070

DISCLOSURE NOTICE: Messages to and from this E-mail address may be subject to the Oregon Public Records Law.

"In times of change learners inherit the earth while the learned find themselves beautifully equipped to deal with a world that no longer exists."

- Eric Hoffer

CITY COUNCIL MEETING STAFF REPORT

| | | |
|---|--|---|
| Meeting Date: January 23, 2014 | Subject: Three-Year Bicycle and Pedestrian Connectivity Action Plan Staff Members: Nancy Kraushaar, Katie Mangle, Jen Massa-Smith Departments: Community Development and SMART | |
| 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: This item is in response to Council's Goal to develop a plan to improve bike and pedestrian connectivity throughout the community and integrate the plan in the City's Capital Improvement Plan. | |
| Staff Recommendation: Information only. | | |
| Recommended Language for Motion: N/A | | |
| PROJECT / ISSUE RELATES TO: | | |
| <input checked="" type="checkbox"/> Council Goals/Priorities Goal 4. Clear Vision and Community Design a. Develop a plan to improve bike and pedestrian connectivity throughout the community and integrate the plan in the City's Capital Improvement Plan. | <input type="checkbox"/> Adopted Master Plan(s) | <input type="checkbox"/> Not Applicable |

ISSUE BEFORE COUNCIL:

This is an update on staff work completed to date on Council Goal #4a that touches on both planning and implementation. Staff will share the final products, a printed brochure, and an interactive website.

EXECUTIVE SUMMARY:

The City has many long-range plans that clearly identify needs, outline future connections, and plan for specific actions to improve connections within the community. These plans include the recently adopted Transportation System Plan (TSP), the 2008 Transit Master Plan, 2006 Bicycle and Pedestrian Master Plan, and 2007 Parks and Recreation Master Plan. All of these long-range plans share a vision of a community connected by sidewalks, bikeways, and trails.

Developing a new plan to connect the community is not necessary. Instead, staff focused on articulating this shared vision and explaining how the City is implementing these adopted plans over the next few years. The product of this effort is the Bicycle and Pedestrian Connectivity Action Plan, which will integrate existing information about: capital projects, parks projects and programs, SMART programs, the Healthy Eating Active Living (HEAL) Cities program, development planning, and regional projects.

The outcome of the Bicycle and Pedestrian Connectivity Action Plan is two products:

1. The Bicycle and Pedestrian Connectivity Action Plan, which is summarized in a brochure (and will be distributed at the meeting), with more project information available on the website (which is live now):
<http://www.wilsonvilleconnectivity.com>
2. A table of projects and programs for near-term implementation, to be integrated into the Capital Improvement Plan, annual work plans, and budgets. The table includes information on the funding source, schedule, next action items, and responsible department/ staff member.

EXPECTED RESULTS:

The Action Plan brochure and website will serve as a “clearinghouse” for people who are interested in walking and biking around Wilsonville. Information that is otherwise found in many different places is gathered here to illustrate what the City is undertaking. The performance measures will help Staff and the community track progress over time.

TIMELINE:

The project is complete. During January the City will promote the website, and SMART will integrate the brochure into its outreach efforts throughout the year. Community Development staff plan to update the Action Plan annually.

CURRENT YEAR BUDGET IMPACTS:

The budget for this project was approximately \$10,000, and was accommodated within the adopted Community Development budget. The expense of publishing the brochure is funded by a federal grant.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____JEO_____ Date: _____1/10/14_____

The costs for this project are within the current year budget.

LEGAL REVIEW / COMMENT:

Reviewed by: MEK_____ Date: 1/8/2014_____

N/A as this is informational.

COMMUNITY INVOLVEMENT PROCESS:

This Action Plan is conveying projects, programs, and priorities that evolved from other planning processes. The public engagement that created those plans is not being repeated. This Action Plan is instead focused on communicating with the community how those plans are being implemented.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

Staff from Planning, SMART, and Parks frequently field questions from community members and the press about Wilsonville's accomplishments, e.g., how many miles of bike lanes has Wilsonville created? When will the next Wilsonville Sunday Streets be? Creating one easy-to-digest place for articulating activities underway and measures of success will make it easier for many people to understand how planned improvements are moving from vision to implementation.

ALTERNATIVES:

None.

CITY MANAGER COMMENT:

This project fulfills one requirements of Council Goal 4(a).

ATTACHMENTS:

None.

CITY COUNCIL MEETING STAFF REPORT

| | |
|--|--|
| Meeting Date: January 23, 2014 | Subject: City Council liaison representation to various intergovernmental regional boards and committees 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: The City Council is expected to appoint liaison representatives and alternates for the City to various regional intergovernmental boards and committees. |
| Staff Recommendations: City Council appoints members to act as the primary representative or alternate for the City to various regional intergovernmental boards and committees. | |
| Recommended Language for Motion: Not applicable. | |
| 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

City Council representation on regional boards and committees.

EXECUTIVE SUMMARY

The City of Wilsonville is represented by City Council members on various boards and committees throughout the region. Most of these intergovernmental bodies require or request an elected official of the City to be the primary representative and/or the alternate representative.

INTERGOVERNMENTAL BOARDS AND COMMITTEES FOR CITY COUNCIL APPOINTMENT

The City Council is expected to appoint members as primary or secondary representative to the various boards and committees as outlined below.

Standing meetings of elected officials and appointed representatives

| Leadership Body | Meeting Date/ Time | Location | Current City Representatives and Alternates 2013 |
|--|---|---|---|
| Washington County Coordinating Committee ("WCCC") | <i>Monthly:</i> 1 st or 2 nd Monday 12:00 – 1:30 pm | Beaverton Library or Beaverton Community Center | Representative: Mayor Knapp 1st Alternate: Councilor Goddard 2nd Alternate: Councilor Stevens |
| Clackamas County Coordinating Committee ("C-4"): Main body or Cities Subcommittee | <i>Monthly:</i> 1 st Thursday 6:45 – 8:45 pm | Clackamas County Development Services Building, Oregon City | Representative: Mayor Knapp Alternate: Councilor Fitzgerald |
| Clackamas County Coordinating Committee Metro Subcommittee ("C-4 Metro Subcom") | <i>Monthly:</i> 1 st Thursday 7:30 – 9:00 am | Clackamas County Development Services Building, Oregon City | Representative: Mayor Knapp Alternate: Councilor Fitzgerald |
| Regional Water Providers Consortium Board of Directors | <i>Three times/year:</i> Wednesday Feb 5, June 4 & Oct 1, 7:00 pm | Metro Council Chambers, Portland | Representative: Councilor Starr Alternate: Councilor Goddard |
| French Prairie Forum Local Governments Work Group | <i>Monthly:</i> 3 rd Wednesday 2:00 – 4:00 pm | OSU North Willamette Research & Extension Center | Representative: Councilor Stevens Alternate: Councilor Goddard |
| Positive Aurora Airport Management ("PAAM") | 4 th Thursday 8:30 – 10:00 am | Willamette Aviation; 23115 Airport Road NE | None |

Summary of Leadership Bodies

Washington County Coordinating Committee ("WCCC") is composed of representatives of all the cities (cities of Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, King City, Hillsboro, North Plains, Tigard, Tualatin, Sherwood and Wilsonville) and the county of Washington County; Tri-Met and Metro representatives attend as ex-officio members. The WCCC, which is advised by a staff-level technical advisory committee, Transportation Advisory Committee, reviews and makes recommendations on land-use and transportation matters and funding proposals to the Board of County Commissioners for Major Streets Transportation Improvement Program (MSTIP) transportation projects and to Metro for transportation projects, and appoints the cities' representatives to JPACT.

Clackamas County Coordinating Committee ("C-4") is composed of all the cities (Metro jurisdiction cities of Damascus, Gladstone, Happy Valley, Johnson City, Lake Oswego, Milwaukie, Oregon City, Rivergrove, Tualatin, West Linn and Wilsonville; and the non-Metro/rural cities of Barlow, Canby, Estacada, Molalla and Sandy) and the County of Clackamas County, along with representatives of special districts and hamlet/villages; representatives from

Metro, urban and rural transit agencies and the Port of Portland are ex-officio members. C-4, which is advised by a staff-level technical advisory committee known as "CTAC," reviews and makes recommendations on land-use and transportation matters, principally to the Board of County Commissioners. C-4 meets monthly either as the full, main body or in subcommittees as Cities Subcommittee or Non-Cities Subcommittee (districts, hamlets, etc.)

Clackamas County Coordinating Committee Metro Subcommittee ("C-4 Metro Subcom") is a committee of C-4 composed of the county and 10 Clackamas County cities located with Metro's UGB jurisdiction — the cities of Damascus, Gladstone, Happy Valley, Johnson City, Lake Oswego, Milwaukie, Oregon City, Rivergrove, Tualatin, West Linn and Wilsonville. The C-4 Metro Subcommittee reviews and makes recommendations to the Board of County Commissioners and to Metro for transportation projects funding and other policy matters, appoints the cities' JPACT representatives.

Regional Water Providers Consortium Board of Directors was established through the Regional Water Providers Consortium Intergovernmental Agreement (IGA). Board members meet tri-annually and represent the governing board, commission or council of their participant agency. Formed in 1997, the Consortium focuses on issues pertaining to the metro region's domestic water supply through conservation, emergency preparedness planning and water supply coordination. The Consortium coordinates the implementation and revision of the Regional Water Supply Plan, provides a forum for study and discussion of water supply issues, and communicates adopted policy and strategies to the public, agencies and stakeholder groups.

French Prairie Forum Local Governments Work Group is an informal monthly meeting of representatives of the cities of Aurora, Canby, Donald, Hubbard, Wilsonville and Woodburn; counties of Clackamas and Marion; Aurora Rural Fire Protection District; and the Confederated Tribes of Grand Ronde. Topics of discussion are wide ranging and include land-use, transportation and transit, governance issues, economic development, agricultural and tourism promotion and more. This group is not a formally chartered body and makes no formal recommendations.

Positive Aurora Airport Management ("PAAM") is a nonprofit organization formally established in 1998 with a stated purpose "to promote and preserve safe and efficient operation of the Aurora State Airport, to promote the economic viability of the Aurora State Airport and to enhance its compatibility with the surrounding neighborhoods." "Any natural person who is interested in aviation and the Aurora State Airport and is a representative of State, County or City Government shall be eligible for ex-officio membership [non-voting]." "Ex -officio members shall not be liable for annual dues." "Organizational memberships shall designate a primary and not more than three alternates to represent the organization at PAAM meetings." The corporation has the following standing committees: Noise Abatement, Airport Security, Membership, Airport Improvement, Aviation safety, Public relations, Airport management and economic development. Representatives of the City have periodically attended PAAM meetings; Councilor Susie Stevens as a private citizen has attended and participated for a number of years in PAAM, including acting as secretary.

Occasionally, special ad-hoc inter-governmental bodies, such as the Oregon Dept. of Aviation's Aurora Airport Master Planning Committee or Metro/Washington County's Basalt Creek Concept Planning Study, requires a City Council appointment; however, none are pending now.

EXPECTED RESULTS

The City Council will appoint representatives and alternates as desired to the various boards and committees; following is a summary of the positions to be filled and notations about appointments:

Washington County Coordinating Committee (“WCCC”)

NOTE: The primary representative *must be* an elected official; alternates may be elected officials or staff.

- Representative (primary): _____
- 1st Alternate _____
- 2nd Alternate _____

Clackamas County Coordinating Committee (“C-4”)

NOTE: Both the primary representative and alternates *must be* elected officials.

- Representative (primary): _____
- 1st Alternate _____
- 2nd Alternate _____

Clackamas County Coordinating Committee (“C-4”) Metro Subcommittee

NOTE: Both the primary representative and alternates *must be* elected officials.

- Representative (primary): _____
- 1st Alternate _____
- 2nd Alternate _____

Regional Water Providers Consortium Board of Directors Subcommittee

NOTE: Both the primary representative and alternates *must be* elected officials.

- Representative (primary): _____
- 1st Alternate _____
- 2nd Alternate _____

French Prairie Forum Local Governments Work Group

- Representative (primary): _____
- 1st Alternate _____
- 2nd Alternate _____

Positive Aurora Airport Management (“PAAM”)

- Representative (primary): _____
- 1st Alternate _____
- 2nd Alternate _____

TIMELINE

The City Council may act its leisure; however, acting in January would be optimum for codifying the City's representation to these various intergovernmental bodies for timely notice and attendance.

OTHER BOARDS/COMMITTEES AND ORGANIZATIONS

■ Entities that may appoint City Council members to a board or committee

There are a number of other governmental boards and committees and nonprofit organizations that the City may be represented on or that City Council members and staff may sit on or attend. In some instances the City Council may make the appointment, and in others, another body makes an appointment of a City Council member to the organization's board.

For example, Mayor Knapp was selected in 2011 by representatives of 10 cities that participate in the Clackamas County Coordinating Committee "C-4" Metro Subcommittee as the Alternate Representative to Metro's Joint Policy Advisory Committee on Transportation (JPACT) for all of the Metro-area "Cities of Clackamas County." Previously, Mayor Knapp had been elected in 2010 by C-4 Metro Subcommittee to be the "Other Cities" Representative to Metro's Metro Policy Advisory Committee (MPAC) and Metro-area "Cities of Clackamas County" representative to the Metro Urban/Rural Reserves Steering Committee during 2008-10. None of these positions were City Council appointments.

In a similar fashion, Councilor Goddard serves on the boards of directors in an ex-officio capacity of the Clackamas County Business Alliance (CCBA) and Wilsonville Chamber of Commerce. Councilor Goddard was appointed to these boards by the organizations, and not as a result of a City Council appointment. The City does *not* have an appointed seat to the CCBA or Chamber board. However, the Chamber president has the flexibility to appoint two ex-officio positions, one of which has generally been a City Council member.

Note that CCBA differs from the Westside Economic Alliance (WEA), which does have City-appointed members whose Cities are represented on the WEA board of directors. Wilsonville is not a city named on the WEA board.

■ Entities that all City Council members may participate in (no appointments)

Clackamas Cities Association (CCA)

This is an informal, somewhat monthly gathering of elected and appointed officials of Clackamas County—including county commissioners, city council members, state legislators and special districts board members—and staff of these various jurisdictions. A dinner meeting with a special topic or presenter is held on the third or fourth Thursday, 6:30–8:30 pm.

Each city in Clackamas County takes turns hosting the dinner; Wilsonville is scheduled to host in January 2015. The CCA dinner schedule for 2014 follows:

January – Lake Oswego
February – Milwaukie
March – *skip*
April – Molalla
May – Oregon City

June – Sandy
July, August and September – *skip*
October – Tualatin
November & December - *skip*

Notice to City Council members generally comes from the City Manager's Office regarding prospective attendance and meal selection about two to three weeks in advance. Due to holiday scheduling for Council meetings, Wilsonville City Council members will miss attending January and February dinners.

Business Associations Meetings

The City is a member of several business associations, including Clackamas County Business Alliance (CCBA), Westside Economic Alliance (WEA) and Wilsonville Chamber of Commerce. Each of these organizations has various meetings and events that City Council members, along with other association members and the general public, may attend. CCBA does not have a regular, general-interest program; however, board meetings are open for attendance.

Attached to this report is a "Summary of Regular Meetings Held by Key Regional Leadership Bodies in the Portland Metro Area" and who attends on a regular basis from the City. Due to Wilsonville's location—in two counties, within the Metro UGB and at the foot of the North Willamette Valley—and interest in land-use and transportation issues, the City is involved in a host of intergovernmental organizations and business associations.

CURRENT YEAR BUDGET IMPACTS

None.

COMMUNITY INVOLVEMENT PROCESS

None is required. As the elected representatives of the residents of Wilsonville, the City Council has the authority and is expected to appoint members to the various boards and committees.

CITY MANAGER COMMENT

ATTACHMENTS:

- Summary of Regular Meetings Held by Key Regional Leadership Bodies in the Portland Metro Area, Dec. 2013

Summary of Regular Meetings Held by Key Regional Leadership Bodies in the Portland Metro Area

page 1

Compiled by Mark Ottenad, Public/Government Affairs Director, City of Wilsonville, Updated Dec., 2013.

All meetings are monthly unless otherwise noted; schedules are subject to change.

“Standing” indicates a leadership body usually with defined members that meets regularly; “special” or “ad-hoc” indicates leadership body that is constituted only for a special purpose and/or meets only periodically.

Standing meetings of elected officials and appointed representatives

| Meeting Date/Time | Leadership Body | Location | Representatives |
|--|---|---|---|
| 1 st or 2 nd Monday 12:00 – 1:30 pm | WCCC: Washington County Coordinating Committee | Beaverton Library or Beaverton Community Center | Mayor Knapp, rep.; Councilor Goddard and Councilor Stevens, alts. Staff: Mark Ottenad |
| 1 st Thursday 7:30 – 9:00 a.m. | C-4 (Clackamas County Coordinating Committee) Metro Subcommittee | Lake Oswego City Hall | Mayor Knapp rep.; Councilor Fitzgerald, alt; Staff: Nancy Kraushaar, Mark Ottenad, Stephan Lashbrook |
| 1 st Thursday 6:45 – 8:45 pm | C-4: Clackamas County Coordinating Committee: Main body or Cities Subcom. | Clackamas County Development Svcs Bldg, Oregon City | Mayor Knapp, rep.; Councilor Fitzgerald, alt; Staff: Nancy Kraushaar, Stephan Lashbrook, Mark Ottenad |
| 2 nd and 4 th Wednesday 5:00 – 7:00 pm | MPAC: Metro Policy Advisory Committee (Metro) | Metro Council Chambers, Portland | Staff: Katie Mangel, Chris Neamtzu, Mark Ottenad, Stephan Lashbrook |
| 2 nd Thursday 7:30 – 9:30 am | JPACT: Joint Policy Advisory Committee on Transportation (Metro) | Metro Council Chambers, Portland | Mayor Knapp, Clackamas County Cities Alternate; Staff: Nancy Kraushaar, Stephan Lashbrook, Mark Ottenad |
| Periodic, three times/year | Regional Water Providers Consortium | Metro Council Chambers, Portland | Councilor Starr, rep; Councilor Goddard, alt. Staff: Delora Kerber |
| 3 rd Wednesday 2:00 – 4:00 pm | French Prairie Forum Local Governments Work Group | OSU North Willamette Research & Extension Center | Councilor Stevens, rep; Councilor Goddard, alt; Staff: Mark Ottenad |
| 3 rd or 4 th Thursday 6:30 – 8:30 pm Dinner | Clackamas Cities Assn. | Varies by hosting city | Councilor members, senior staff |

Special/ad-hoc meetings of elected officials and appointed representatives

| Meeting Date/Time | Leadership Body | Location | Representatives |
|---|--|---------------------------------------|---|
| Periodic | Oregon Passenger Rail Corridor Forum | Center for Business & Industry, Salem | Mayor Knapp; Staff: Nancy Kraushaar, Mark Ottenad |
| Periodic | Basalt Creek Concept Planning Committee | Varies | Councilor Goddard, Councilor Fitzgerald, planning staff |
| August annual conf.; periodic meetings | Oregon Mayors Assn. (OMA) | Varies | Mayor Knapp |
| End of September annual conf; periodic meetings | League of Oregon Cities (LOC) | Varies | Mayor Knapp, Council, staff |

Other non-governmental organization (NGO) standing meetings of note

| Meeting Date | Leadership Body | Location | Representative |
|---|--|---|---|
| 1 st Tuesday 3:00 – 5:00 pm | Clackamas County Business Alliance Land-Use Com. | CCBA office, Lake Oswego | Mark Ottenad |
| 1 st Wednesday 12:00 – 1:00 pm | Wilsonville Chamber Government Affairs Com. | Wilsonville chamber office | City Council members, Mark Ottenad, other staff |
| <i>Quarterly:</i> 1 st Wednesday 7:00 – 8:30 pm | Regional Water Providers Consortium Technical staff | Metro Council Chambers, Portland | Delora Kerber |
| 2 nd Tuesday 7:30 am – 9:00 am | Wilsonville Chamber Monthly Breakfast or Lunch (nka South Metro Leadership Forum) | Varies | City Council members, City staff |
| 2 nd Tuesday 12:00 – 1:30 pm | Greater Portland, Inc. (GPI): Economic Development Professionals Roundtable | 111 SW Columbia Street, Suite 830, Portland | Kristin Retherford, rep; Mark Ottenad, alt |
| 2 nd Wednesday 7:30 – 9:00 a.m. | Clackamas County Business Alliance (CCBA) Board | Varies | City Council members, staff |
| Periodic, or 2 nd Friday 10:00 – 11:30 a.m. | Wilsonville Chamber/City Leadership | Wilsonville chamber office | Mayor Knapp, Councilor Starr, Bryan Cosgrove |
| 3 rd Wednesday 12:00 – 1:30 pm | Westside Economic Alliance Land-use and Housing Com. | WRG Design, Portland | Mark Ottenad |
| 4 th Thursday 7:30 – 9:00 am | Westside Economic Alliance Monthly Breakfast Forum | Embassy Suites Hotel, Tigard | Mayor Knapp, Mark Ottenad |
| 4 th Thursday 8:30 – 10:00 am | PAAM – Positive Aurora Airport Management | Willamette Aviation, Aurora Airport | None currently |

Standing meetings of regional/local government staff

| Meeting Date/Time | Leadership Body | Location | Representative |
|--|--|--|--|
| 1 st Monday 2:00 – 3:00 pm | Clackamas County/City Managers Meeting | Clackamas County Public Services Bldg, Oregon City | Bryan Cosgrove, Jeanna Troha |
| 1 st Wednesday 9:30 – 11:30 am | MTAC: Metro Technical Advisory Committee (Metro) | Metro, Portland | Katie Mangle, Chris Neamtzu, planning staff |
| 1 st Thursday 8:00 – 11:00 am | Washington County Planning Directors Meeting | Beaverton Library | Chris Neamtzu, other planning staff |
| <i>Varies:</i> 1 st , 2 nd , 3 rd , 4 th Fridays, 7:30 – 9:00 am | TMAC: Transportation Management Advisory Com. | Tri-Met, Portland | Nancy Kraushaar, Stephan Lashbrook, Mark Ottenad |
| 2 nd Wednesday 3:00 – 5:00pm | Regional Travel Options (RTO) Subcommittee of TPAC (Metro) | Metro, Portland | Jen Massa Smith, SMART staff |
| 2 nd Friday 12:00 – 1:30 pm | Metro Area Regional Governments Lobby meeting | Metro, Portland | Mark Ottenad, Greg Leo |
| 3 rd Wednesday 9:30 – 11:30 am | MTAC: Metro Technical Advisory Committee (Metro) | Metro Room 370, Portland | Katie Mangle, Chris Neamtzu, planning staff |
| 3 rd Thursday 1:30 – 3:00 pm | WCCC TAC: Washington County Coordinating Com. Technical Advisory Com. | Beaverton Library | Nancy Kraushaar, Steve Adams |

| Meeting Date/Time | Leadership Body | Location | Representative |
|---|--|---|---|
| 4 th Wednesday 2:00 – 4:00 pm | Washington County/City Managers Meeting | Washington County Public Services Bldg, Hillsboro | Bryan Cosgrove, Jeanna Troha |
| 4 th Tuesday 3:30 – 5:00 pm | CTAC: Clackamas Transportation Advisory Com | Clackamas County Dev Srvcs Bldg, Oregon City | Nancy Kraushaar, Kristin Retherford, Mark Ottenad |
| 4 th Friday 9:30 – 11:30 am | TPAC: Transportation Policy Alternatives Com. (Metro) | Metro, Portland | Nancy Kraushaar, Clackamas County Cities rep, Stephan Lashbrook |

Periodic or project-related meeting (current):

Government Meetings

- **Oregon Passenger Rail (ODOT)** Leadership Council meetings, Corridor Forum meetings, Community Advisory Group meetings and open houses
- **Oregon Transportation Commission (OTC)** meetings
- **ODOT Region 1** (Portland metro region); **ODOT Region 2** (Salem metro region) meetings
- **Land Conservation and Development Commission (LCDC)** meetings
- **Clackamas or Washington County land-use hearings**
- **Oregon Legislative Assembly** committee meetings (when legislature in session)

Non-governmental Organization (NGO) Meetings

- **League of Oregon Cities (LOC)** legislative committee meetings and Annual Conference
- **Oregon Economic Development Assn. (OEDA)** quarterly meetings/trainings and annual conference
- **Greater Portland Inc (GPI)** annual conference and periodic special meetings/trainings

Periodic or project-related meetings of prior years:

Government Meetings

- **Regional Freight & Goods Movement Task Force (Metro):** Mark Ottenad attended monthly meetings for four years; task force now suspended
- **Aurora State Airport Master Plan Planning Advisory Com. (PAC):** Former Councilor Steve Hurst was rep.; Mark Ottenad attend and alternate
- **Metro Urban and Rural Reserves Steering Committee** and technical advisory committee

CITY COUNCIL MEETING STAFF REPORT

| | | |
|--|--|--|
| Meeting Date: January 23, 2014 | Subject: Acceptance of City's 2012-13 Annual Urban Renewal Report Staff Member: Joanne Ossanna Department: Finance | |
| Action Required <input checked="" 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 type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda | Advisory Board/Commission Recommendation <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: | |
| Staff Recommendation: Staff recommends the Agency accept the 2012-13 Annual Urban Renewal Report | | |
| Recommended Language for Motion: I move to accept the 2012-13 Annual Urban Renewal Report. | | |
| 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: The City is required by Oregon Revised Statute 457.460 to publish an annual statement about the uses and the effects of tax increment financing in the City's urban renewal areas.

EXECUTIVE SUMMARY: In addition to basic financial data published in the newspaper as required by statute, Staff prepared a separate report to provide additional information about urban renewal, explain how tax increment financing works, and the activities of the City's Urban Renewal Agency. This information is provided to help explain the urban renewal process and the impact it has on the community. A copy of the report is presented to Council and a copy has been filed with the City Recorder.

EXPECTED RESULTS:

Acceptance of the report for fiscal year ended June 30, 2013.

TIMELINE:

All work is complete.

CURRENT YEAR BUDGET IMPACTS:

There are no financial impacts.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: ____JEO____ Date: ____1-8-13____

There are no financial impacts.

LEGAL REVIEW / COMMENT:

Reviewed by: ____MEK____ Date: ____1-9-13____

The report meets the legal requirements.

COMMUNITY INVOLVEMENT PROCESS:

None

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

None

ALTERNATIVES:

Not Applicable

CITY MANAGER COMMENT:**ATTACHMENTS**

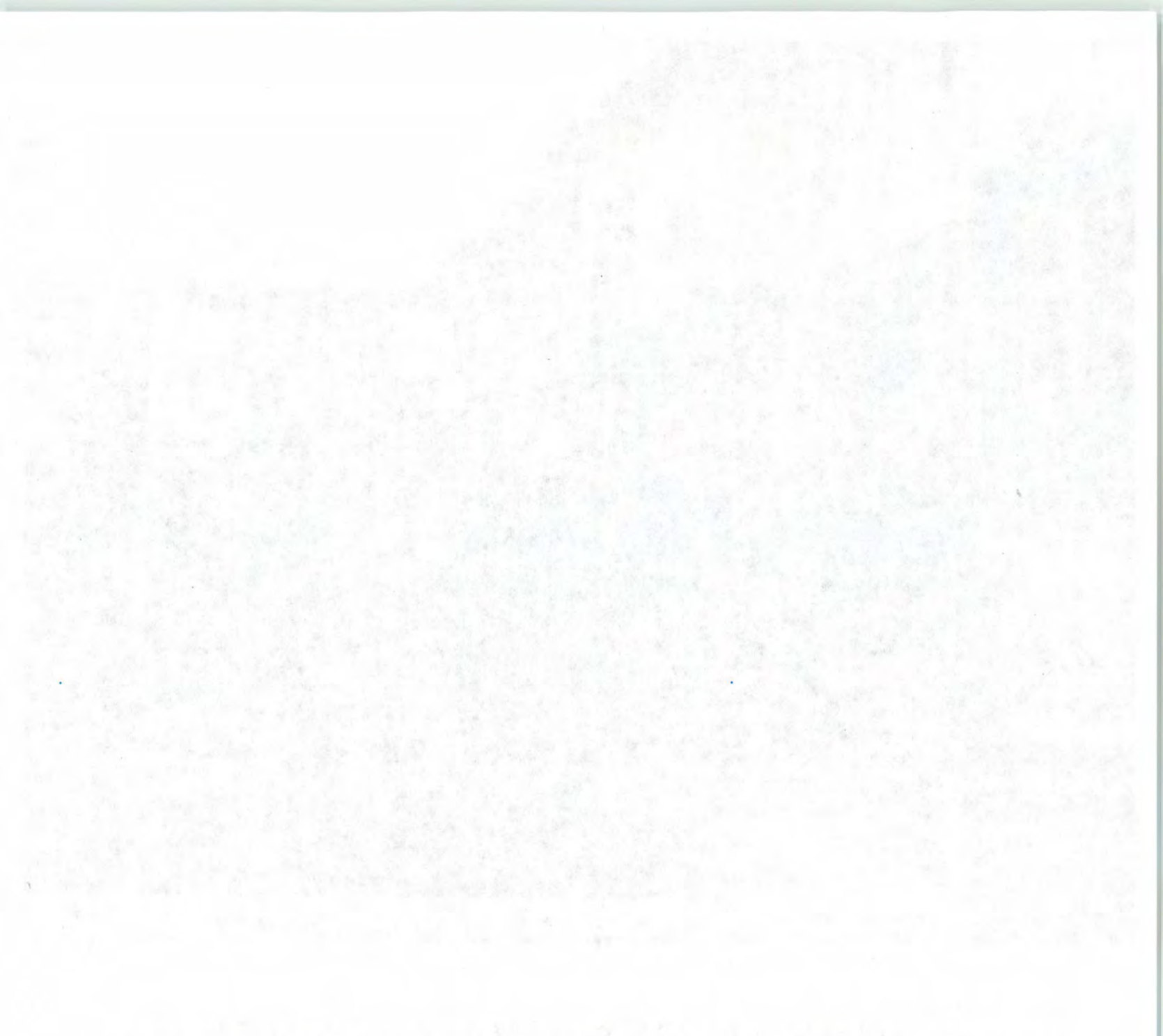
A. 2012-13 Urban Renewal Agency Report.



URBAN RENEWAL AGENCY

of the City of Wilsonville, Oregon

ANNUAL URBAN RENEWAL REPORT
for Fiscal Year Ending
June 30, 2013



The Creekside Woods affordable senior housing complex involved cooperation between the City, local, state, and federal organizations in conjuncture with non-profit Northwest Housing Alternatives. The Year 2000 Plan (Eastside District) contributed twice to this project, first by acquiring the Wesleyan Church property and then by assisting a non-profit to construct on this parcel.

The City's Community Center appears in background and provides many services to Creekside residents which can access the Center from an attached skybridge.

Urban Renewal Agency

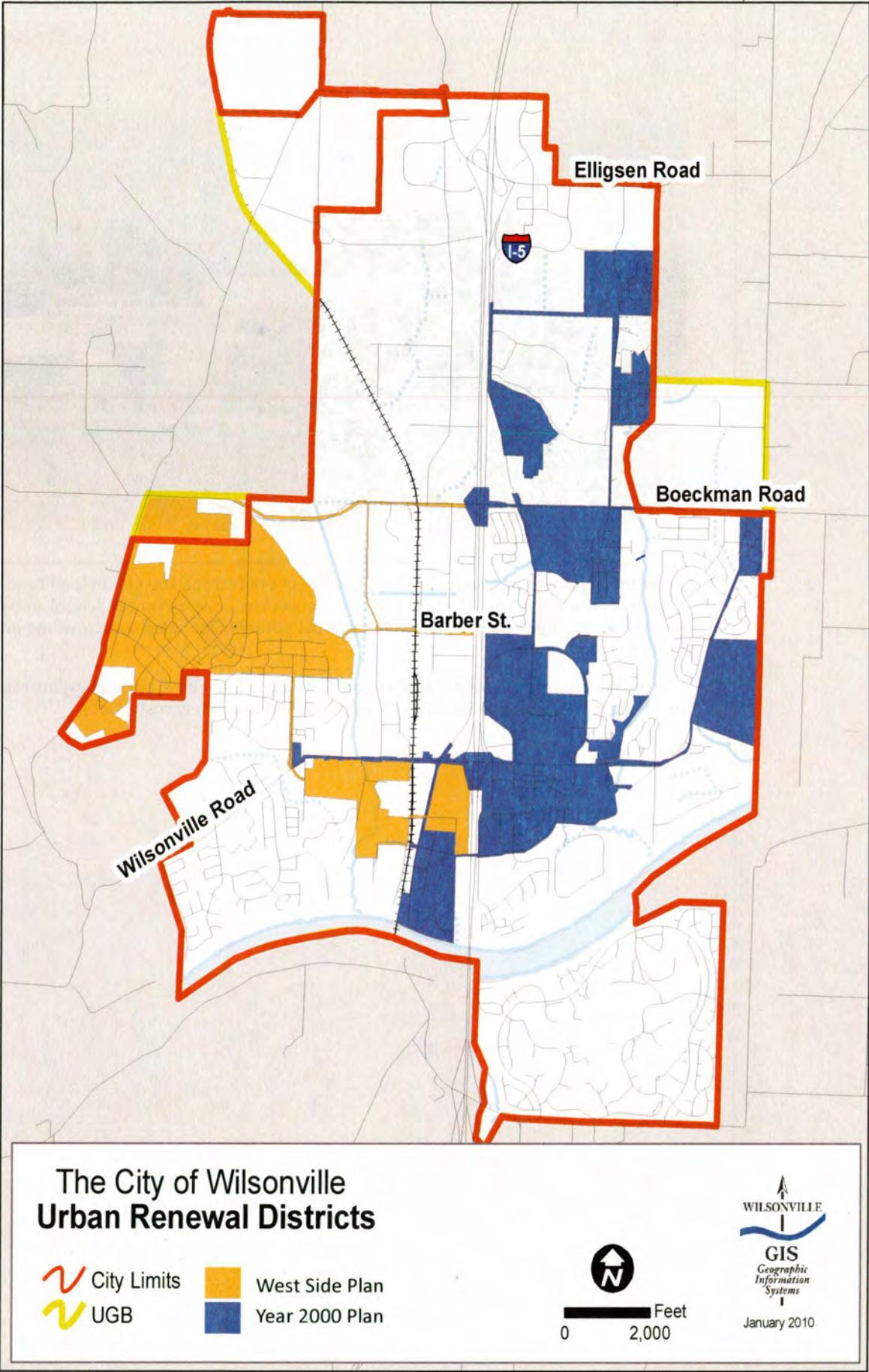
City of Wilsonville

29799 SW Town Center Loop E

Wilsonville, OR 97070

www.ci.wilsonville.or.us

Map of Urban
Renewal Districts





In partnership with the West Linn/Wilsonville School District, the City helped fund the acquisition of approximately ten acres of land which now houses the Lowrie Primary School in the Villebois Master Plan Area. The opening of Wilsonville's newest school helps solve overcrowding problems at Boones Ferry Primary School.

Planners first slated the new school for the north end of Villebois, but existing infrastructure motivated moving the site to the development's east end and ultimately costed less.

Statement of Resources and Expenditures
Capital Projects Fund

| | 2012-13 Actual Budgetary Basis | 2013-14 Budget Budgetary Basis |
|--|---|---|
| REVENUES | | |
| Intergovernmental | \$ 24,234 | \$ - |
| Investment revenue | 1,186 | 1,500 |
| Total Revenues | 25,420 | 1,500 |
| EXPENDITURES | | |
| Villebois park Piazza | 671,881 | 623,716 |
| Planning, Financing, and Administration | 1,439,201 | 1,197,134 |
| Contingency | - | 6,783,585 |
| Total Expenditures | 2,111,082 | 8,604,435 |
| Excess (deficiency) of revenues over (under) expenditures | (2,085,662) | (8,602,935) |
| OTHER FINANCING SOURCES | | |
| Issuance of debt | 2,000,000 | 8,000,000 |
| Net change in fund balances | (85,662) | (602,935) |
| Fund balances - beginning | 500,568 | 602,935 |
| Fund balances - ending | 414,906 | \$ - |
| Adjustment from budgetary basis to generally accepted accounting basis: | | |
| Development charge payable | (665,670) | |
| Fund balances - generally accepted accounting principles basis | (250,764) | |

The deficit ending balance arises from a \$665,670 liability due to the City Water SDC fund for fire sprinkler credits.

Statement of Resources and Expenditures
Debt Service Fund

| | Actual Budgetary Basis | Budget Budgetary Basis |
|--|---------------------------------------|---------------------------------------|
| REVENUES | | |
| Tax Increment | \$ 2,992,609 | \$ 3,300,600 |
| Interest Income | 31,373 | 30,000 |
| Total Revenues | 3,023,982 | 3,330,600 |
| EXPENDITURES | | |
| Payment of Bond Principal | 9,820,000 | 1,385,000 |
| Interest Expense | 1,043,032 | 1,472,200 |
| Total Expenditures | 10,863,032 | 2,857,200 |
| Excess (deficiency) of revenues over (under) expenditures | (7,839,050) | 473,400 |
| OTHER FINANCING SOURCES | | |
| Issuance of debt | 7,000,000 | - |
| Net change in fund balance | (839,050) | 473,400 |
| Fund balances - beginning | 5,220,897 | 4,185,797 |
| Fund balances - ending | \$ 4,381,847 | \$ 4,659,197 |

West Side Plan

Plan Adopted

The West Side Plan was adopted November 3, 2003. A substantial plan amendment was adopted September 15, 2008.

Plan Mission Statement: To eliminate blight in areas within the Agency's jurisdiction, and in the process, attract aesthetically pleasing, job producing private investments that will improve and stabilize property values and protect the area's residential livability and its environmental values.

At creation, the district encompassed 394 acres and had a frozen tax base of \$3,605,856 (restated for Measure 50 impact). The September 2008 plan amendment added 62 acres and \$12,920,432 to the frozen base.

Financing the Urban Renewal Projects

To pay the cost of urban renewal projects, the Agency must issue debt. At plan adoption, a debt limit of \$40,000,000 was created. Through June 30, 2013 \$32,000,000 of debt has been issued leaving a balance of \$8,000,000 available for future projects. The following tables summaries the debt outstanding as of June 30, 2013.

| Outstanding Debt | |
|--------------------------|----------------------|
| Long Term Debt: | |
| Series 2009 Note Payable | \$ 8,555,000 |
| Series 2011 Note Payable | 4,665,000 |
| Series 2012 Note Payable | 7,710,000 |
| Series 2013 Note Payable | 7,000,000 |
| Total Outstanding Debt | <u>\$ 27,930,000</u> |

Because the district was created after the passage of Measure 50, no special levy may be assessed.

Projects

Completed:

- Land acquisition for school site, park and park improvement. Land acquired, \$3.4 million.
- Boeckman Road extension from 95th west to Grahams Ferry. Completed June 2008, \$13.4 million.
- Barber Street improvements from Boberg to Kinsman. Widening, curbs, gutters, sidewalks, and rail road crossing. Completed October 2008, \$5.5 million.
- Barber Street improvements from Boberg to Boones Ferry, \$.6 million
- Land acquisition for elementary school site, December 2010, \$3.4 million
- Villebois Piazza, \$.7 million

Underway:

- Park improvements in Villebois, \$.7 million through 6/30/13
- Payment of deferred water system development charges, \$1.8 million through 6/30/13

Planned for Future:

- Barber Street, Phase 2. Improvements westerly from Kinsman to the Villebois neighborhood.
- Tooze Road Improvements, 110th to Grahams Ferry Road
- Brown Road Improvements
- Old Town Escape

Statement of Resources and Expenditures
Capital Projects Fund

| | 2012-13 Actual Budgetary Basis | 2013-14 Budget Budgetary Basis |
|--|---|---|
| REVENUES | | |
| Investment revenue | \$ 14,395 | \$ 15,000 |
| Other | 61,737 | - |
| Total Revenues | 76,132 | 15,000 |
| EXPENDITURES | | |
| Wilsonville Road Interchange Improvements | 1,270,833 | - |
| Waste Water Treatment Plant | 2,000,000 | - |
| Boeckman Bike/Ped Improvements | 331,855 | - |
| BPA Schield Wires - Canyon Creek | 49,565 | - |
| Canyon Creek Road Extension | | 700,000 |
| Old Town Half Street Improvement | | 75,000 |
| Other Projects | - | - |
| Planning, Financing, and Administration | 1,535,423 | 537,455 |
| Contingency | - | 997,061 |
| Total Expenditures | 5,187,676 | 2,309,516 |
| Excess (deficiency) of revenues over (under) expenditures | (5,111,544) | (2,294,516) |
| OTHER FINANCING SOURCES | | |
| Issuance of debt | 3,500,000 | - |
| Net change in fund balances | (1,611,544) | (2,294,516) |
| Fund balances - beginning | 3,920,464 | 2,294,516 |
| Fund balances - ending | \$ 2,308,920 | \$ - |

Statement of Resources and Expenditures
Debt Service Fund

| | 2012-13 Actual Budgetary Basis | 2013-14 Budget Budgetary Basis |
|--|---|---|
| REVENUES | | |
| Tax Increment | \$ 4,188,919 | \$ 4,125,000 |
| Interest Income | 45,639 | 50,000 |
| Total Revenues | 4,234,558 | 4,175,000 |
| EXPENDITURES | | |
| Payment of Bond Principal | 6,043,000 | 2,647,000 |
| Interest Expense | 531,538 | 428,000 |
| Total Expenditures | 6,574,538 | 3,075,000 |
| Excess (deficiency) of revenues over (under) expenditures | (2,339,980) | 1,100,000 |
| Fund balances - beginning | 7,125,844 | 4,778,634 |
| Fund balances - ending | \$ 4,785,864 | \$ 5,878,634 |

Impact of Removals

The cumulative effect on certain jurisdictions is shown below. This reflects taxes that each entity received instead of being divided to the District.

Annual and Cumulative Impact of Assessed Value Removals

| | Estimate for 2012-13 | Cumulative 2005-2012 |
|---------------------------------------|-------------------------|-------------------------|
| City of Wilsonville | \$324,450 | \$1,549,450 |
| Clackamas County | \$309,000 | \$1,479,000 |
| Tualatin Valley Fire & Rescue | \$200,850 | \$955,850 |
| West Linn/Wilsonville School District | \$896,100 | \$4,276,100 |
| Other jurisdictions | \$211,150 | \$996,150 |
| UR tax reduction total | \$1,941,550 | \$9,256,550 |

Projects

Completed:

- Land acquisition of Boozier Property at Wilsonville Road and Memorial Drive. Acquired in 1993, \$1.3 million.
- Memorial Drive road construction also referred to as Day Dream Ranch escape. Constructed in 1994, \$1.2 million.
- Interagency agreement with Wilsonville High School for joint use of facility for city and public purposes. Agreement signed in 1995, \$2.2 million.
- I-5/Wilsonville Road interchange. A joint project with Oregon Department of Transportation and City of Wilsonville. Included demolition of existing interchange, widening from two lanes to six, widening of access and egress ramps, landscaping, walkways, and right of way. Construction began 1996 with completion in 1999, \$3.3 million.
- Wilsonville Road west from railroad tracks to city limits (phases 3 & 4). Improvements include widening, sidewalks, bike paths, etc., \$9.2 million.
- I-5 and Wilsonville Road interchange improvements and Wilsonville Road reconstruction. Planning, widening of road and related streetscape improvements from west of the interchange to the railroad tracks. Completed 2013, \$12.2 million.
- Boones Ferry Road widening and reconstruction, \$.7 million.
- Main Street acquisition of right of way for street improvements. Acquired in 2000, \$0.4 million.
- Main Street acquisition of right of way for street improvements. Acquired in 2000, \$0.4 million.
- Town Center Park construction. Landscaping, walkways, picnic area, water feature and parking. Completed 2005, \$2.2 million.
- Wilsonville High School public facilities. Completed 2005, \$1.1 million.
- Wilsonville High School Field Improvements, \$.4 million.
- Murase Plaza and park design and construction. Substantially completed June 2006, \$6.6 million.
- Kaiser and Town Center Loop East right of way land acquisition, \$1.8 million.
- City Hall land acquisition and construction. Completed October 2006, \$10.8 million.
- Acquisition of Wesleyan Church property, October 2007, \$4.2 million.
- Senior housing, Creekside Woods, completion November 2010, \$1.3 million.
- Wilsonville Road Interchange Art Project (Beauty/Bridge), \$.9 million.
- Boeckman Bike/Pedestrian Improvements, \$.4 million.
- Waste Water Treatment Plant, \$2.0 million.
- Boeckman Bike/Pedestrian Improvements, \$.4 million.

Underway:

- Canyon Creek Road Extension

Planned for Future:

- Old Town Half Street Improvements
- Projects to be determined by through the Urban Renewal planning process.

Year 2000 Plan

The Year 2000 Plan was adopted August 29, 1990. Substantial Plan Amendment to increase maximum indebtedness approved in June 2007.

Plan Mission Statement: To eliminate blight in areas within the Agency's jurisdiction, and in the process, attract aesthetically pleasing, job producing private investments that will improve and stabilize property values and protect the area's residential livability and its environmental values.

To pay for urban renewal projects, the Agency must issue debt. A substantial plan amendment passed in June 2007 increased the maximum debt limit to \$92,687,423. Through June 30, 2013 \$75,385,000 of debt has been issued leaving a balance of \$17,302,423 available for future projects. The following tables summaries the debt outstanding as of June 30, 2013.

| Outstanding Debt | |
|--------------------------|---------------|
| Long Term Debt: | |
| Series 2003 Note Payable | \$ 1,177,000 |
| Series 2005 Note Payable | 2,410,000 |
| Series 2010 Note Payable | 7,100,000 |
| Total Outstanding Debt | \$ 10,687,000 |

With the passage of the substantial plan amendment, the district is no longer eligible to assess a special levy. As stated earlier, a special levy has not been levied since 2002-03.

When the district was formed it encompassed 755 acres and had a frozen tax base of \$61,401,520 (restated for measure 50 impacts). Since then, the district has changed significantly. Beginning in 2003 the Board began a practice of removing parcels from the district so as to limit tax increment collections to approximately \$4 million per year. In June 2007 the Board formalized the practice and passed a Resolution directing staff to periodically remove parcels to limit tax increment collections to \$4 million per year. After FY 2010 the law changed and allowed the Agency to certify to less than 100% of the available taxes. The table below presents the properties removed and the effect of under-levying for FYE 2013.

Assessed Value of Properties Removed or Underlevied

| Fiscal Year Ending | Acreage | Assessed Value in Millions | Key Properties | Annual Tax Reduction |
|--|--|----------------------------|-----------------|----------------------|
| 2005 | 80.8 | \$30.0 | Mentor Graphics | \$450,000 |
| 2006 | 27.5 | \$15.7 | Sysco Foods | \$240,000 |
| 2009 | 17.7 | \$10.2 | Residential | \$150,000 |
| 2010 | 29.0 | \$14.0 | Fred Meyer | \$215,000 |
| Subtotal | 155.0 | \$69.9 | | \$1,055,000 |
| 2011 | Certify to less than 100% of available increment | | | \$735,000 |
| 2012 | Certify to less than 100% of available increment | | | \$747,256 |
| 2013 | Certify to less than 100% of available increment | | | \$618,899 |
| Total annual taxes released to jurisdictions in FY 2012-13 | | | | \$2,537,256 |

The Agency has certain debt covenants that restrict how much assessed value can be removed. Staff is careful to assure that these covenants are met. \$4 million per year is sufficient to meet current debt service coverage requirements.

Plan Adopted

Financing the Projects

District Reduction

Assessed Value Removals

Financial Reports

The tables on the following pages contain financial information on the two funds used to account for the activities of the Urban Renewal Agency. The reports were prepared by the Finance Department of the City of Wilsonville using a modified accrual basis of accounting pursuant to ORS 457.460. The fiscal year is the period running July through June of the respective years indicated.



Construction is currently underway on an upgrade to the Wastewater Treatment Plant, as shown above, with a \$2 million contribution from the Year 2000 Plan District. Initially identified in a 2004 Plant Facility Master Plan, the upgrade will address noise and odor concerns from homeowners and businesses. Plant capacity will greatly increase allowing the City to meet the demands of future development in the short and long-term.

Tax Increment Available for Fiscal Year Ended June 30, 2013

| | Plan | Plan |
|-------------------------------------|---------------|---------------|
| Total Assessed Value | \$387,727,579 | \$235,387,494 |
| Less: Frozen Base Value | (44,087,806) | (16,526,288) |
| Incremental Value | \$343,639,773 | \$218,861,206 |
| Tax Increment (Estimated) | | |
| From Division of Taxes ¹ | \$4,000,000 | \$3,259,511 |
| From Special Levy | n/a | n/a |
| | \$4,000,000 | \$3,259,511 |

¹ Year 2000 Plan division of taxes limited to \$4.2 million

In November 1990, Oregon voters passed a property tax limitation measure (Measure 5) that has impacted urban renewal financing and established a \$10 limit per thousands of real market value for property tax collection for local governments. It is important to note that the \$10 limit is based on real market value rather than assessed value of a property. The impact of this measure is that repayment of urban renewal bond debt (past, present, or future) must now come within the \$10 limit for local governments that is traditionally used for services.

In a 2002 Oregon Supreme Court ruling, the limitations of Measure 5 were clarified so that urban renewal tax dollars related to the division of taxes from schools are to be included in the general government category when determining the \$10 limit. The effect of this ruling accelerates the likelihood of the general government category taxes hitting the \$10 ceiling. However, this should not pose an immediate problem for Wilsonville because the assessed value of properties within the district is less than its real market value, and there is no compression loss to urban renewal or local governments. Less than 15% of the assessed value within the district (essentially industrial properties) is assessed anywhere close to real market value.

In 2012-13, the cumulative tax rate for all local governments ranged between \$6.5552 and \$9.6324 per thousand depending upon which tax code area the property resides.

Carrying out the urban renewal plans has an effect on various taxing entities sharing (over-lapping) the property within the Wilsonville Urban Renewal districts. Measure 50 required a change from a levy-based system to a rate based system, resulting in a modification of the way the County Assessor computes the allocation of taxes from the overlapping districts.

The division of taxes process means that taxes associated with the incremental value is received by the Urban Renewal Agency instead of the various taxing districts (e.g. Clackamas County, City of Wilsonville, West Linn Wilsonville School District).

The following table shows the taxing districts that levy taxes within the city's Urban Renewal Agency, the total amount of taxes levied, and the percent of those taxes that were received by the Wilsonville Urban Renewal Agency.

| Overlapping Tax Districts, Fiscal Year 2012-13 | | | |
|--|--|----------------------|----------------------|
| District | Taxes Levied in Clackamas County ¹ | Year 2000 UR as % | West Side UR as % |
| City of Wilsonville | \$7,078,411 | 11.4% | 7.5% |
| Clackamas County | \$93,418,028 | 0.8% | 0.6% |
| Clackamas Extension & 4-H | \$1,942,337 | 0.8% | 0.6% |
| Clackamas Library District | \$15,437,693 | 0.8% | 0.6% |
| Clackamas Soil Conservation Distr. | \$1,903,953 | 0.8% | 0.6% |
| West Linn/Wilsonville Schools | \$35,215,406 | 5.2% | 3.4% |
| Tualatin Valley Fire & Rescue | \$11,444,939 | 4.0% | 2.6% |
| Clackamas ESD | \$13,679,502 | 0.9% | 1.0% |
| Clackamas Community College | \$20,020,897 | 1.2% | 0.8% |
| Vector Control | \$252,565 | 0.8% | 0.6% |
| Port of Portland | \$2,723,818 | 0.8% | 0.5% |
| Metro Service District | \$7,515,562 | 1.0% | 0.7% |

¹City of Wilsonville includes Washington County Taxes.

Amounts rounded to the nearest whole percent.

Tax Increment Calculations

Property Tax Limitation and Tax Increment (Measure 5)

Effects of Urban Renewal on Tax Collections (Measure 5)

Introduction

Each year an urban renewal agency must prepare a report for the governing body and the general public in accordance with ORS 457.460. The report is to include a financial recap of the preceding year and the budget for the current fiscal year. Additionally, it is to include an analysis of the impact of carrying out the urban renewal plan on the tax rate for each of the overlapping governmental units within the urban renewal district.

The following report meets these minimum requirements and additionally provides the reader with other information about Wilsonville's Urban Renewal Agency and its activities.

The Urban Renewal Concept

Tax increment financing is used in areas where private development has stagnated or is not feasible. Public funds are needed to change those conditions. The types of urban renewal activities undertaken generally include land assembly and development of infrastructure and public amenities (i.e. streets, utility lines, lighting, public open spaces, parks).

As the result of the publicly funded efforts, investment becomes feasible for private developers. Developments consistent with the City's urban renewal plan are then allowed to go forward.

How Tax Increment Financing Works

The major source of funding for urban renewal projects has been tax increment financing. This type of financing is used in areas where property values are not rising as rapidly as the rest of the community. During the process desired public improvements like road-ways, parks, and other amenities (urban renewal plan) are identified, urban renewal financing to fund these projects is obtained, and the desired improvements are completed. Private investment in the area is encouraged. As property values rise, tax revenues increase, and that increase is used to pay off the urban renewal bonds.

Urban Renewal Value and Area Caps

Oregon state law allows Wilsonville to create urban renewal districts with up to 25% of the city's total land area. As of June 30, 2013, the total land area for the city was approximately 4,712 acres and 1,085 or 23% of the total was within our urban renewal districts.

The law also limits the total assessed value within all urban renewal districts to 25% of the city's total assessed value. The assessed values are measured at the time a district is created or subsequently adjusted. The table below presents the assessed value frozen base for fiscal year ended June 30, 2013 for each district.

| District | Area Cap Test | | Assessed Value Test | |
|----------------|---------------|-----------|---------------------|-----------|
| | Acreage | % of City | Amount | % of City |
| Year 2000 Plan | 629 | 13.3% | \$ 44,087,806 | 1.7% |
| West Side Plan | 456 | 9.7% | 16,526,288 | 0.6% |
| Combined | 1,085 | 23.0% | 60,614,094 | 2.4% |
| Total City | 4,712 | 100.0% | \$ 2,550,754,301 | 100.0% |

Tax Increment Calculations

Tax increment is used for the payment of debt for urban renewal activities described in the urban renewal plans adopted by the City of Wilsonville.

To determine the amount of the tax increment allocation, the total assessed value within each urban renewal area is segregated by the County Assessor into two parts: (a) the total taxable assessed value in the district at the time the Urban Renewal Plan was adopted (Frozen Base Value) adjusted by properties added or removed from the district, and (b) the difference between the Frozen Base Value and the current total assessed value (Incremental Value).

With the passage of measure 50, urban renewal property taxes are generated by two processes. First is a process called "division of tax," referring to taxes levied by each overlapping government on the Incremental Value. Second is a Special Levy on property within Wilsonville. This special tax rate protects bondholders and permits the Urban Renewal Agency to recover increment "lost" due to roll back of assessed values and tax rates. The Special Levy can only be assessed on a limited amount of indebtedness – explained in the Financing the Urban Renewal Projects section. Unlike the division of tax portion which cannot be reduced, the Urban Renewal Board may choose to set the Special Levy at less than the maximum allowed. The City has not assessed the Special Levy since 2002-03 and is precluded from doing so when it approved a substantial plan amendment in June 2007.

King, Sandy

From: Scott Starr <scottstarr97070@gmail.com>
Sent: Thursday, January 23, 2014 10:15 AM
To: Cosgrove, Bryan
Subject: Canyon Creek crosswalks

Bryan,

I believe I sent you a request from a citizen last week about crosswalks on Canyon Creek. I don't believe I ever received an update other than Nancy saying she would be working on it. Are there any answers yet that I can share with the requestor? I thought we did approve one or two second half of last year but I can't remember the detail.

Thank you,

Scott

Ben Altman

From: Ben Altman [baltman@sfadg.com]
Sent: Tuesday, June 19, 2012 10:12 AM
To: 'Chris Neamtzu'; 'Pauly, Daniel'
Subject: Wayfinding Signage

Chris & Daniel:

Congratulations of the new Sign Code! I hope it works well for everyone. Who said this isn't fun? You guys are doing great work!

As a follow-up, I would like to schedule some time to meet with you to discuss strategy for wayfinding signage. Given the provisions within the new Code I don't see that we necessarily have to go back to the Planning Commission. It seems that all we need is to outline a concept, with some clear criteria for signs within the right-of-way (other than ODOT's).

Here are some thoughts to consider:

- Start with enhanced Street Signage;
- Initially identify the top locations needing improved location identity, specified by the Chamber;
- Provide for signs on private property, based on documented owner approval and/or easement;

My thought on street signage is to provide clear and consistent street signage at intersections. I prefer the signs on traffic signals, where feasible. But I would go farther and give direction to the linked streets, particularly from Wilsonville Road, Boeckman, and Elligsen. For example: At Kinsman, indicate that this street links to Barber, Boberg, and Boeckman.

We could also consider identifying special Districts, such as Charbonneau, but including Town Center, Old Town, Villebois, 95th Avenue Businesses, etc. We might have different color signs for various Districts.

My thought is to see what you (staff) has already considered, then run it by a Chamber Economic Vitality Committee, and then refine with staff.

We could also discuss Banners... I haven't thought about this one as much, but I generally agree with the Mayor that we should provide for them, maybe, again, linked with Special Districts.

I am relatively available next week, particularly in the afternoon, except for Tuesday. After that it would have to be the second week in July.

Thanks,

Ben Altman
Senior Planner/Project Manager

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*Rec'd 11/23/14
ACK*

6/19/2012

Wilsonville Chamber of Commerce Economic Vitality Committee

Way Finding Signage Proposal

Draft 3-7-12, Ben Altman

The following list has been compiled of the places for which directions are most often requested. This list is based on requests made at the Visitor Center, and also from general concerns expressed to the Chamber of Commerce by member businesses.

All of these locations are reached via either Wilsonville Road or Elligsen Road, but may not be clearly evident when someone not familiar with the city enters from I-5. It appears that often the problem is that the person gets off I-5 at the wrong exit, and then can't find what they are looking for.

Appropriate Way Finding Signage should be provided along these two arterials at key intersections with major collectors.

West Side

95th Avenue
Ridder Road
Boeckman Road
Barber Street
Kinsman Road
Boones Ferry Road
Brown Road
110th/Future Round-about?

East Side

Parkway Avenue
Canyon Creek Road
Boeckman Road
Town Center Loop (E & W)
Memorial Drive
Stafford Road

Ideally we could develop a coordinated Master Way Finding Sign Plan. But in the interim it seems appropriate to provide some initial signage to help promote existing businesses and residential developments.

The following is an initial list and there may be other locations identified as we proceed in developing a Way Finding Signage program.

Government Buildings:

- City Hall (Court), Library, Public Works, Community Center, Smart/WES Transit Station
- Police/Sheriff
- Post Office

Attractions:

- Visitor Center/Town Center Park
- Korean War Memorial
- Other Parks, Graham Oaks

Schools:

- High School, Wood, Boeckman, Boones Ferry, pending Lowrie, and CREST
- Clackamas Community College, and pending OIT

Businesses, Districts and Residential Developments:

- Town Center/Village at Main
 - Fry's
 - Theater
 - Bullwinkles
- Argyle Square
 - Costco
 - Target
- Old Town Neighborhood and Businesses
 - Old Town Village
 - Eva's Doggery
 - Fido's Doggy Day Care
 - Lance's Superior Auto Service
 - Portland Reign Photography
- Villebois, others
- Charbonneau
- 95th Avenue Business District
 - Auto Dealers (west side)
- Parkway Avenue Business District (north, central, south)
 - (east side)



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Rest
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Off-Interstate Logo Signs

Off-Interstate logo signs consist of a blue sign panel with individual business logo plaques mounted on the panel. Off-Interstate sign panels have legends, or titles, for 4 different types of services: Gas, Food, Lodging and Camping.

Off-Interstate logo signs may be installed along non-interstate, rural highways, but not in urban areas.

Naturally, the signs are not only valuable to the motorist, but also to the businesses featured on the signs. While businesses may look at highway signs as a form of advertising or promotion, the signs are in fact classified as official traffic control devices and are regulated by Federal and State laws.

Oregon is one of two States nationally that offer these smaller versions of freeway logo signs to businesses on primary and secondary highway routes. They began in 1979 through the lobbying of a campground in Lincoln City. With the help of ODOT, the Travel Information Council obtained Federal approval to begin this sign program.



Choose:
Interstate logo
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BUSINESS PROGRAMS & SERVICES

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Tourist Oriented Directional (TOD) Signs

TOD signs consist of a blue sign panel with white letters giving the name of a qualified tourist oriented business or activity, or a qualified historical or cultural feature, together with directional information.

TOD signs may be installed along non-interstate, rural highways, but not in urban areas.

Naturally, the signs are not only valuable to the motorist, but also to the businesses featured on the signs. While businesses may look at highway signs as a form of advertising or promotion, the signs are in fact classified as official traffic control devices and are regulated by Federal and State laws.

The Travel Information Council initiated this sign program in 1983 and was given permission by the Federal Highway Administration to try them on an experimental basis. Two other states also participated in the experimental stages from 1983-1988. In 1989, Oregon's standards were adopted into the Federal Manual on Uniform Traffic Control Devices and this program is now permitted for use by all states.



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Tourist Oriented Directional Signs photos



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Off-Interstate Logo Sign rates

Fees are set by the highway where the signs are located

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Location

**Advance
sign, per
year**

**Intersection
sign, per year**

All Primary and Secondary routes (non-interstate) WEST of the Cascades Mountains;

Hwy 39 & Hwy 140, Klamath Falls;
 Hwy 97, Redmond-Sunriver (except for Bend Expressway);
 Hwy 372, Mt. Bachelor;
 Hwy 20, Sisters-Bend;
 Hwy 126, Sisters-Redmond;
 Hwy 35, Mt. Hood-Hood River;
 Hwy 58, Goshen-Oakridge;
 Hwy 138, Roseburg-Milepoint 30

\$265 per
direction

\$120 per
direction

All Primary and Secondary routes (non-interstate) in Central & Southern Oregon (except Redmond, Bend, Sunriver, Klamath Falls, Sisters)

\$145 per
direction

\$85 per
direction

All Primary and Secondary routes (non-interstate) in Northeastern & Southeastern Oregon;
 Hwy 62, Milepoint 21-Milepoint 103

\$100 per
direction

\$65 per
direction

Advance Sign: The first or primary sign a business has in any given direction of travel is known as the Advance sign. This blue sign is usually ¼ Mile from the intersection. It has a directional designation, (e.g. Next Left), a service designation, (e.g. Gas, Food, Lodging, or Camping), and a business Logo plaque. On the billing invoice, these signs are referred to as "ADV".

Intersection Sign: The secondary sign a business may have in any given

direction of travel is known as the Intersection sign. If a business is not visible from the intersection where the motorist turns off of the highway, they may require an Intersection sign. This blue sign typically includes a directional arrow, a service designation, (e.g. Gas, Food, Lodging, or Camping), and a business Logo plaque. When necessary, mileage is also indicated below the plaque. On the billing invoice, these signs are referred to as "INT".

The placement of Advance and Intersection signs is determined by an engineering study of the highway.

Where navigation is difficult, multiple Intersection signs may be necessary.

If more than one business requests a sign at the same intersection, multiple plaques may be installed on the same Advance or Intersection signs.

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A semi-independent state agency, we put Oregon businesses in contact with motorists

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Woodburn Company Stores Travel Plaza

Just 27 miles south of Portland, Oregon, Woodburn Company Stores are a major attraction for visitors from out-of-state and Oregonians alike. Woodburn Company Stores attract over 4.4 million shoppers per year and are a major contributor to the region's economic vitality. Tour buses from Washington State and British Columbia help make the outlet mall a tourist destination point.

A traveler information kiosk is conveniently located on the attractive mall promenade. A series of colorful backlit panels showcase local attractions and visitor services. Flower farms, wineries, museums, and travel-related agencies all benefit from kiosk exposure.

Travel information kiosks and plazas encourage visitors to explore the jewels of Oregon's independent businesses. The Woodburn Company Stores Travel Plaza is a direct partnership between the Woodburn Chamber of Commerce, the Oregon Travel Information Council, and Woodburn Company Stores.



How to "sign up"

Join the other successful businesses who have signed up to be part of the Woodburn Company Stores Travel Plaza. It's easy, it's economical, and it just makes sense!

Call Harry Falise, Travel Information Council Sales Director at 1-800-574-9397, or email Harry at: harry@oregontic.com

Resources

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City unveils \$640,000 Wayfinding sign system

Originally published March 13, 2010

By Ed Waters Jr.
News-Post Staff

Exploring a city can be fun, but it can also be frustrating if you are trying to find something specific.

City officials unveiled a new signage system Friday to help both local residents and visitors navigate around Frederick. The Wayfinding system will include vehicular, parking and pedestrian signs and new kiosk design.

Cost of the project is \$640,000, according to Tim Davis, transportation planner for the city.

"The cost will come from grants, general funds, parking funds, not just one place," he said.

The project will include 150 new signs, Davis said. "But we are removing 160 old signs," he said. The project will take several months to complete.

The city, Downtown Frederick Partnership and Tourism Council of Frederick County launched the project.

"As a small-business owner, and now the mayor of the city, I am very pleased to have this new tool to assist our citizens and visitors alike in getting around town," said Mayor Randy McClement.

"This new Wayfinding system functions in ways that will not only directly benefit the many cultural and historic attractions, but there will be positive economic gains to all of our downtown businesses."

The project began the planning stages more than six years ago. Meetings were held with the general public, representatives of cultural and historical sites, downtown merchants and officials to coordinate the design and placement of the new signs.

"Several hundred million dollars has been invested in the revitalization of downtown Frederick in terms of public infrastructure and private rehabilitation and construction since the devastating floods of the 1970s," said Richard Griffin, director of the city's economic development department.

"This new state-of-the-art Wayfinding system is critical to ensure that investment is maximized by patrons of downtown."

Funding sources, besides the city, include Preserve America, Maryland Heritage Authority, Tourism Council of Frederick County and the Maryland Department of Housing and Community Development's Main Street Improvement Program.

The system includes gateway, vehicular, parking and pedestrian signs.

The gateway signs will include those welcoming visitors to the city, as well as downtown Frederick at key intersections.



Photo by Graham Cullen

Mike Freudiger, left, and Glen Swantak discuss the newly installed downtown Frederick signs, which were dedicated Friday.

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Referred for a reason.

The vehicular signs will guide drivers to their intended destinations. The parking signs will include information directing drivers to the most appropriate parking garage, new signage placed on the garages that includes the name of each facility and additional signs, including banners and murals, to help drivers identify parking garage entrances when they are hidden from view.

The parking garages will have additional internal signs to guide exiting drivers to the nearest Interstate or highway to assist visitors trying to leave [Frederick](#).

The pedestrian signs will guide visitors to area local attractions. Pedestrians also will be guided by new and improved kiosks located at key points in downtown [Frederick](#).

John Flesler, executive director of the Tourism Council, said the signs provide a balance between guiding visitors and retaining the historic character of downtown [Frederick](#).

[Post your comments »](#)

topheadlines

Man critical after head-on crash

MIDDLETOWN -- A man was in critical condition after a head-on collision around 3 p.m. Wednesday on Alternate U.S. 40 near Beechtree Drive, Maryland State Police said.

Man arrested for defacing mural on Carroll Creek

Defacing a mural on Carroll Creek Linear Park after an officer told him not to skateboard there led to a man's arrest, according to the Frederick Police Department.

Fire burning on Rep. Bartlett's property

Fire destroyed several apartments at U.S. Rep. Roscoe Bartlett's farm at 4317 Buckeystown Pike this afternoon.

No one was injured and 14 apartments were affected by the fire in a converted barn and silo, said Mike Dmuchowski, spokesman for the Division of Fire and Rescue Services. The Frederick County chapter of the American Red Cross is assisting multiple residents with housing.

Off-ramp to Md. 17 reopened following tractor-trailer crash

The off-ramp onto Md. 17 from I-70 East near Myersville has reopened following a tractor-trailer crash in the area earlier this morning, according to the Maryland State Highway Administration's website.

Buzz brewing over suggestion to serve beer at fair

A suggestion to serve alcohol at The Great Frederick Fair is meeting opposition.

Selling beer, which is common practice at fairs throughout the country, is being discussed by the fair board managers, said James S. Grimes, president of the board of managers.

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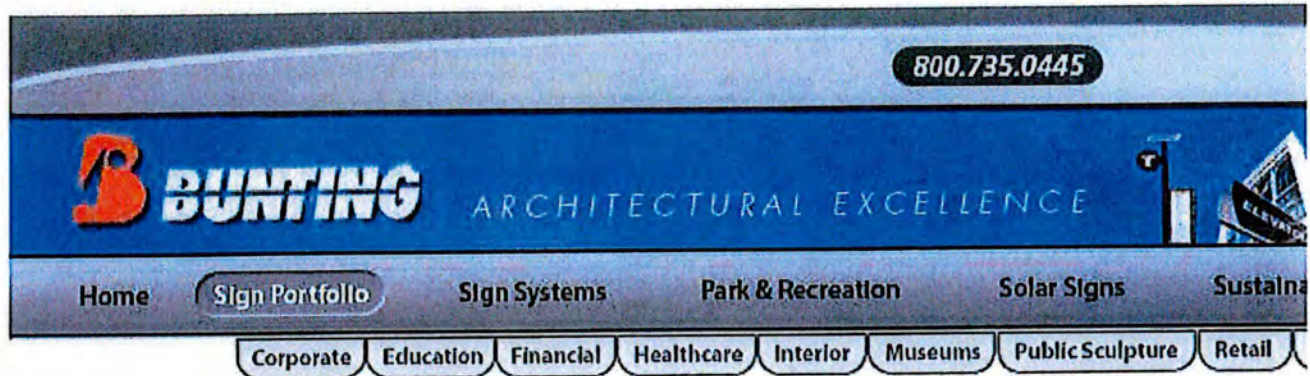
[Frederick Business Directory](#) | [Frederick Weddings](#) | [Frederick Golf Guide](#) | [Frederick Seniors](#) | [Elegant Living](#)

B. Methodology for Estimating the Appropriate Area of Freestanding Signs

(Three Options Based on Highway Speeds)

| | LOWER 25 MPH | MIDDLE 40 MPH | HIGHER 55MPH |
|--|-------------------------|--------------------------|---------------------------|
| DISTANCE SIGN IS VIEWED | 200' | 320' | 440' |
| REQUIRED LETTER HEIGHT | 7" | 10" | 15" |
| APPROPRIATE VIEWING TIME | 4-6 Seconds | 4-6 Seconds | 4-6 Seconds |
| ELEMENTS COMPREHENDED | | | |
| • Letter | 40-60 | 40-60 | 40-60 |
| • Words/Symbols 5 to 7 letters per word; 1 word = 1 symbol | 6-12 | 6-12 | 6-12 |
| TOTAL AREA OF LETTERS/SYMBOLS (Width of letter, including spacing equals the letter height) | 14-20 Feet | 28-42 Feet | 63-94 Feet |
| TOTAL SIGN AREA (with message - 40% of total area) | 35-50 Square Feet | 70-105 Square Feet | 160-235 Square Feet |

Source: Street Graphics & the Law



Sign Portfolio Wayfinding

City of Dallas Wayfinding System, Dallas, TX

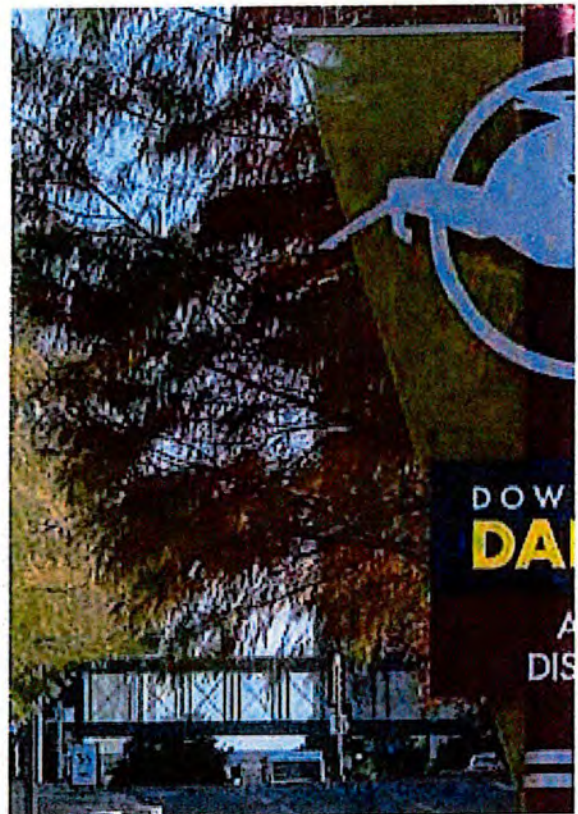
Bunting fabricated and installed a major wayfinding sign program for the City of Dallas.

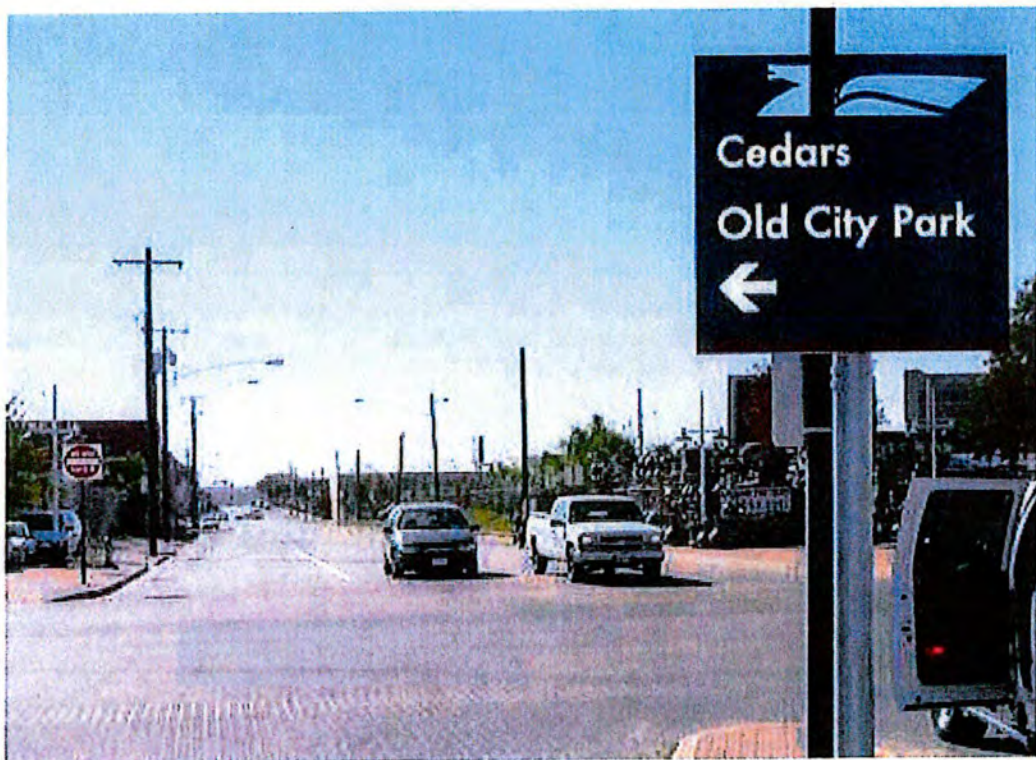
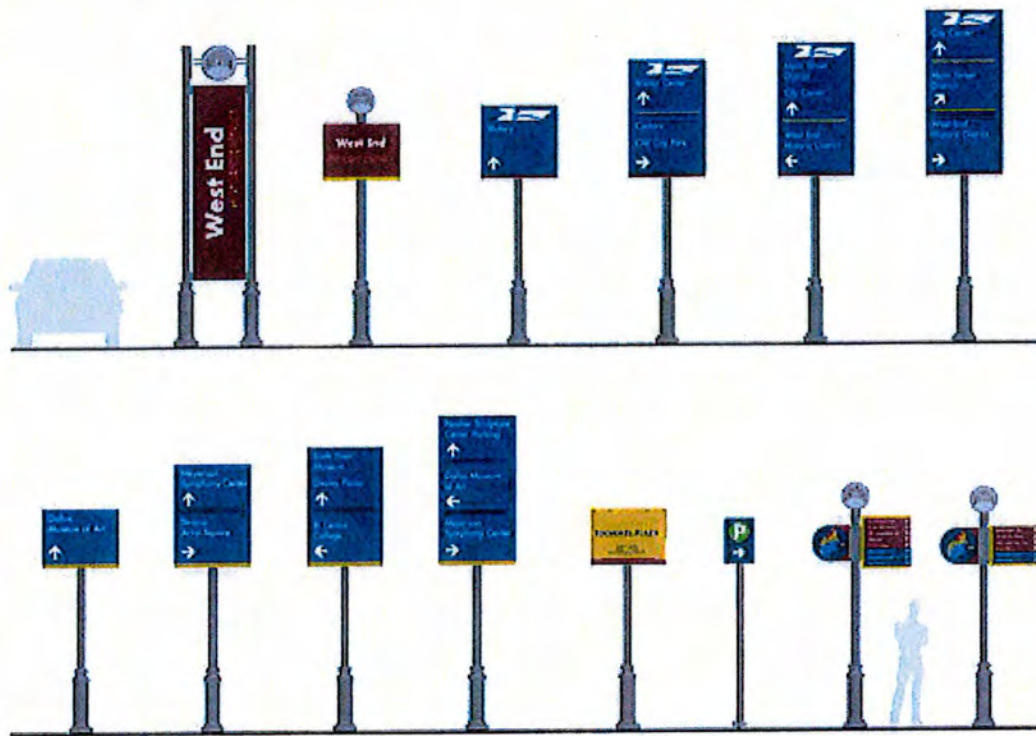
The highly-visible signs are two feet high and five feet wide, and are installed on metal posts at a height of seven feet, making them easily visible by passengers in cars, buses or trains. A distinctive Pegasus silhouette design feature adds to the signs' uniqueness.

The effort was initiated and led by the Central Dallas Association's Downtown Improvement District. Installation was completed by March 2006.

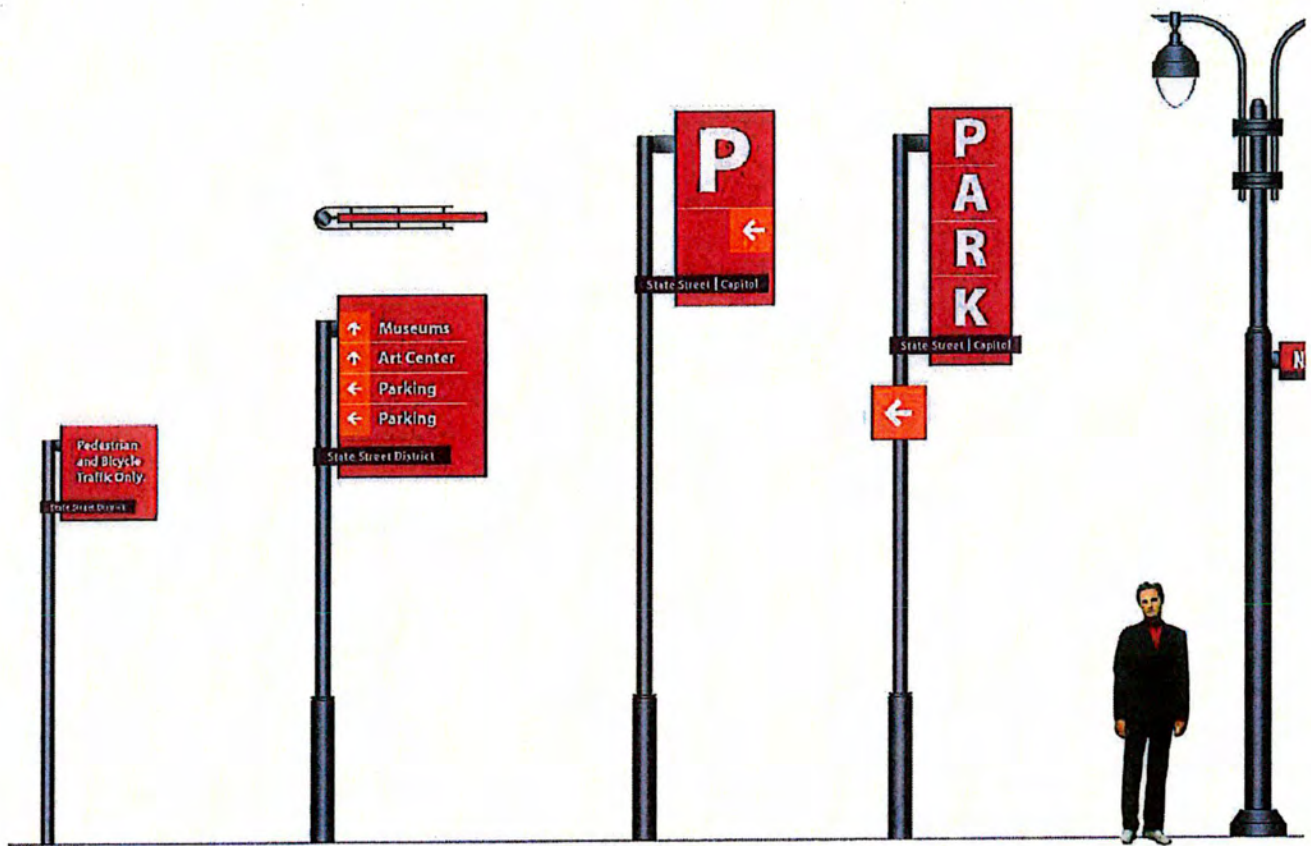
While most of the 220 signs were installed within the freeway loop, a few are located on main arterials leading into the Central Business District.

To help the Downtown Business District brand its identity and keep up with the area's expansion, the designers created a wayfinding master plan for the local vehicular system.





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Wayfinding & Community Signs

The science of wayfinding encompasses many factors, including municipal planning, the streetscape infrastructure, traffic patterns and cognitive process of navigation.

When considering the design of your wayfinding signs, remember to Keep It Simple:

- Select Highway, Clearview or easy to read fonts
- Limit the number of destinations per sign: four or less is ideal
- Size your messages and signs according to speed and viewing distances
- Maintain colors and format to facilitate recognizability
- Logos can be carried over onto other signage, including street name signs, points of interest and regulatory signs.



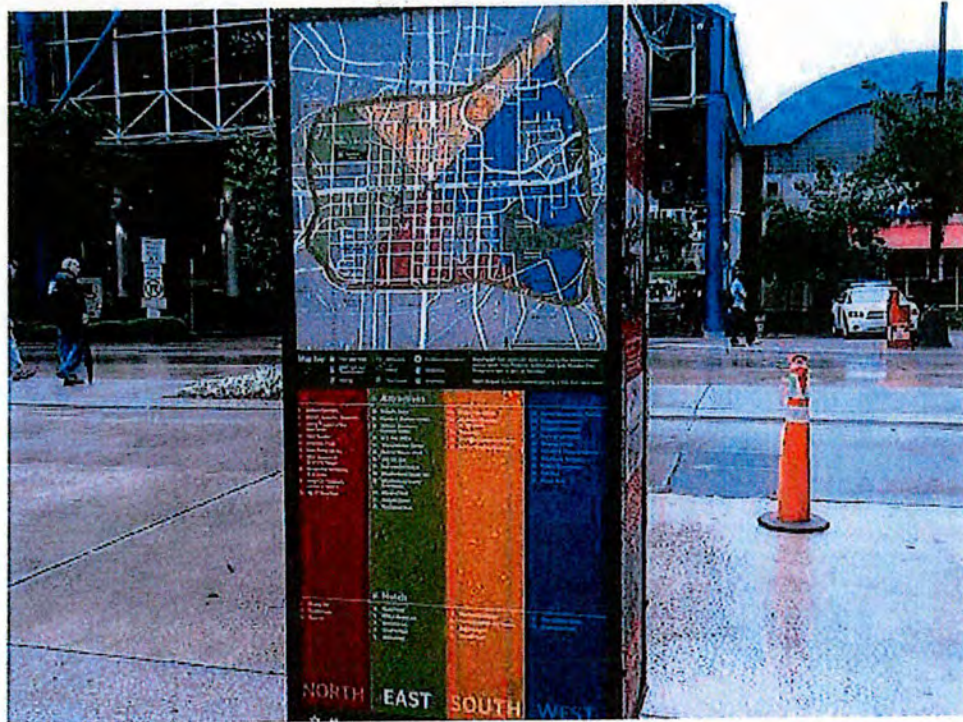
TAPCO can work with you to develop a complete wayfinding system that r neighborhood.

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Town of Dennis, MA Planning Dept. Weblog

This blog is for sharing of information related to the Town Planning in Dennis Massachusetts

Wayfinding Signs

September 9, 2011

tags: Dennisport, Economic Development, Sign Code

A few weeks ago I raised the idea that we amend the Dennis Sign Code to implement the recommendations of the Dennisport Design Charrette. Since that post I have learned that the Federal Highway Administration has specifically recognized this type of signage.



On September 15th I will be discussing these signs with the Dennis Economic Development

Google images



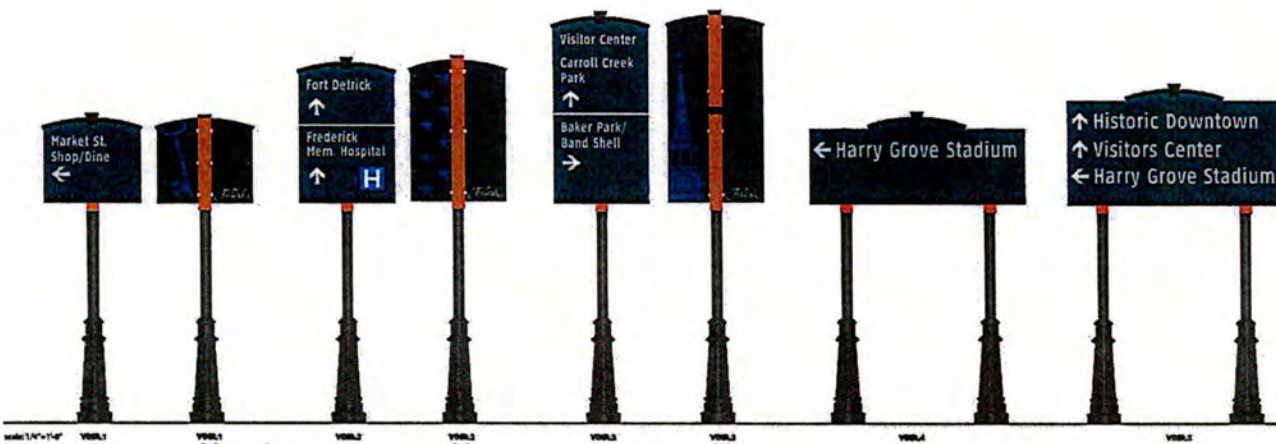
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SPECIFICATIONS

SIGN TYPES

Gateways

GATE.1
GATE.2
GATE.11
GATE.12

District Banner

DIST.3

Destination Identification (Single Post)

DEST.1
DEST.2

Vehicular Directional (Single Post)

VDIR.1
VDIR.2
VDIR.3
VDIR.4
VDIR.5

NOTES

ENVIRONMENTS & EXPERIENCES

merJe

The Widener Building, Suite 1500
One South Penn Square
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T 215.598.4407 F 215.626.9999
www.merjedesign.com

CLIENT / PROJECT

City of Frederick, MD
Wayfinding & Signage
Program

PROJECT NO. Y41.07961.000

SUBCONSULTANT

DATE 12/17/2008

DRAWN BY: GS/KG/KB

These drawings are issued for DESIGN PURPOSE ONLY and are not for construction. Contractor shall verify and be responsible for all dimensions and conditions of the job. Contractor shall be familiar with the site and conditions & provide. This office must be notified of any variations from the drawings and conditions shown on this drawing. Shop drawings and details must be submitted to this office for approval prior to proceeding with fabrication. All work shall be performed by client and legal requirements shall be legal department.

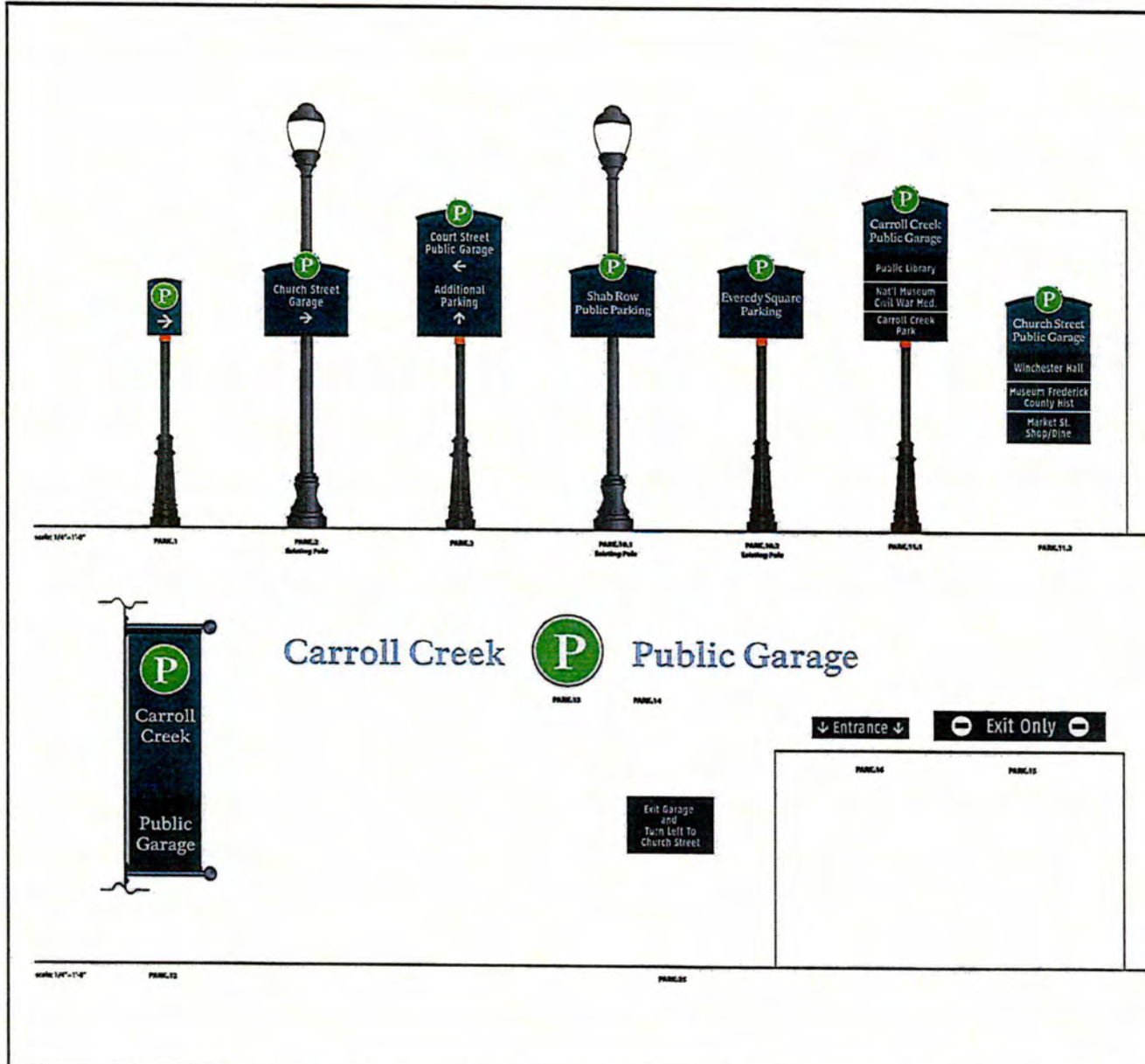
REVISIONS

SHEET TITLE

Menu of Sign Types
Vehicular

SHEET NO.

B.1



SPECIFICATIONS

SIGN TYPES

Parking Directional

PARK.1
PARK.2
PARK.3

Parking ID

PARK.10.1
PARK.10.2
PARK.11.1
PARK.11.2

Parking Garage Identification

PARK.12
PARK.13
PARK.14
PARK.15
PARK.16

NOTES

ENVIRONMENTS & EXPERIENCES

merje

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CLIENT / PROJECT

City of Frederick, MD
Wayfinding & Signage
Program

PROJECT NO. Y41.07961.000

SUBCONSULTANT

DATE 12/17/2008

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REVISIONS

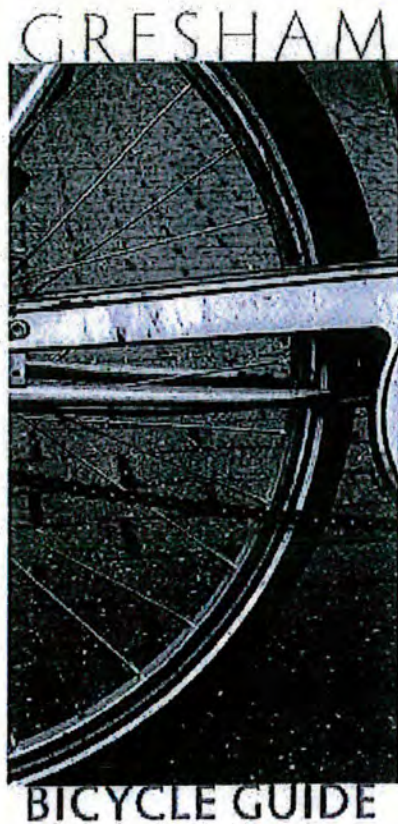
SHEET TITLE

Menu of Sign Types
Parking

SHEET NO.

B.2

Gresham Bicycle Guide and Wayfinding Signs



Bike Guide

Gresham's first solo bike guide is available on water-resistant paper at Gresham City Hall. Whether heading to work or biking for recreation, the bike map helps a bike rider choose the best route to a destination. The back of the map includes rules of the road, safety tips and much more.

The bike guide is available at Gresham City Hall, local bike shops and the Gresham Area Chamber of Commerce.

Bike Wayfinding Signs

New bike wayfinding signs are along major bike routes throughout the City.

- These directional signs inform bicyclists which direction to travel to get to a specific destination.
- In addition to arrows pointing the bicyclist in the right direction, the signs includes mileage and number of minutes to the destination.
- The time is based on a rider traveling at 10 miles per hour.
- The bike signs help with safety by increasing awareness for drivers to watch for bicyclists.

A Project Led by Local Bike Enthusiasts

Gresham residents (and avid bicyclists) Greg Olson and Jeff Corcoran are members of The City's Transportation Subcommittee. They volunteered more than 200 hours to help staff identify bike routes, the best locations, and information to include on the bike signs.

The money saved by their volunteer hours allowed the City to use the majority of the grant funds for this project, \$50,000, to make and install the signs that otherwise wouldn't have been possible.



Bike Wayfinding Sign List

Bike Wayfinding Sign Map

Good for Community

Bike wayfinding signage and bike maps help encourage residents to ride their bikes to promote health and a livable community. Gresham promotes bicycling and walking as an option to driving alone.

Bicycling and Walking

Gresham SmartTrips

Funding

The City applied for and received a \$50,000 Regional Travel Option grant from Metro, which receives federal funds from a program called "Congestion Mitigation and Air Quality." The City donated \$10,000 in staff time to this project, and the Gresham Regional Center Transportation Management Association donated \$3,000 in staff time to help produce the bike map.

For more information contact Michelle Kimble at 503-618-2216 or Michelle.Kimble@GreshamOregon.gov.

Share:

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DISTRICTS

RESIDENTIAL

INDUSTRIAL

COMMERCIAL

The City of Wilsonville Streets

City Limits
Urban Growth
Boundary

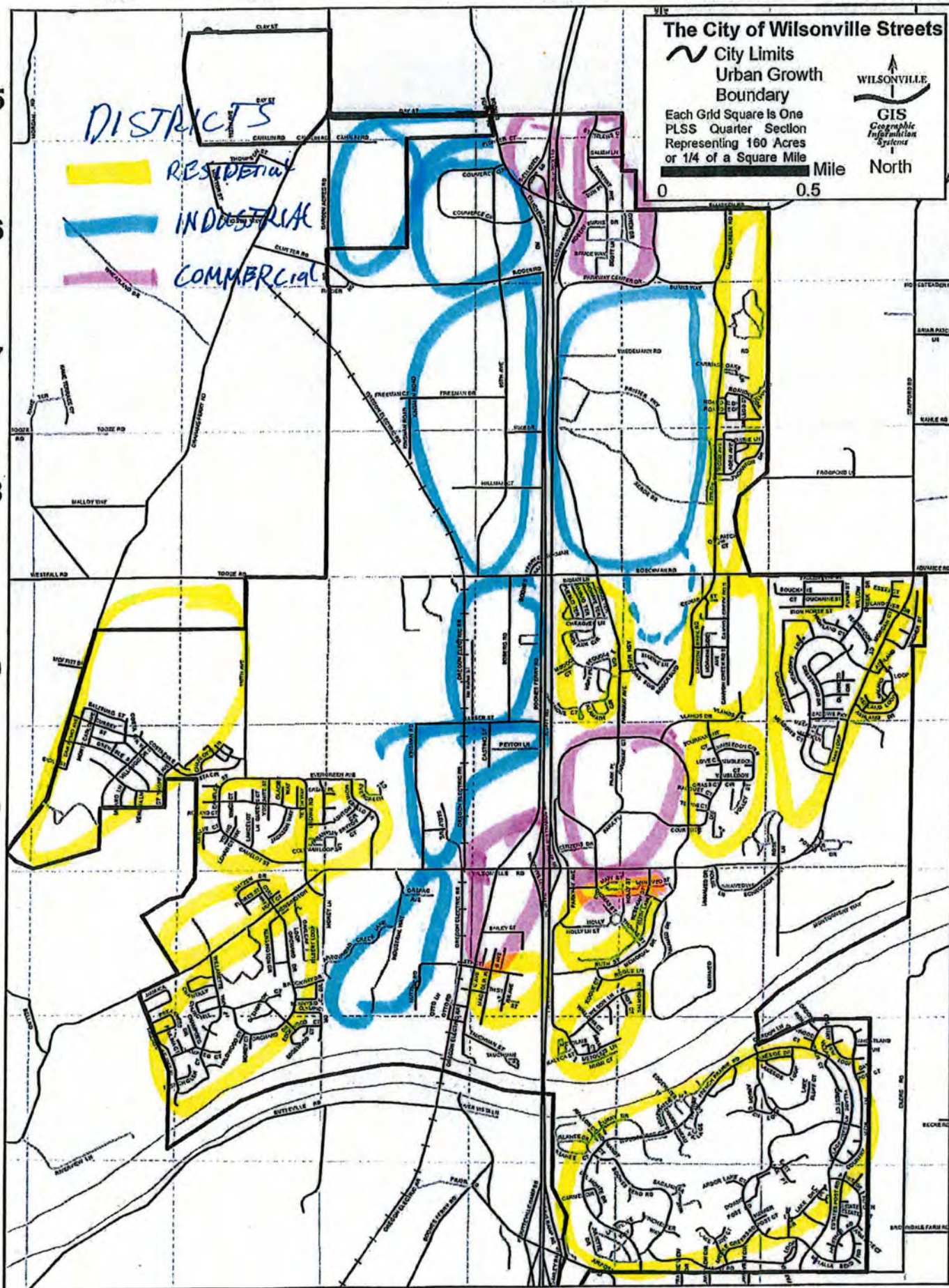
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or 1/4 of a Square Mile

0 0.5 Mile



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CITY COUNCIL MEETING STAFF REPORT

| | |
|---|--|
| Meeting Date: January 23, 2014 | Subject: Recreation and Aquatic Center Feasibility Study Contract Award Staff Member: Stan Sherer, Parks and Recreation Director Department: 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: Informational only. | |
| PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i> | |
| <input checked="" type="checkbox"/> Council Goals/Priorities | <input type="checkbox"/> Adopted Master Plan(s) |
| <input type="checkbox"/> Not Applicable | |

ISSUE BEFORE COUNCIL:

Informational report concerning the selection of The Sports Facilities Advisory/Councilman-Hunsaker architectural consulting firm to perform an economic feasibility study for the development of a Recreation and Aquatic Center in Wilsonville.

EXECUTIVE SUMMARY:

Efforts to determine the economic feasibility of a recreation and aquatic center have been an issue in Wilsonville for several years. A community Aquatic Task Force was charged by the City Council in 2001 to develop a proposal that would result in the development of an aquatic center. The comprehensive report resulted in a request to Council to fund the costs of a conceptual design and an economic feasibility study. In November of 2005 the Council retained

The Sports Management Group, a national consulting firm, to conduct a study to address demographics, analysis of the area market conditions and to estimate the annual costs to operate and maintain a new aquatic center. The consultant determined that, although the need existed for the proposed facility, the population in Wilsonville could not financially sustain an aquatics center without an operating subsidy. The Sports Management Group did recommend considering a more full service recreation center that would enhance service delivery and improve the cost recovery percentage for operational costs.

In response to the City Council goal to complete an economic feasibility study for a recreation and aquatics center, staff issued a Requests for Proposal ("RFP") seeking proposals from qualified consulting teams to conduct the study in November 2013. The City received six submittals to the RFP and a staff review team shortlisted the number to three finalists. Finalist interviews were held at City Hall on Tuesday, January 7, 2014. The shortlisted architectural consulting firms included;

- SFA/Councilman-Hunsaker (Clearwater, FL.)
- Opsis (Portland, OR)
- Hunden Strategic Partners (Denver, Co.)

The interviews were conducted by four city staff members who rated the consulting firms in four major categories. They were relevant experience, how closely each team addressed the scope of work identified in the RFP, the qualifications of their personnel and the cost of performance. After the process was completed, the interview team came to a consensus that the Sports Facilities Advisory/Councilman-Hunsaker team was the most experienced and qualified firm to lead the City and the community through the feasibility study process. The firm's experience in determining feasibility and their understanding of design concepts and management strategies distinguished them from the field.

EXPECTED RESULTS:

The study will consist of a market analysis, conceptual design, an operations and programming pro forma, site analysis and estimated costs of construction for a multigenerational recreation facility. The successful architectural firm will facilitate workshops with the appointed task force and solicit input and review from them on the following tasks:

- Review existing information and historical data and determine what, if any, is pertinent to the proposed project.
- Research and present informational report on existing economically successful like public facilities and or partnerships suitable for consideration as a business model.
- Include an operational, economic, technical and programming feasibility study and market analysis to determine the market and demand for proposed services.
- Propose operational models and estimate cost and revenue projections that will reflect a goal of an expense/revenue neutral business plan. Define priority services, participant demographics and what services may be provided by independent contractors or other service providers.
- Prepare conceptual building design that incorporates optional LEED standards.
- Prepare informational handout of study results and recommendations.
- Prepare and present preliminary finds to the Park Board and Planning Commission in conjunction with the task force.

- Present final findings to the City Council for consideration.

TIMELINE:

The study results will be presented to the City Council for consideration by July/August 2014.

CURRENT YEAR BUDGET IMPACTS:

The cost to facilitate the study will be between \$78,000 and \$82,000, dependent on the final negotiated fee.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____JEO_____ Date: ____1/10/14_____

The cost of the feasibility study contract is within the current amended budget.

LEGAL REVIEW / COMMENT:

Reviewed by: _____MEK_____ Date: ____1/9/10_____

Correct contracting protocol was followed in the selection process

COMMUNITY INVOLVEMENT PROCESS:

A community task force has been appointed by the City Manager. The task force of 16 members represents a multigenerational cross section of the Wilsonville community. In addition, open workshops and/or a design charrette will be part of the scope of work.

CITY MANAGER COMMENT:

The completion of the project will fully implement the "Complete Aquatic/Recreation Center Feasibility Study" goal.

CITY COUNCIL ROLLING SCHEDULE

Board and Commission Meetings 2014-15

JANUARY 2014

| DATE | DAY | TIME | MEETING | LOCATION |
|-------------|-----------------|-----------|--|---------------------------|
| 1/20 | Monday | | City Offices Closed Martin Luther King, Jr. Day | |
| 1/22 | Wednesday | 6:30 p.m. | Library Board | Library |
| 1/23 | Thursday | 7 p.m. | City Council Meeting | Council Chambers |
| 1/27 | Monday | 6:30 p.m. | DRB Panel B | Council Chambers |
| 1/29 | Wednesday | 1:30 p.m. | Tourism Strategy Development Task Force | Willamette River Rooms |

FEBRUARY

| DATE | DAY | TIME | MEETING | LOCATION |
|------|-----------|-----------|--|------------------|
| 2/1 | 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 |

TOURISM STRATEGY DEVELOPMENT TASK FORCE MEETING

Date: 1/29/2014 1:30 PM - 4:00 PM

Location: City Hall - Willamette River Room, 2nd floor



FRIENDS OF TREES

Volunteer Planting & Tree Care Event

Date: 2/1/14 9:00 AM – 1:00PM

Memorial Park, Forest Shelter

Join community members in these annual tree planting and invasive plant removal opportunities.

Call Logan Lauvray at Friends of Trees 503-467-2515 to participate or learn more.

DADDY DAUGHTER DANCE "A Night in Hollywood"

Date: 2/29/14 7:00 PM – 9:00 PM \$14 per person

Community Center

Register early since space is limited to 125.



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

WHEREAS, the Comcast Cable Franchise, effective February 1, 1999, expired on January 31, 2014; and

WHEREAS, the City requires more time to complete the required ascertainment process and franchise negotiations than would be afforded by the current expiration date.

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

1. The City Manager is authorized to sign a Franchise Extension Agreement with Comcast, extending the term of the cable franchise to January 31, 2015, a copy of which is marked Exhibit A and attached hereto and incorporated by reference as if fully set forth herein.
2. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a special meeting thereof this ____ day of _____, 2014, and filed with the Wilsonville City Recorder this date.

Tim Knapp, Mayor

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Attachments:

Exhibit A – Franchise Extension Agreement

FRANCHISE EXTENSION AGREEMENT
for the
City of Wilsonville/Comcast Cable Franchise Agreement

WHEREAS, Comcast of California/Colorado/Florida/Oregon, Inc. ("Comcast") currently holds a cable franchise with the City of Wilsonville ("City"), with an effective date of February 1, 1999 and expiration date of January 31, 2014 ("City Franchise"); and

WHEREAS, by letter dated March 8, 2011, Comcast initiated the renewal process under Section 626 of the Cable Act and reserved its statutory rights related thereto; and

WHEREAS, by letter dated August 23, 2013, the City confirmed continuing to proceed with informal negotiations; and

WHEREAS, the City and Comcast have determined that it is in both parties' best interests to extend the term of the City Franchise from January 31, 2014 through January 31, 2015.

NOW, THEREFORE, the City and Comcast agree as follows:

1. The City Franchise shall be extended up to and through January 31, 2015.
2. All provisions of the City Franchise, other than the duration of the City Franchise as set forth in Section 2.3, shall remain in full force and effect through the extended date set forth herein.
3. The City and Comcast agree that execution of this extension does not waive any rights that either party has under Section 626 of the Cable Act.

ACCEPTED this ____ day of January, 2014.

City of Wilsonville

By: _____
Bryan Cosgrove, City Manager

ACCEPTED this ____ day of January, 2014.

Comcast of California/Colorado/Florida/Oregon, Inc.

By: _____

Print Name: _____

Title: _____

CITY COUNCIL MEETING STAFF REPORT

| | |
|---|---|
| Meeting Date: January 23, 2014 | Subject: Ordinance No. 734 Amending certain sections of the Wilsonville City Code pertaining to the issuance of business licenses Staff Member: Mike Kohlhoff Department: Legal |
| 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. 734 | |
| 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:

Approval of Ordinance No. 734 is requested, revising 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.

EXECUTIVE SUMMARY:

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 cause 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..

EXPECTED RESULTS:

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 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.

TIMELINE:

Effective on or before March 1, 2014

CURRENT YEAR BUDGET IMPACTS:

None unless the City is required to defend a legal challenge to the proposed amendment.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: ____JEO____ Date: ____1/10/14____

No financial impact unless the City is required to defend a legal challenge as stated above.

LEGAL REVIEW / COMMENT:

Recommended by legal, subject to the caveat that any efforts to deviate from what is prescribed by State law may subject the City to legal challenge and could be found to be preempted by State law.

COMMUNITY INVOLVEMENT PROCESS:

Public hearing before Council.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

Data shows that a proliferation of marijuana dispensaries will lead to increased need for additional law enforcement and has also led to acceleration of local criminal activities in those cities where similar or broader laws have been passed. See the attached New Yorker article. On the other side of the coin, advocates for allowing the dispensaries will argue that such dispensaries are of critical importance to the sick people located within the Wilsonville community who are authorized to use medical marijuana for pain management and having a dispensary or dispensaries located in Wilsonville will be very beneficial to those citizens who have a legitimate need to use medical marijuana.

ALTERNATIVES:

1. Accept staff recommendations and enact the Code amendment in the ordinary course or on an emergency basis.
2. Leave the Code language as it is currently written and continue to advise employees not to violate federal law by issuing business licenses to businesses the nature of which is known to violate the Federal Substance Control Act.

3. Leave the Code language as it is currently written and continue with the same advise as No 2 above, but direct staff to present other alternatives, including changes to zoning laws and in conjunction therewith notify LUBA that the City intends to hold a final hearing on the issuance of a moratorium against allowing dispensaries within the City limits, pending passage of zoning regulations. Such moratorium can be for no longer than 120 days but can be renewed, if needed, with no extension for a period no longer than 6 months.
4. Defer the decision for additional public comment or to wait and see what, if any, changes may occur to the law during the next legislative session, if any. In the meantime, dispensaries meeting the requirements of the current Code would be allowed to locate within Wilsonville, in accordance with current state law.

CITY MANAGER COMMENT:

This issue has many moving parts, and is subject to possible litigation. Moreover, State law on the issue is subject to change given recent ballot measures in Washington and Colorado. Any steps taken by Council should be viewed as interim solutions.

ATTACHMENTS

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

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

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 ~~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;

(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 ~~will be in compliance with all 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 ~~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.

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.

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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WILSONVILLE CODE

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 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 will be in compliance with all applicable state, federal, and local laws.”
 - (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 material 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:

THE NEW YORKER

A REPORTER AT LARGE

BUZZKILL

Washington State discovers that it's not so easy to create a legal marijuana economy.

BY PATRICK RADDEN KEEFE

NOVEMBER 18, 2013

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Washington's law gave state officials only a year to answer difficult questions: Who could grow legal pot? Who could sell it? How much would an ounce of the drug cost? Photograph by Maureen Drennan.

One morning in August, Mark Kleiman, a professor of public policy at U.C.L.A., addressed the Seattle city council on the subject of marijuana. Kleiman is one of the country's most prominent and outspoken analysts of drug policy, and for three decades he has argued that America's cannabis laws must be liberalized. Kleiman's campaign used to seem quixotic, but in November, 2012, voters in Washington and Colorado passed initiatives legalizing the use and commercial sale of marijuana. Immediately afterward, the State of Washington decided that it needed help setting up a pot economy. State bureaucrats don't generally sit around pondering the improbable, so they had made no contingency plans. A call for proposals was issued. Kleiman assembled a team that beat out more than a hundred other contenders for the job. He calls himself a "policy entrepreneur," and offers advice through a consultancy that he runs, BOTEK Analysis Corp. In a nod to the ambiguity inherent in studying illicit economies, BOTEK stands for Back of the Envelope Calculation.

Washington and Colorado have launched a singular experiment. The Netherlands tolerates personal use of marijuana, but growing or selling the drug is still illegal. Portugal has eliminated criminal sanctions on all forms of drug use, but selling narcotics remains a crime. Washington and Colorado are not merely decriminalizing adult possession and use of cannabis; they are creating a legal market for the drug that will be overseen by the state. In a further complication, the marijuana that is legal in these states will remain illegal in the eyes of the federal government, because the Controlled Substances Act of 1970 forbids the growing and selling of cannabis. "What the state is doing, in actuality, is issuing licenses to commit a felony," Kleiman says. In late August, after months of silence, the Department of Justice announced that it will not intervene to halt the initiatives in Washington and Colorado. Instead, it will adopt a "trust but verify" approach, permitting the states to police the new market for the drug. Many other states appear poised to introduce legalization measures, and the Obama Administration's apparent acquiescence surely will hasten this development.

Washington's initiative, called I-502, received fifty-six per cent of the vote, with especially strong support in western Washington, around Seattle. Voters saw a lot to like: the end of prohibition of a drug that many people enjoy and consider harmless; a fresh source of tax revenue; an end to the punitive, and racially discriminatory, enforcement of marijuana laws. Each year, U.S. authorities make more than three-quarters of a million arrests for marijuana offenses. Blacks are more than three times as likely to be arrested for such offenses as whites are, though they are no more likely to use the drug. Pete Holmes, the city attorney of Seattle,

told me that state prosecutors had stopped indicting people for marijuana possession, because local jurors found the prohibition so objectionable that they tended to acquit on principle. A few years ago, Holmes stopped prosecuting misdemeanor marijuana-possession cases. He then publicly endorsed I-502.

The law, which was sixty-four pages long and contained hundreds of specific provisions, assigned the liquor-control board the role of regulating the pot market. Yet many difficult questions remained: Who would be allowed to grow legal marijuana? Who would be allowed to sell it? How much would an ounce of legal pot cost? The legislation gave Washington officials only a year to come up with answers. Randy Simmons, the state's project manager for I-502, says, "From the week after the initiative passed, it's been about a hundred and fifty miles an hour."

The liquor-control board instructed Kleiman and his associates at BOTEC to submit research papers outlining the advantages and disadvantages of rival approaches to legalization. They were to be paid two hundred and ninety-two dollars an hour. In the spring and summer, Kleiman's team engaged in the often surreal enterprise of conducting market research on a black market: producing reports on the number of active marijuana users in each county; estimating how many retail cannabis outlets would be needed to serve that population; assessing how various tax schemes might affect the price of the drug. They also investigated protocols for "product quality standards and testing." Kleiman's mandate was to offer officials options, rather than prescriptions. But he has a lot of opinions, and does not excel at hiding them.

If Seattle has welcomed the legalization of marijuana with utopian optimism—a conviction that Washington's experiment will eventually sweep the nation—then Kleiman can seem like a total downer. Allergic to cant, he speaks with the bracing candor of a scientist in a disaster movie, and appears to derive grim pleasure from informing politicians that they have underestimated the complexity of a problem.

The council meeting took place at City Hall, a glass-and-steel building overlooking Puget Sound. Council members sat around a long table, looking scrubbed and upbeat, as Kleiman—a large man of sixty-two, with a lumbering gait and an unruly gray beard—took a seat before a microphone. "One of the ideas that has actuated the cannabis-legalization movement is that law enforcement really has bigger fish to fry," he said. "We'd rather have cops chasing burglars than pot sellers. And that's a reasonable viewpoint." He paused. "But the implication of . . . a legal commercial market is *not* that you need less enforcement." The city councillors looked anxious. "That'll be true in the long run," Kleiman allowed. "In the long run, there shouldn't be much of an illegal business. . . . In the short run, though, the answer is just the opposite."

When legal marijuana goes on sale, sometime next spring, the black market will not simply vanish; over-the-counter pot will have to compete with illicit pot. To support the legal market,

Kleiman argued, the state must intensify law-enforcement pressure on people who refuse to play by the new rules. A street dealer will have to be arrested in the hope that “you will migrate that dealer’s customers into the taxed-and-regulated market.”

Officials in Washington had been expecting a peace dividend, yet Kleiman was calling for a crackdown. It was the kind of logical argument that nobody wants to hear. Not even law enforcement: to a narcotics detective, pot legalization can feel like an existential affront. As if to deepen the insult, tax revenue from the sale of legal cannabis will be devoted to substance-abuse prevention and research—not to police or prosecutors. Who, then, was going to pay for such a crackdown? Although Kleiman urged state officials to set aside funds for increased law enforcement, he can get impatient with such complaints. He likes to say, “You don’t get any of the revenue for arresting *robbers*, either.”

He left the city councillors with a warning: without intensified law enforcement, pot legalization might not succeed. “The illicit market is a paper tiger,” he concluded. “But a paper tiger doesn’t fall over until you push it.”

As an undergraduate at Haverford, Kleiman was a triple major in political science, economics, and philosophy, and he readily concedes that he analyzes things to death. His friend Phil Heymann, a professor at Harvard Law School, recalls having lunch with Kleiman at a university cafeteria. Kleiman launched into an impromptu analysis of the arrangement of the buffet tables and the traffic patterns of his fellow-diners, riffing on the optimal layout for the efficient allocation and consumption of lunch. “There’s a puzzle-solving quality to Mark,” Heymann says. “He loves to think through the decision theory of everything.”

Jonathan Caulkins, a professor at Carnegie Mellon, worked with Kleiman in Washington. In drug-policy circles, he says, Kleiman is known as a prodigious generator of unorthodox solutions: “Not all of these ideas turn out to work in practice, but a lot of what happens in the whole field is Mark throws out an idea and then we all investigate it, check it, respond to it.” Kleiman has never been married and has no children, which allows him to crisscross the country, bestowing policy advice, most often on matters of criminal justice. This year, he is on track to hit a hundred thousand miles.

Kleiman prides himself on being unconstrained by fixed ideas, and tends to discuss policy as if it were an engineering problem—a dispassionate tabulation of costs and benefits. He has been fiercely critical of the excesses of drug enforcement, but he also distrusts the unfettered libertarianism of those who would like to see all narcotics legalized. Harold Pollack, the co-director of the University of Chicago Crime Lab, says, “Mark has a kind of iconoclastic credibility that comes from the fact that he doesn’t fit neatly into the usual ideological camps you find in criminal-justice policy.”

Ethan Nadelmann, the executive director of the Drug Policy Alliance, a national group that advocates the decriminalization of all drugs, is more skeptical. “Mark has always caricatured the drug debate as the hawks on one side and the doves on the other, and he’s the wise owl sitting in the middle,” he says.

Although Kleiman has consistently pushed for a relaxation of cannabis laws, on the ground that marijuana is less harmful than alcohol and that the war on drugs has not worked, he has expressed wariness about full legalization, which he once described as “a heavy wager on a coin flip.” As recently as 2010, he condemned a ballot measure to legalize the commercial sale of marijuana in his home state of California. In an op-ed in the *Los Angeles Times*, he observed, “The only way to sell a lot of pot is to create a lot of potheads—not casual, moderate recreational users but chronic, multiple-joints-per-day zonkers.” The initiative was voted down.

But as the costs of prohibition accumulated—and legalization began to seem not just possible but inevitable—Kleiman began to reconsider his views. “We’re now in 1928,” he told me, likening this moment to the final days of alcohol prohibition. “It’s about to collapse under its own weight.” He was uniquely positioned to offer guidance. “Mark has the advantage that he’s been thinking about these questions for decades,” Thomas Schelling, the Nobel Prize-winning economist, told me. “He is the best there is on drugs.” Last March, when Washington’s liquor-control board announced the appointment of the BOTEC team, Kleiman wrote in a blog post, “All the claims we’ve made over the years about knowing how to make smart drug policy are about to be put to the test.”

Cannabis is the most widely used illicit drug on the planet. For millennia, it has been cultivated for both its medicinal and its psychoactive properties. Ancient Chinese texts recommend the plant as a surgical anesthetic. Herodotus describes the Scythians inhaling cannabis fumes, then shouting in ecstasy. In America, cannabis became illegal only in 1937, and the ban has never been especially effective. According to a Pew poll, more than thirty million Americans have used pot in the past year.

Before Kleiman entered academia, he worked in the government. In 1979, he joined the Department of Justice, where he wrote a series of memos arguing that aggressive enforcement of marijuana laws would be counterproductive. At the time, most pot in America was a low-potency product from Mexico; when U.S. authorities tried to impede smugglers, they succeeded mainly in driving up the price, which enriched the smugglers without significantly dissuading users. Moreover, by squeezing the supply from Mexico, U.S. authorities inadvertently encouraged domestic cultivators, who produced more intense strains of the drug.

In 1980, ten per cent of high-school seniors reported daily use of marijuana, and Ronald Reagan denounced it as “probably the most dangerous drug in America.” As President, he quadrupled federal spending on drug enforcement. Kleiman continued writing memos, but

nobody was paying attention. In 1983, he left government for the Kennedy School, at Harvard, turning his memos into a Ph.D. thesis and then his first book, “Marijuana: Costs of Abuse, Costs of Control.” Kleiman argued that, although legalization represented “a radical, near-complete solution to the problem of the illicit marijuana market,” it also risked “a potentially huge increase in the social costs of consumption.” A better solution, therefore, was not the lifting of prohibition but “a severe enforcement cutback.”

In 1996, California passed an initiative to legalize medical marijuana. Studies suggest that cannabis can help relieve the debilitating pain caused by chronic ailments and the nausea associated with chemotherapy. It was a decisive moment for the public image of the drug. “The only thing more potent than drugs as a negative symbol is cancer,” a medical-marijuana advocate told Kleiman at the time. “We’re going to make people choose between drugs and cancer. And they’re going to vote for drugs.”

Since then, nineteen other states and Washington, D.C., have passed similar measures. A 1991 survey found that only seventeen per cent of Americans supported fully legalizing marijuana. A Pew poll in 2010 showed that the number had jumped to forty-one per cent. By now, a majority of respondents favor the change. Young voters are twice as likely as the elderly to embrace legalization. Shifts in attitude are discernible even in conservative constituencies. The evangelist Pat Robertson recently told the *Times*, “We should treat marijuana the way we treat beverage alcohol.”

Alison Holcomb, a lawyer with the A.C.L.U. in Seattle, wrote the ballot initiative that became known as I-502. She told me that her public-outreach efforts had targeted moderate voters who were not necessarily cannabis consumers themselves. “The majority of people don’t like marijuana, but they also don’t like our laws,” she said. “So the message pivot is that you can support reform while not liking marijuana.” Holcomb highlighted the role of Mexican drug cartels, which have made billions of dollars by supplying the American black market, and have been responsible for more than sixty thousand deaths in Mexico in the past seven years. Murderous cartels may be an even more potent negative symbol than cancer.

In her campaign, Holcomb emphasized that Washington had successfully legalized medical marijuana, in 1998. Crime did not go up. The streets were not overrun with dazed potheads. Instead, the black market gave way to a quasi-respectable, if mostly unregulated, scene.

One afternoon, in the comfortable Seattle neighborhood of Capitol Hill, I visited Muraco Kyashna-Tocha, who runs Green Buddha, one of the oldest medical-marijuana dispensaries in town. A woman in her fifties with short gray hair, she answered the door in yoga wear, a giant white cockatoo balanced on her shoulder. “Come on upstairs,” she said. “I’ll show you my grow.”

Kyashna-Tocha has been cultivating marijuana for more than half her life. For many years, she did it illegally, until she was ratted out by a landlord, and busted, in 1997. Although the charges were dropped, the experience traumatized her, and when Washington legalized the medical use of marijuana she went into the dispensary business. She sells high-end sinsemilla—unpollinated female cannabis flowers—to medical-marijuana patients. Kyashna-Tocha is a patient herself: she told me that she has a seizure disorder, degenerative disks, and lingering pain from old operations.

Upstairs, we entered a humid, windowless room. Thirty cannabis plants stood beneath a canopy of fans and lights. “I can pull twelve pounds a year out of this room,” Kyashna-Tocha said. She pointed at the bristly plants: “That’s an Alaskan Thunderfuck. That’s Lemon Haze. Feels like espresso. *Really* big buzz.” Talking to boutique cannabis growers can resemble an encounter with an earnest sommelier. There are two subspecies of cannabis, she explained: indica, which mellows you out, and sativa, which boosts your energy and gives you a buzz. She added, “I used a little sativa before you arrived.”

In Washington, operating a dispensary is a legally ambiguous enterprise. Patients who obtain a “green card” from a sanctioned medical provider can grow up to fifteen cannabis plants. These users can pool their plants and form a collective, in which the growers are “reimbursed” for their costs. Kyashna-Tocha stressed that Green Buddha is nonprofit, adding that it generates only a modest income for her. But many medical outlets in Washington openly pursue profits. In a 2007 raid, Seattle police recovered fifteen hundred plants from the home of one dispensary owner. (The owner, who maintained that he represented twelve hundred patients, was not prosecuted.) Moreover, many “patients” are recreational users who have obtained a green card from a lax or unscrupulous medical provider. In 2010, Kyashna-Tocha told me, the state began allowing naturopaths to authorize cannabis patients, and “the whole scene completely blew out—you went from five dispensaries to sixty-five in, like, three months.” Some dispensaries stopped growing their own pot, because it was cheaper (if illegal) to import large quantities from California.

Kleiman considers the dispensary business to be farcically unregulated. “Anybody can make you a ‘patient,’ including a nurse practitioner,” he says. “I don’t think they’ve gotten to plumbers and veterinarians yet, but they’re getting there.” It’s not clear how dispensaries will fare once legal pot stores open. The framers of I-502, not wanting to alienate enthusiasts for medical cannabis, pointedly sidestepped the fate of the dispensaries and scarcely mentioned medical marijuana. Kleiman, however, was adamant from the start: he argued that the new regulated market was more likely to succeed if the state supplanted dispensaries with I-502 stores. Medical marijuana is not taxed, so it may remain cheaper than legal cannabis; Kleiman

maintained that the solution was to make sure that only genuinely sick people could receive medical cards, and then set up the I-502 stores so that such patients could purchase pot tax-free.

One advantage of the I-502 stores is that their marijuana will be tested for mold, fungus, pesticides, and other impurities. The state's dispensaries are not required to subject their product to such evaluations. Several years ago, Kyashna-Tocha established the Evergreen State Cannabis Trade Alliance, which encouraged dispensary owners to submit marijuana for testing, and issued a label for "patient-ready" weed. But her effort stalled: few dispensary owners were willing to incur the additional expense, and their customers were apparently untroubled by the possibility of impurities.

When Alison Holcomb started promoting the legalization initiative, the strongest opposition came not from law enforcement but from dispensary owners. "It was a horrible split that went right down the middle of this community," Kyashna-Tocha said. She supported the measure, and wept with joy on election night. She hopes that the state can keep the new pot industry small. "Think microbrew," she likes to say. At her house, she spoke excitedly about the possibilities of pot tourism: "I completely see bed-and-breakfast tours! You go to where the grow facilities are in the day, and then, toward dinnertime, you land in a couple of the stores and make your selection."

Even so, Kyashna-Tocha conceded that many consumers are not attuned to horticultural subtleties. "Budweiser is what sells," she said. The sativa seemed to be wearing off. She hoped to keep her dispensary alive by catering to connoisseurs, she told me, but legalization might well render her obsolete. "I may need to find a job about a year from now," she said.

Relying primarily on survey data, Kleiman and his colleagues determined that Washingtonians consume a hundred and sixty-five metric tons of pot a year. The BOTEC team concluded that Washington could accommodate this demand with approximately three hundred I-502 stores, most of them distributed along the Pacific Coast, where use is highest.

Kleiman's team next addressed the vexing issue of price. Economic theory would suggest that prices in the black market—and even in the quasi-legal medical market—are artificially high, because there is a "prohibition premium" associated with products that are less than completely legal. You're not just paying for the commodity; you're compensating everyone who undertook risk in getting it to you. In Washington, legal cannabis should be cheap to produce. Growing costs are minimal, and curing marijuana is less costly than curing tobacco.

If you make cannabis too cheap, however, you run the risk of "diversion," in which pot that is legal in Washington feeds the black markets in surrounding states. In a recent letter to the Department of Justice, a coalition of former drug-control officials warned that "diversion of the drug will explode" once marijuana becomes fully legal in Washington and Colorado. Alison Holcomb, the I-502 author, is untroubled by this possibility. She asked me, "If people in New

York are smoking Washington marijuana, isn't that better than smoking Mexican marijuana?" Diversion is another reason for Kleiman's call for a law-enforcement crackdown: if the Feds determine that cheap weed is flowing out of Washington, they might shut the experiment down.

One way to raise the price of legal marijuana is through taxes. Under I-502, the state will take an excise tax of twenty-five per cent when the producer sells to the processor (unless the producer does the processing himself). Another twenty-five-per-cent tax will be imposed when the processor sells to the retailer. Finally, consumers will pay an additional thirty-five per cent or so in taxes at I-502 stores. Washington's liquor-control board estimates that the state will receive up to two billion dollars in marijuana taxes over the next five years.

Kleiman has wondered out loud, "What if we threw a legalization and nobody came?" During the initial months of his contract, the liquor-control board maintained that outdoor cultivation of marijuana would not be permitted. But cannabis, like any agricultural product, takes time to grow. Unless illegally cultivated plants were grandfathered into the new system, the I-502 stores might not have sufficient inventory when they opened. Kleiman and others pushed the board to allow outdoor plants, which have a higher yield, and to create a "path to citizenship" for cannabis plants that had been grown illegally. Troubled by the prospect of pot shortages, the board eventually relented on both points.

Early in the summer, Kleiman projected that legal cannabis in Washington will initially sell for at least forty-two dollars for an eighth of an ounce. Outdoor growing will lower that figure, but probably not enough to undercut street dealers. Ben Schroeter, who goes by Ben Jammin, has been selling pot in the Seattle area for forty years, and offers high-quality, locally grown product for twenty-eight dollars an eighth. He sells weed from California at twenty dollars an eighth. Some customers may be willing to pay a premium for the convenience, and the peace of mind, associated with buying legal pot that has been tested for impurities. But Ben Jammin says, "I assume that a lot of people are still going to come to me."

At the city-council meeting in Seattle, Kleiman said that the tax scheme outlined in I-502 was rigid and shortsighted. Because of the state's heavy surcharges, legal marijuana will likely be more expensive than the illicit equivalent; but, as production costs plunge, legal pot will become much cheaper. "We're gonna have a tax that starts too high and winds up too low," Kleiman said. He laid out a better approach: "The optimal tax system . . . if I were doing it on a blackboard, would have been somewhat homeostatic. You're looking to maintain a price maybe a little bit below, or a little bit above, the current illicit price. And, therefore, you'd like to have the tax be low at the beginning . . . and *rise* as the cost in the industry falls." The state didn't reconsider its tax plan, however; the prospect of an immediate windfall was perhaps too tempting.

One group is definitely not coming to Washington's legalization party: minors. Scientific evidence suggests that marijuana poses few long-term health risks to adults but can harm adolescents whose brains are still developing. The liquor-control board has made it a priority to keep people under the age of twenty-one out of I-502 stores. But, according to some studies, a quarter of marijuana consumers are underage. Kleiman told the city council that it would be better for children to get marijuana from parents or friends who buy it at I-502 stores than to obtain it through the black market, because of the testing and the quality control. Moreover, if kids keep resorting to the black market, they will sustain the criminal enterprises that I-502 was designed to eliminate. "Once you have a licensed-store system, you should expect—and in fact want—most of the pot that goes to kids to go through that system," Kleiman said, adding, with a seditious grin, "*You* can't say that out loud. But I can." Young people who can obtain a green card already purchase pot from dispensaries. "Nineteen-year-old kids on skateboards with a medical-authorization card," Ben Jammin told me. "*That's* the cash cow now."

The morning after Kleiman's presentation at the city council, I drove to Tacoma to meet with Jay Berneburg, a lawyer who works exclusively on pot cases. Along the way, I heard a radio report on Kleiman's presentation, which highlighted his call for a police crackdown.

In the reception area outside Berneburg's office, I spotted a bowl of matchbooks. Each one was emblazoned with his phone number and the words "Drive Fast, Take Chances, Call Collect." Berneburg is in his fifties, and has a ponytail and wire-framed glasses. His voice has an ebullient rasp, and he walks with a piratical swagger. "I have two hundred dispensary clients," he told me, before catching himself. "Well, I represent *collective gardens*." Many of Berneburg's clients have worked in the marijuana industry for decades. When the liquor-control board starts issuing licenses, he told me, his clients will have to decide whether it's worth it to "come in from the cold."

He introduced me to a client—a longtime grower who asked that I not use his name. The man planned to apply for a license to grow pot, but complained that, because of all the taxes and restrictions, he'd have to "grow more to make less money." Berneburg said that many of his clients are ambivalent. "I can get a bag of weed as easy as I can get a dozen eggs," he said. "That's the way it has been, and that's the way it will be. The black market's not going anywhere."

Allen Ginsberg once suggested that the paranoia that sometimes results from smoking marijuana is an effect "not of the narcotic but of the law." Berneburg and his clientele are dubious about the state's intentions, and Kleiman's presentation to Seattle's city council did not help matters. "We're going to have the *toughest* enforcement in the country to make our legalization plan work?" Berneburg sputtered. "That is ass backward!"

In his view, Kleiman's proposal was driven not by high-minded policy considerations but by the logic of the street: "Look at what a thug will do for a thousand dollars. The *state* wants to make millions! I'm predicting a bloodbath, as the liquor-control board tries to capture market share. We're going to see some weird shit go down."

Berneburg began talking feverishly about jackboots and mass resistance, and I was reminded that part of the allure of cannabis is its historical connection to the counterculture. Berneburg recalled, "I was at a Grateful Dead concert once when I was a graduate student. I complained that there were cops there. And the guy I was with said, 'It wouldn't be any *fun* without the cops. If there wasn't that risk and danger, who the fuck would care?' "

When Kleiman is not on the road, he lives in the Brentwood neighborhood of Los Angeles, in a book-lined apartment overlooking a narrow courtyard. After I arrived there one morning, Kleiman prepared coffee, though he doesn't drink it himself. In another departure from convention, he prefers hot chocolate, even in high summer. "I like chocolate, and it's a stimulant," he explained.

In 1995, after many years as a lecturer at Harvard, Kleiman moved to U.C.L.A. He enjoys the West Coast, but his pallor marks him as an outsider. He grew up in a Jewish enclave of Baltimore, where his father was a surgeon, and he misses the East Coast, where his ardor for policy is less exotic.

When I asked Kleiman about his experience with marijuana, he replied, "If you do drug policy and you're asked whether you use drugs, you've got two choices. You can say, 'Yes, I'm a lawbreaker. Please come arrest me and ignore everything I say, because I'm a bad person.' Or, 'No, actually, I don't know what the hell I'm talking about.' Since neither of those is an advantageous admission, I don't answer the question."

He was more forthcoming about psychedelics. He told me to look up a YouTube video that captures a raucous conference organized in 1990 by the Multidisciplinary Association of Psychedelic Studies. Kleiman, appearing alongside Timothy Leary and Ram Dass, wears a tie-dyed T-shirt and speaks about a future of "performance-enhancing" drugs. Kleiman told me, "I've never met anybody who used cocaine thirty years ago and says, 'You know, I really learned a lot from my cocaine use.' But you know the Steve Jobs quote about how Windows would be a better operating system if Bill Gates had dropped acid just once?" One of Kleiman's books is called "Against Excess"—the title refers both to the war on drugs and to drug use. Leary, he told me, was undone by excess: "The tragedy of the sixties is that people managed to apply the drug-use practices of an Irish drunk to a very different chemical."

In 1986, Kleiman and a collaborator, Peter Reuter, published a seminal paper, "Risks and Prices," which argued that the drug trade should be analyzed not as a moral issue or a justice issue but as a market that is dynamic and adaptive. After the paper was published, Kleiman told

Reuter, “We’re monopolists in selling drug-policy analysis. If only there were a demand for it, we’d be rich!”

Kleiman and Reuter garnered an academic following, and more scholars adopted their rigorously empirical approach to drug policy. But Kleiman achieved his first mainstream policy victory only recently, for advancing an idea called “swift and certain.” Traditionally, criminals who have been placed on probation or parole are subjected to random drug testing. A failed test is a violation, and offenders sometimes receive extended jail sentences. But the timing of tests is sporadic, and many probationers take their chances and use drugs, either because they can’t control themselves or because the minimal likelihood of a test encourages risk. For decades, Kleiman argued that it would be better to schedule frequent drug tests for people on parole or probation, followed by relatively minor sanctions for those who fail. The idea was unpopular both with policymakers who wanted to severely punish drug use and with those who viewed addiction as a medical condition. Then, in 2004, a judge in Hawaii instituted a pilot program mirroring the swift-and-certain approach. People in the program were significantly less likely to use drugs when they knew they would be sanctioned for it, even minimally. And Hawaii’s criminal-justice system saved money, in part by reducing the number of prisoners serving long-term sentences. In 2010, Kleiman promoted the idea in a widely praised book, “When Brute Force Fails,” and other jurisdictions across the country—including Seattle—adopted the program.

Kleiman is gratified by this belated success, but he is frustrated that most drug policy remains influenced more by ideology than by data. There are few reliable studies about the dynamics of the illegal drug market, and scientists are shockingly ignorant of the pharmacology of cannabis. The Controlled Substances Act placed marijuana in the most restrictive category of narcotics, which meant that it had “a high potential for abuse” and no medicinal value. When scientists have sought to study, say, the role of cannabis in easing pain or diminishing seizures, they have faced considerable difficulty obtaining plants for testing.

Only one facility in the U.S. grows marijuana for scientists: the Coy W. Waller Laboratory, at the University of Mississippi. Established by the government in 1968, it can produce hundreds of pounds of pot in a year. During harvest season, armed guards patrol the facility. In order to obtain weed from Waller, academics must first seek approval from the Department of Health and Human Services and from the Drug Enforcement Administration. Although these entities have enthusiastically supported research into marijuana’s dangerous properties, they have been wary of inquiries into possible benefits of the drug. A few years ago, a team of researchers developed an experiment to explore whether cannabis eased post-traumatic stress in combat veterans. The team was denied access to pot from Waller. Kleiman calls such incidents “a disgrace.”

In a 2012 federal survey, ten million people reported having driven under the influence of an illegal drug in the previous year, most commonly marijuana. Alison Holcomb decided that I-502 should include provisions for testing drivers for drug intoxication. But scientists know little about how the key components of marijuana—tetrahydrocannabinol (THC) and cannabidiol (CBD)—affect different users. So Holcomb opted for a blunt test: if you are stopped while driving erratically, and your blood contains five nanograms of active THC, you will be issued a D.U.I. citation. The number is arbitrary: because marijuana affects users differently, the presence of a certain level of THC in the blood does not correlate predictably with a level of impairment. And if you are only an occasional user your THC level tends to drop rapidly about an hour after ingestion, whereas if you are a regular user the chemical can linger in your system for days. Because many medical users consume cannabis daily, the Washington test could have the practical effect of barring sick patients from the road, even though their heightened tolerance may leave them unimpaired.

No one is happy with the solution. The Marijuana Policy Project, a national organization urging reform of cannabis laws, argues that the THC test “criminalizes sober drivers.” Studies co-authored by researchers at the National Institute on Drug Abuse, meanwhile, suggest that a five-nanogram baseline may be too permissive—that impairment is possible with lower levels of THC. Kleiman points out that a blood test for THC cannot tell authorities whether the driver took a puff five minutes or five days ago. “You’d need some fairly fancy chemistry with metabolites to determine when the subject used,” he told me. “A mouth swab might work, but that remains to be developed.” (Some of the tax revenue from legalization will fund research on marijuana intoxication.)

The lack of a proper test is symptomatic of a larger problem. As Kleiman puts it, “We have done essentially no research about the effect on individuals of different mixes of chemicals.” I-502 declares that each legal pot plant should be traced and tracked “from seed to sale.” Bureaucrats seem to agree that cannabis should be sold with a label describing the drug’s effects. But if you don’t have the science, what do you put on the label?

Increasingly, consumers are moving away from smoking pot and shifting to extracted oils, concentrates, and “edibles” such as pot-infused cookies. Kleiman sees this as a potentially promising development: if you knew the precise quantity of THC in an edible, you could design the product so that it contained segments, as in a chocolate bar, and inform the consumer about the buzz he might anticipate from each piece. “We need to know at least as much about cannabis as Pillsbury knows about brownie mix,” Kleiman likes to say. “And we don’t.”

This summer, the liquor-control board held dozens of public meetings across Washington, soliciting input about I-502. In the eastern part of the state, which is more conservative, board members were lambasted for flooding the community with drugs. In western Washington,

they were decried for being too stringent. When I asked Randy Simmons, the I-502 project manager, to describe the hearings, he said, “A circus.”

One such meeting was held on August 6th, in a cavernous event space near Seattle’s Space Needle. A crowd of about a hundred assembled to hear the board members give short presentations. Citizens then approached an open mike. One speaker introduced himself as Arthur West. A medical-marijuana advocate, he began reading aloud from a six-page statement denouncing the board. The board members whispered in anxious consultation. Then Sharon Foster, the chair, announced, “Mr. West has filed a lawsuit against us. So, given that, we will not respond.”

The next speaker was a paunchy man in his sixties. “My name is Steve Sarich,” he said. “I have not filed a lawsuit against you—yet.” The crowd laughed. Sarich is well known in Seattle. He is an erotic photographer turned pot impresario who operates a dispensary; until recently, he also ran a company that makes edibles and a service for obtaining medical-marijuana authorizations. The 2007 raid that recovered fifteen hundred cannabis plants took place at Sarich’s home. He was one of the loudest opponents of I-502, which, he claimed, would enable the government to persecute cannabis patients through the D.U.I. provision. Several people suggested to me that Sarich’s opposition was driven by a desire to play the provocateur—and to protect his position in the medical-marijuana market. He turned to the room and announced, “I can guarantee that you’ve been lied to when they say, ‘We are not looking to take over medical.’”

Foster was looking haggard. “Truly, folks,” she said. “We do not have a role in medical marijuana at this time, and we don’t know if we ever will.”

A tall, gray-haired man introduced himself as John Dickinson. He announced that, at six earlier forums on I-502, he had incorrectly said that he was once the largest importer of hashish in the country. In fact, he had been No. 2.

“Thank you,” Foster said, tightly.

Dickinson was not finished. Referring to the pot that will be sold at I-502 stores, he said, “I heard out in the hallway that you were going to put a limit on how high the THC will go.”

“Rumors abound,” Foster said.

Dickinson noted that some countries, like the Netherlands, had considered banning strains whose THC content exceeded fifteen per cent. “Is there any word about limiting the THC level?” he asked.

“No,” Foster said.

“Good!” Dickinson exclaimed, smiling. “Because I was going to share with people the strongest marijuana in the world.” He held aloft a baggie of weed, to laughter and applause. “It’s *twenty-nine* per cent!”

Another speaker was Linzy Burton, a drug-treatment counsellor for young people. A middle-aged black man, he stood out in the crowd. The proponents of legalization in Washington appear to skew white and middle class, but the population of users is considerably more diverse.

“My family has a history of drugs and alcohol,” Burton began. “Everybody knows that marijuana is one of the gateway drugs.” This claim has been comprehensively debunked, and there were some groans of protest. But Burton persisted. He said that in the south end of Seattle, where he works, there was already a heavy concentration of medical-marijuana establishments, many of them near schools. “How many more storefronts will be allowed to open up in our community?” he asked.

One of Foster’s colleagues assured him that I-502 would not permit many stores to open in a single neighborhood. Burton had more to say, but Foster reminded him that there were many others waiting to ask questions. He pointed out that prior speakers had been permitted to ramble, and that he was one of the few attendees who represented “the youth.” He began to shout. “There’s people here who want to make *money* on this! People like me will be dealing with the fallout.”

This past spring, a former Microsoft executive named Jamen Shively held a press conference in Seattle. Announcing his intention to raise as much as a hundred million dollars and invest it in the pot business, he proclaimed, “Yes—we are Big Marijuana.” The national pot market may exceed thirty billion dollars, and a wave of media stories this spring heralded the birth of a new industry. A headline in *Vice*: “GET RICH OR HIGH TRYING.”

Investors, prospectors, speculators, and salesmen are scrambling to join the so-called Green Rush. At investment summits, marijuana entrepreneurs pitch potential angel investors. The continued taboo on cannabis can give these proceedings a strange vibe. At one summit I attended, in a Manhattan office tower, people pitching startups wore tags with their full names, whereas potential investors wore tags that said only “Rick R.,” or “John T.,” as if they were members of an addiction support group.

When Kleiman learned of Shively’s press conference, he wrote a lacerating blog post: “It was inevitable that the legalization of cannabis would attract a certain number of insensate greedheads to the industry. And I suppose it was also inevitable that some of them would be terminally stupid.” Kleiman believes that the negative social consequences of legalization may be severe if profiteers can turn cannabis into a largely unregulated commercial product. He suggested to Washington’s liquor-control board that it limit the volume that any individual grower can produce under I-502, in order to curb the “power of large producers.” In October, the board announced that the largest producers will be limited to growing marijuana fields of thirty thousand square feet.

Because marijuana remains illegal under federal law, Kleiman is highly skeptical of the Green Rush. “Making money by selling marijuana is a very risky proposition,” he told me. “Making money by fleecing investors is much safer.” (The Financial Industry Regulatory Authority recently issued a warning to investors about “marijuana stock scams.”)

Under I-502, new pot businesses cannot be vertically integrated: growers and processors must remain separate entities from sellers. This provision is aimed, in part, at preventing a single business from dominating the industry. But boosters for the new pot economy have taken to citing an adage attributed to Mark Twain: “When everyone is looking for gold, it’s a good time to be in the pick-and-shovel business.” So-called ancillary businesses are not barred by federal law, and the most careful investors are focussing on these markets.

Brendan Kennedy and Michael Blue run a private-equity firm, Privateer, that invests in the “cannabis space.” They met at Yale’s business school, and take pride in looking painfully square: they are clean-cut and athletic, and most days they wear suits. When I visited them one day, in a borrowed conference room in Seattle, they were making a pitch to a potential investor who had flown in from Chicago. The investor, concerned that word might get back to his professional circle in the Midwest, asked that I not divulge his name.

The cannabis market, Kennedy informed the investor, is already “bigger than corn.” He added, “The objective is to build a vertical conglomerate of companies in the medical-cannabis industry and, ultimately, the cannabis industry.”

As long as selling pot remains illegal under federal law, any business that is openly connected to the trade will find it difficult to put its money in a bank, because financial institutions do not want to risk the legal exposure. According to the National Cannabis Industry Association, fewer than half the medical-marijuana dispensaries in the U.S. have bank accounts. They struggle to make payroll, and have trouble paying taxes. One dispensary owner told me about taking seven thousand dollars in cash to the Washington Department of Revenue, to pay his monthly tax bill. He was turned away, because the teller refused to deposit his “drug money.”

Privateer has had its bank accounts shut down more than once. But, Kennedy explained to the potential client, the firm does not “touch the plant” when making its investments. Privateer has so far acquired only one company, Leafly, which aims at becoming the Yelp of cannabis—a sleek online guide to strains and dispensaries. Privateer recently closed a seven-million-dollar round of funding, which it intends to invest in other ancillary businesses, so that when pot becomes legal nationwide it can assume a dominant position in the market for cannabis itself.

In the interim, Kennedy said, he and Blue planned to “professionalize” the industry, starting with its image. They disdain iconography involving cannabis leaves or Bob Marley. Leafly’s Web site presents pot varieties in a grid that wittily alludes to the periodic table. Kennedy and

Blue have sought advice from the Seattle marketing company Heckler Associates, best known for inventing the name Starbucks. Scott Lowry, the Heckler executive who handles the Privateer account, told me, “When we started working with Starbucks, nobody was drinking upscale coffee. It was pretty much Folgers in a can.” The cannabis industry represents a similar opportunity, he said.

The investor had a question. If marijuana became legal across the U.S., wouldn’t the price plummet, decimating profits? Before Kennedy and Blue could respond, he supplied the answer himself: “Volumes are going to go up, right?”

Kennedy and Blue exchanged an awkward glance. Then Kennedy told the investor, “I think volumes *will* go up.”

This is the most politically delicate aspect of Privateer’s sales pitch: the unspoken premise that legalization will probably entice more Americans to use marijuana. Presumably, there are potential consumers who do not use cannabis today because it is illegal, or because they don’t want to navigate the black market or obtain a dubious medical recommendation. For others, the process of legalization may diminish whatever stigma they associate with the drug. If legalization lowers the price of pot, some people may choose it over other intoxicants, like beer. One of Kleiman’s research papers suggests that kids are very likely to be “price sensitive,” as are chronic users and the poor, because cannabis “forms a larger share of their household budgets.”

If you’re looking to invest in marijuana, all this is good news. But Kleiman finds it troubling, from a policy perspective. He has long argued that the problem with legalizing any vice—whether it be alcohol, nicotine, or gambling—is that “addiction is where the money is.” Twenty per cent of the Americans who drink account for almost ninety per cent of all alcohol consumption. It cannot be news to beer and liquor companies that their key demographic is the problem drinker.

According to surveys, people who use marijuana “more than weekly” account for roughly ninety per cent of cannabis consumption. A RAND study indicates that this trend is increasing: the number of “use days” reported by the heaviest consumers has risen markedly in recent years. Marijuana may not be physiologically addictive—you don’t go into severe physical withdrawal if you abruptly stop using it—and no one has ever died of an overdose. But even the most ardent advocates of legalization generally concede that it can become a problematic habit for some users. According to the National Survey on Drug Use and Health, more than eight million people reported trying to reduce their marijuana consumption in 2011.

The big riddle, Kleiman believes, is whether marijuana might become a substitute for alcohol. He would be happy if a switch to cannabis caused a decline in drinking. Alcohol use has far more detrimental social costs than marijuana use, by virtually any measure: addiction,

accidents, violence, illness, death. But what if users instead “complement” alcohol with pot? A recent paper in the *Journal of Policy Analysis and Management* suggests that, “as marijuana becomes more available, young adults in Colorado and Washington will respond by drinking less, not more.” But the truth is that scholars have done almost no research on consumer preferences involving marijuana and alcohol, and how they might change under full legalization.

Kleiman is fond of saying that the U.S. government should triple taxes on alcohol. In his dealings with Washington’s liquor-control board, he did little to hide the contempt he feels for the country’s lax regulation of alcohol, and he warned that I-502 blindly applied the state’s alcohol policies to marijuana. “The alcohol model is a very, very bad model that’s had very, very bad outcomes,” Kleiman told the board. “We shouldn’t want to do that again.”

One afternoon this summer, Kleiman went to Washington, D.C., to attend a symposium on legalization hosted by the National Institute of Justice. In a speech, he said, “The primary impact of legalizing cannabis is there will be probably six hundred and fifty thousand fewer arrests every year and forty thousand fewer people behind bars. And there will be an additional . . . fifteen billion stoned hours.” He looked out at the half-empty auditorium. “You have to decide whether a stoned hour is a good thing or a bad thing,” he went on. “That decision is going to drive a lot of your judgment about whether legalization is a good idea or a bad idea. But, even if you had your values straight, you’d have to know the facts. And we mostly don’t.”

For years, Kleiman’s resistance to outright legalization was based, in part, on a fear that commercialization of the drug could triple its use. But when he arrived in Washington State he proposed an audacious solution. In order to curb problematic consumption, you could introduce a license for using cannabis. We issue licenses to drive a car or to own a gun—why not a license for consuming recreational drugs? Any adult could obtain such a license, and the license could stipulate a quota for personal monthly use. This quota would be set by the user, and could be large or small. But, once the consumer had set a quota, it could be changed only in writing—with a month’s notice. Such an innovation could counteract the dangers of excessive, impulsive use by encouraging individuals to set their own limits. Users could set very high quotas for themselves, of course, but the provision would nudge at least some citizens into being more responsible. To work properly, a personal-quota system would need a central database of marijuana users, which would allow I-502 stores to determine if customers were trying to exceed their monthly allotments.

Kleiman’s solution was ingeniously eclectic—a hybrid that balanced individual liberty and state control. Nobody liked it. He floated the idea to the liquor-control board, but its members never seriously considered it. “In their liquor-board hat, they don’t think of themselves as having primarily a drug-abuse-control mission,” he said to me. “Their job is to make sure the

taxes are paid, hours are observed, and no direct sales are made to minors. The idea of a personal quota has no place in that system.”

Phil Heymann told me, “Mark’s instincts are not to think too much about political feasibility. That would be a waste of his talents.”

At the symposium in D.C., Kleiman told the audience that his greatest worry about I-502 was advertising. What could the type of marketing that turned millions of Americans into Starbucks addicts do with marijuana? I-502 will restrict advertising near schools, and campaigns cannot be aimed at children. But the Supreme Court has interpreted the protections of the First Amendment to extend to “commercial free speech,” and a ban on advertising a legal product might be deemed unconstitutional. For Kleiman, one flaw of I-502 is that the state will simply regulate stores owned by private individuals. It would be better for the state to own and operate the stores—that way, government officials could opt not to advertise at all. But states cannot order their employees to violate federal law, so state ownership is not yet an option. In any case, many states have eagerly marketed vice for tax money, most notably with state-run lotteries and casinos. Earlier this year, the liquor-control board unveiled a logo for Washington State marijuana, with a cannabis leaf superimposed on a map of the state. After an outcry that the state was “promoting” pot, the design was abandoned.

“I don’t like stores,” Kleiman told me. “Stores are basically marketing centers.” He tried to sell the liquor-control board on an alternative approach: home delivery of pot. Such services already exist for medical marijuana. But, to Kleiman’s frustration, the board rejected the idea. At the symposium, he said, “It’s very hard, in the somewhat Manichaean world of politics, not to go from ‘Cannabis is illegal and you should go to jail for selling it or using it’ to ‘Cannabis should be tightly regulated,’ without going all the way to ‘We should sell it like cornflakes.’”

Ethan Nadelmann, of the Drug Policy Alliance, thinks that Kleiman’s fears are overblown: when the Netherlands decriminalized marijuana, consumption levels rose, but they remained lower than in many countries where pot was prohibited. The popularity of the drug has risen and fallen over the decades, and nobody really understands why. If marijuana consumption goes up in Washington in the coming years, it wouldn’t be possible to attribute this shift entirely to I-502.

When I asked Alison Holcomb whether she could live with a big increase in marijuana consumption, she paused. Holcomb knows that legislators in other states are monitoring the experiments in Washington and Colorado. “Would it bother me if problematic use went way up?” she said. “Yes. Would it make me think that we should go back to treating it as a crime? No.”

After Kleiman’s speech, we walked to a coffee shop, where he ordered a hot chocolate. His work for the liquor-control board was drawing to a close, he told me. He and his BOTEC

colleagues had proposed several follow-up studies—"I think we have a way of measuring the cross-elasticity of demand between alcohol and cannabis," he noted—but the board said that it had only so much money. "They are properly quite focussed on the nuts and bolts of getting rules out to the world, getting licenses issued, getting stores up, getting stuff into stores," he said. "I think we did some good by sort of urging them to look beyond that." In mid-October, a working group appointed by the state legislature proposed abolishing the dispensary business, tightening the system for authorizing medical-cannabis use, and channelling patients into the I-502 stores—all ideas that Kleiman had proposed.

Still, I got a strong sense that his experience in Washington had not been entirely happy. By the time the liquor-control board hired Kleiman's team, the state had only seven months left to construct a new economy. Officials had to barrel ahead, Kleiman told me, and did not have the time to integrate innovations such as personal licenses and home-delivery systems.

Randy Simmons, the I-502 project manager, observed that an academic can conceive regulations and mechanisms that seem brilliant on paper but is spared the need to reconcile that vision with "the real world of politics and all the different stakeholders and making different groups happy." Simmons added, "They get to just say, 'This is how we think it should be.'" When James Cole, the United States Deputy Attorney General, was asked recently about the Obama Administration's decision to allow Washington and Colorado to legalize and regulate cannabis, he said, "There *are* no perfect solutions here." It appears that I-502, like so many government programs, will be flawed from the start, and will demand patchwork modification in the coming years. One imperative of political life is that, at a certain point, you have to stop formulating a policy and start selling it, and when this transition occurred with I-502 Kleiman may have become an impediment. He is not one for the unequivocal endorsement. Yet, in his judgment, drug-policy questions are so complex that, if you are not at least somewhat equivocal, you aren't thinking hard enough. He said of Washington's state officials, "'Complicated' is not one of their objectives at the moment."

For now, Kleiman will watch the rollout of I-502 from the sidelines, and blog about it. "It's disappointing," he told me. During one of our conversations, he paraphrased a famous joke about Hubert Humphrey: "Poor Hubert—he's got solutions the rest of us don't even have problems for."

By January, Washington will have started dispensing licenses to grow and sell marijuana. Ben Jammin, the dealer, told me, "We're not sure what's coming—but it's coming." Kleiman is happy to see prohibition end, and he hopes that legalization is a great success, but he is no longer optimistic. He told me, "I think commercial production and sale of cannabis is going to end in tears." ♦

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King, Sandy

From: David Lake <orlaked.dbl@me.com>
Sent: Thursday, January 23, 2014 7:44 AM
To: City Council Members
Subject: Discussion Regarding Marijuana Dispensaries

Dear Mayor and City Council Members:

It is my understanding from reading an article in the Wilsonville Spokesman that you are discussing the topic of marijuana dispensaries at tonight's City Council Meeting. Unfortunately, I am unable to attend but I wish to urge you in the strongest possible manner to develop rules and regulations that prohibit the building or operating of marijuana dispensaries in the City of Wilsonville. I believe if one looked carefully at the vote regarding medical marijuana in Clackamas County, in general, and Wilsonville, in particular, one would find that this measure did not pass in these jurisdictions. Marijuana use, whether for feigned medicinal purposes, or otherwise, is a large gateway to the use of other, equally addictive drugs which cause considerable harm to our children and community at large. Marijuana dispensaries would be a blight on this community and be seriously detrimental to the family-supporting environment many of us have worked so hard to build and maintain. That such laws may be challenged legally should be irrelevant. This is a moral hazard issue and we should take a moral stand and let the legal system deal with it as it may.

Sincerely,
David B. Lake

King, Sandy

From: Jacobson, Barbara
Sent: Wednesday, January 15, 2014 9:13 AM
To: The Friedman's
Cc: Kohlhoff, Mike; King, Sandy; Callaway, Tamara
Subject: RE: City of Wilsonville Business License Requirements

Thank you, Mark. Mike Kohlhoff will be presenting the matter and by this email I am asking Sandy King to include your email in the record. Hope you can make it.

Barbara A. Jacobson
Assistant City Attorney
City of Wilsonville
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503-682-1015 fax
jacobson@ci.wilsonville.or.us

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From: The Friedman's [mailto:mark.friedman41@frontier.com]
Sent: Wednesday, January 15, 2014 9:11 AM
To: Jacobson, Barbara
Subject: Re: City of Wilsonville Business License Requirements

Hello Barbara -

Please feel free to include my email in the official record. I will do my best to attend the January 23rd meeting. Thank you very much for your assistance.

Mark

From: Jacobson, Barbara
Sent: Wednesday, January 08, 2014 7:21 PM
To: The Friedman's
Cc: Marcotte, Shelly ; Kohlhoff, Mike
Subject: RE: City of Wilsonville Business License Requirements

Hi Mark

I just wanted to let you know that your email was given to all of the City Council members and the City Council has directed the legal staff to prepare amendments to the City of Wilsonville business licensing requirements which will be presented during a public hearing at the next City Council meeting on January 23 for discussion and possible vote for

enactment. I hope you will be able to attend. In any case, would you like me to have your email submitted into the official record? Please feel free to give me a call if you have any questions.

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From: The Friedman's [mailto:mark.friedman41@frontier.com]
Sent: Friday, January 03, 2014 7:59 PM
To: Jacobson, Barbara
Cc: Marcotte, Shelly; Kohlhoff, Mike
Subject: Re: City of Wilsonville Business License Requirements

Hello Barbara -

Thank you very much for the e-mail response to my inquiry. I am very much in support of a change to the city code which would add this language. In addition, as a well established Wilsonville resident; I have spoken to numerous individuals who feel the same way as I do (to be honest, most people presume that this language is already present in the code).

Can you shed any light on how much consideration the city has given to changing the city code to reflect this language already? As a resident, what can I do to further constructive discussion and possible action to add this language to the code? I would be happy to come to city council to speak to our elected officials, or go about it differently if it would be a more efficient way to communicate.

Obviously, I would like very much for your help passing my view on this issue to Wilsonville's elected officials on Monday. I know that this issue has been controversial in jurisdictions where code language has been recently changed and I would be willing to author and deliver a letter asking for the City of Wilsonville to consider making this change and asking for other like-minded Wilsonville residents to sign it (assuming this would be beneficial to moving the issue forward).

I very much appreciate your willingness to pass along my view and thank you in advance for any further advice you can provide on how best to move forward in supporting the code change.

Warm regards -

Mark Friedman

From: Jacobson, Barbara
Sent: Friday, January 03, 2014 5:12 PM
To: mark.friedman41@frontier.com
Cc: Marcotte, Shelly ; Kohlhoff, Mike
Subject: City of Wilsonville Business License Requirements

Hi Mark:

Sorry for the delay in responding to you. You indicated in your email to Shelley that you had been following recent changes to the City of Tualatin's business license language to include a requirement that businesses operating in that city must abide by all local, state and federal laws in order to be licensed. You asked if that language is already in existing City of Wilsonville code and, if not, what would we advise a citizen who would like to see similar changes in the City of Wilsonville's business code to do?

That language is not currently in the Wilsonville Code but we are aware of the changes being made in several jurisdictions to add this requirement and are considering it for Wilsonville. If you support or oppose that type of language change, feel free to send me an email to me stating your view and I will be sure it is shared with all the City Council members and the Mayor, who ultimately are the ones who decide whether or not to amend the Code. You are also, of course, free to contact any of them directly if you wish to. If you email me before Monday evening, I should be able to get the email to them at the Monday evening Council meeting. Does this help?

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City of Wilsonville

Community Development

November-
December 2013

FROM THE DIRECTOR'S OFFICE

Happy New Year!

In this report, I will highlight the most significant Community Development accomplishments of 2013. We enjoyed working on many, many other activities and projects, but the following rise to the top:

Building Division:

- * The City issued a record 180 new single family dwelling permits in 2013. The last time we were close to this volume of new home starts was in 2006 with 146 permits.

Economic Development Division:

- * Kristin Retherford was appointed to the new Economic Development Manager position.
- * TIF Zone Creation—Six new TIF zones were adopted by ordinance in November and recorded with the respective counties in December.
- * Urban Renewal Strategic Plan—Preparation began in August, was followed by task force meetings and stake holder interviews, and scheduled for completion in March 2014.

Engineering Division:

- * The upgraded Wastewater Treatment Plan achieved substantial completion in December.
- * Partnering with Sherwood, the last 2500-foot section of the two-mile long 48-inch diameter water transmission line was completed.
- * Boeckman Road was reconstructed and re-opened after a 16-month closure.
- * Extensive continued development in Villebois has now connected Barber Street to Grahams Ferry Road with a roundabout that will help moderate traffic speeds.

Natural Resources Division:

- * Compliance with the renewed NPDES MS4 permit included completing an inventory and individual stormwater management plans for City facilities including SMART/Fleet, Three Bay, and Memorial Park maintenance barn.
- * The Morey's Landing and Rivergreen stormwater retrofit projects were completed.

Planning Division:

- * The Transportation System Plan was adopted which sets the stage for the next 20 years of transportation improvements.
- * We received a Metro grant to develop concept plans for the Frog Pond and Advance Road areas which will map out the City's next generation of Wilsonville neighborhoods.



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| Planning, Long Range | 6-7 |
| Economic Development | 7 |

Planning Division, cont'd:

- * Concept planning with our partners in Tualatin began for the Basalt Creek area laying the groundwork to bring jobs and future quality industrial development to the City.
- * Private developers teamed with us to complete Piccadilly Park and the Piazza in Villebois adding distinctive amenities to this great community.

Respectfully,
Nancy Kraushaar, P.E.

Building Division

Building Department End of Year Activity Summary

Number of Permits Issued in 2013:

| | |
|---|---------------|
| Building Permits (including T.I.'s and additions/ remodels) | 790 |
| Mechanical Permits | 287 |
| Plumbing Permits | 367 |
| TOTAL: | 1,444 permits |



Active Adult at the Grove

Engineering Division, Capital Projects

Waste Water Treatment Plant (2082): The \$36M upgrade to the WWTP achieved substantial completion on December 20, 2013, approximately 3 months ahead of schedule, and with less than 1% change orders. Acceptance Testing is in progress. The upgrade provides a 60% increase in treatment capacity, state of the art odor control, improved discharge water quality, and produces only non-toxic biosolids suitable for agricultural use.



Barber Street Extension (4116): Environmental permits were received, final design is underway, and property acquisitions were authorized, allowing the City to expedite construction from Summer 2015 to Summer 2014. The project will provide the long-awaited "missing link" from the Brown Road / Villebois area to Kinsman Road and the WES station.

Engineering, Capital Projects, cont'd



Segment 3B Water Transmission (1055): The last 2500-foot segment of a two-mile long 48" diameter water transmission pipeline was brought on-line on December 31, 2013. Jointly funded by the City of Sherwood, the project completes a five-year effort to provide a long term water source to the City of Sherwood and enhanced distribution and fire flow capacity for future Wilsonville growth.



Boeckman Road Repairs (4177): Reconstruction of the bridge approaches were completed in November 2013, and the road was reopened after a sixteen-month closure. In addition, the roundabout was reconstructed to allow passage of over-sized farm equipment. Reopening the road provides east-west connectivity across Wilsonville and significantly reduces congestion on Wilsonville Road.



Continued on next page

Engineering, Capital Projects, cont'd

Memorial Park Parking Lot (9142): Paving is underway, with completion in the spring of 2014. The project rebuilds and expands the parking area, and provides enhanced landscaping in the City's premier park.

Canyon Creek Road Extension (4184): Final design is underway for Summer 2014 construction. The project will provide a long-planned north-south connection of Canyon Creek Road to Town Center Loop, reducing traffic on Parkway Avenue.

Update I-5 Traffic Control Signals (4153): Updated all traffic signal cabinets to allow better traffic operations and communication between the City's traffic signals.

Rivergreen Storm Outfall (7012): Construction work has been completed.

Morey's Landing Storm Channel (7044): Completed reconstruction of a stormwater outfall that had serious erosion problems that had threatened the stability of neighboring private property.



Engineering, Private Development

Villebois: Construction work continues by Polygon on Villebois Tonquin Woods 4 & 5 (in Central/North Villebois) and by Lennar on Retherford Meadows (in East Villebois).

Plan reviews for Tonquin Meadows (in East Villebois) are underway. Construction of this phase will add 132 lots (90 single family and 42 townhomes) and connect Villebois Drive to the Boeckman Road roundabout. Construction is anticipated to occur starting spring/summer 2014.

Renaissance: Construction work continues in the 33-lot Renaissance Boat Club Development west of Memorial Park.

Brenchley North: In the Terrene Apartments construction is almost complete and 13 of 14 total buildings have received Occupancy permits.

A Public Works Permit has been issued for the Active Adult at the Grove development.

Planning Division, Current

Resolution 266: DRB Panel 'A' approved a nine (9) lot tentative subdivision plat for SAP-Central, Villebois. The proposed lots are being created for conveyance purposes and intended for future land division and site development. The configurations of proposed lots are designed to be consistent with SAP Central and Villebois Master Plan so that future development will be able to occur in accordance with the plans and policies of Villebois and City of Wilsonville Development Code. Since the proposed subdivision creates large lots for conveyance to future developers who are yet to be determined, development is dependent upon subsequent review and approval of future development applications (i.e. Preliminary Development Plans, Final Development Plans, and construction plans). RCS-Villebois Development, LLC. Staff: Blaise Edmonds



Continued on next page

Planning Division, Long Range

BASALT CREEK CONCEPT PLANNING: Staff and the consultant team have been working on the scope of work which is headed to the Tualatin City Council for approval at their January 28th meeting. On December 12 and 30, the Council sub-committee comprised of Councilors Goddard and Stevens from Wilsonville and Councilors Boeckman and Davis from Tualatin met to discuss the project partnering agreement and process diagram. These materials will be presented to the Wilsonville City Council in work session at the second meeting in January 2014.

HOUSING NEEDS ASSESSMENT: Acting in its role as the Committee on Citizen Involvement, the Planning Commission hosted a public meeting on January 8th to share the results of the Wilsonville Residential Land Study. The project team presented the study and invited comment on the recommended strategy for accommodating housing in Wilsonville as it grows. The presentation began at 6:00, followed by Q&A and discussion. The meeting was advertised in the Boones Ferry Messenger, and staff sent invitations to individuals on the project "interested persons list" as well as to Wilsonville's active developers. This study is looking ahead to understand Wilsonville's housing needs over the next 20 years. It includes information about our community today, and how we should plan for new neighborhoods.



INDUSTRIAL FORM BASED CODE AND PATTERN BOOK: Staff and consultants have kicked off work on the Coffee Creek Industrial Area Form Based Code and Pattern Book. An analysis of case studies and existing code is underway. This project will evolve over the next eight months.

BICYCLE AND PEDESTRIAN CONNECTIVITY ACTION PLAN: In response to Council Goal #4a, staff is creating a Bicycle and Pedestrian Action Plan that illustrates the City's vision for connecting the community and outlines the near-term priorities for implementation. The outcome of this effort will be 1) a spreadsheet inventory of the programs and projects that are on the City's work program over the next three years, 2) a set of performance indicators to measure our progress, and 3) a brochure and website designed to convey this work program to the community. The brochure and website will be complete and launch publicly in January 2014.



Planning Division, Long Range, Cont'd

FROG POND-ADVANCE ROAD: The City has issued a Request for Proposals to hire a team of consultants to support Community Development on this project over the next two years. Staff expects to bring a contract before council for approval in March 2014. During the solicitation process, the project is ramping up as staff begins to collect data about the existing conditions of the land.

Economic Development Division

TIF Zone Creation

The six new TIF Zones were adopted by ordinance in November 2013 and recorded with the respective counties in December 2013. The application to be used by business is under development for use in early 2014.

Urban Renewal Strategic Plan

The third task force meeting was cancelled and has been rescheduled to January 30, 2014. The majority of stakeholder interviews were completed in December 2013 with a few remaining to occur in January 2014.

Right of Way Acquisition

The division is currently working on right of way acquisitions for the Barber Street extension project, the Burns Way streetlight infill project, the Canyon Creek Road extension project, as well as managing private development easements and right of way dedications.

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| City Council Activities October through December 2013 | | | |
|--|---|------------------------|---|
| Permit Number | Permit Description | Applicant/Staff | Meeting Date(s) / Actions |
| LP13-0005 | VILLEBOIS MASTER PLAN AMENDMENT Villebois Village Master Plan Amendment for future study area proposed development plan (Former LEC site) | POLYGON PAYMASTER, LLC | PC Recommendation Sept. 11 CC Public Hearing Oct. 7 Oct. 21 Ordinance 724 adopted |
| Work Session | TGM Grant for Light Industrial Form-Based Code | NEAMTZU | Oct. 21 |
| Work Session | Basalt Creek Planning Project Update | MANGLE | Oct. 21 |
| Resolution No. 2442 | Frog Pond/Advance Rd Planning Project Grant IGA Between City and Metro | MANGLE | CC Work Session Oct 21 CC Public Hearing Nov 4 Resolution 2442 Adopted |
| UR13-0001 | TAX INCREMENT FINANCING (TIF) ZONES: Multiple Single-Property Urban Renewal Districts To Be Called Tax Increment Finance Zones | RETFERFORD | PC Recommendation September 11 CC Public Hearing Oct. 21 Nov. 4 Ordinances 725, 726, 727, 728, 279, & 730 adopted |
| Work Session | Wilsonville City Council and Tualatin City Council Joint Work Session on the Basalt Creek/West Railroad Concept Planning | MANGLE | Oct. 29 |
| Resolution No. 2443 | A Resolution Incorporating Approved Zoning Map Amendments and Readopting Official Zoning Map | NEAMTZU | CC Public Hearing Nov. 4 Resolution 2442 Adopted |
| Work Session | Bike/Pedestrian Connectivity Action Plan | KRAUSHAAR MANGLE | Nov. 18 |
| Work Session | Housing Needs Analysis | MANGLE | Dec. 2 |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Planning Commission Activities October through December 2013 | | | |
|---|---|------------------------|--------------------------------------|
| Permit Number | Project Description | Applicant/Staff | Meeting Date(s) / Actions |
| Work Sessions | Statewide Goal 10 – Housing Needs Analysis | MANGLE | Nov. 13 Dec. 11 |
| Work Session | Draft Residential Lands Study Report | MANGLE | Dec. 11 |

| Development Review Board Panel A Activities October through December 2013 | | | |
|--|--|---|--------------------------------------|
| Permit Number | Permit Description | Applicant/Staff | Hearing Date(s) / Actions |
| DB13-0043 | VILLEBOIS VILLAGE CENTER NO. 3 Class 3 Tentative Plat Review Large lot subdivision of TL 100 to create 9 lots | RCS-VILLEBOIS DEVELOPMENT LLC Authorized Rep: Stacy Connery, Pacific Community Design | Dec. 9 Approved |

| Development Review Board Panel B Activities October through December 2013 | | | |
|--|--|-----------------------------------|---|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| DB13-0040 | VILLEBOIS RETHERFORD MEADOWS Class 3 Temporary Use Permit-DRB Review Temporary use for model homes, sales office and visitor parking | LENNAR NORTHWEST INC | Oct. 28 Approved |
| DB13-0038 | ARGYLE SQUARE Pad 1 for a healthy food restaurant Class 3 Site Design Review DB13-0042 - Class 3 Planned Development Stage II Final Plan | AWJ ARCHITECTURE | Oct. 28 Approved |
| DB13-0039 | RENAISSANCE BOAT CLUB/WILLAMETTE LANDING/ABELE Type C Tree Removal Plan Prior approval: DB07-0071 et seq 8455 SW METOLIUS LN | RENAISSANCE DEVELOPMENT CORPOR | Oct. 28 Approved with conditions |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Pending City Council Activities Planning Projects Scheduled for Hearings / Work Sessions during 2014 FIRST QUARTER | | | |
|---|--|-------------------------------|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| Work Session | Basalt Creek Concept Plan Update | NEAMTZU/MANGLE | Jan. 23 |
| Work Session | Bicycle & Pedestrian Connectivity Action Plan | MANGLE/KRAUSHAAR | Jan. 23 |
| Work Session | Goal 10 Housing Needs Analysis | MANGLE | February |
| Work Session | Industrial Form-Based Code | NEAMTZU | |
| DB13-0050 | RENAISSANCE AT CANYON CREEK II Quasijudicial-Comprehensive Plan Map Amendment DB13-0051 - Quasijudicial-Zone Map Amendment DB13-0052 - Class 3 Planned Development Stage 1 DB13-0053 - Class 3 Planned Development Stage 2 DB13-0054 - Class 3 Waiver DB13-0055 - Class 3 Tentative Plat Review DB13-0056 - Class 3 Site Design Review DB13-0057 - Class 3 Tree Removal Plan 28325 SW CANYON CREEK RD | RENAISSANCE CUSTOM HOMES, LLC | TBD |

| Pending Planning Commission/CCI Activities Planning Projects Scheduled for Hearings/Work Sessions during 2014 FIRST QUARTER | | | |
|--|--|-------------------|--|
| Permit Number | Project Description | Staff | Work Sessions/ Public Hearings |
| | Statewide Planning Goal 10 –Housing Needs Analysis | MANGLE | <u>CCI Public Forum</u> Jan 8 <u>PC Work Session</u> Feb. 19 <u>Public Hearing</u> March 12 |
| Work Session | Industrial Form-Based Code | NEAMTZU | Feb 19 |
| | Projects being actively worked on in preparation for future PC Work Sessions: <ul style="list-style-type: none"> Basalt Creek Concept Planning Density Inconsistency Code Amendments Frog Pond/Advance Road Concept Plan Old Town Code Amendments | NEAMTZU MANGLE | |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Pending Development Review Board Activities Planning Projects Scheduled for Hearings / Work Sessions after December 30, 2013 | | | |
|---|--|-------------------------------|----------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| DB13-0044 | JORY TRAIL APARTMENTS Revision to parking and landscaping Class 3 Planned Development Stage 2 DB13-0045 - Site Design Review for additional parking area | CRP/HOLLAND BRENCHLEY ESTATES | Jan. 13 |
| DB13-0046 | COFFEE KIOSK-BOONES FERRY POINTE Class 3 Planned Development Stage 2 Plan Revision for "The Human Bean" Drive-Up Coffee Kiosk DB13-0047 - Class 3 Site Design Review DB13-0048 - Class 3 Master Sign Plan Revision and Sign Area Waiver 25250 SW 95TH AVE | WILSONVILLE DEVCO LLC | Jan 13 |
| DB13-0049 | NW RUGS Class 3 Sign Permit for Pole Sign for 29735 SW TOWN CENTER LOOP W | RAMSAY SIGNS | TBD |
| DB13-0050 | RENAISSANCE AT CANYON CREEK II Quasijudicial-Comprehensive Plan Map Amendment DB13-0051 - Quasijudicial-Zone Map Amendment DB13-0052 - Class 3 Planned Development Stage 1 DB13-0053 - Class 3 Planned Development Stage 2 DB13-0054 - Class 3 Waiver DB13-0055 - Class 3 Tentative Plat Review DB13-0056 - Class 3 Site Design Review DB13-0057 - Class 3 Tree Removal Plan 28325 SW CANYON CREEK RD | RENAISSANCE CUSTOM HOMES, LLC | TBD |
| DB13-0058 | CHARBONNEAU VILLAGE CENTER CONDOMINIUM Class 3 Tentative Plat Review 32000 SW CHARBONNEAU DR | CHARBONNEAU COUNTRY CLUB | TBD |

| Scheduled Pre-Application Meetings October through December 2013 | |
|---|---|
| Number | Description |
| PA13-0018 | Villebois Village Center #3-Large Lot subdivision |
| PA13-0019 | Stage I Master Plan, Stage II Final Plan, and Subdivision Tentative Plat for 27 lot single-family subdivision |
| PA13-0020 | Villebois Phase 3 North: SAP Amendment/Refinement, PDP, Tentative Plat, Zone Change, Tree Removal Plan, FDP & Annexation. |
| PA13-0021 | 110th Ave right-of-way vacation for Villebois Phase 3 & 4 East |
| PA13-0022 | Site development of Lots 1, 5 and portion of 4 of the large lot subdivision in Villebois Village Center. |
| PA13-0023 | Proposed training yard improvements including pole replacement for Clackamas Community College |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Administrative Reviews October through December 2013 | | | |
|---|---|--|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| AR12-0053 | VILLEBOIS VILLAGE CENTER Planning Class II Review Final Plat Piazza Partition | PACIFIC COMMUNITY DESIGN | Recorded |
| AR12-0058 | BRENCHLEY ESTATES - NORTH Final Subdivision Plat (Phase 1) Two (2) Lots only. Includes portion of Lot Line Adjustment approved in AR12-0031 28375 SW PARKWAY AVE | BRENCHLEY ESTATES PARTNERS LP | Pending |
| AR13-0039 | VILLEBOIS SAP CENTRAL: CARVALHO, SEVILLE, TRAFALGAR FLATS Planning Class I Review Final Plat Review Costa Circle West Rowhomes "Beausoleil" | POLYGON PAYMASTER, LLC | Issued |
| AR13-0040 | VILLEBOIS PDP 4 CENTRAL Planning Class I Review Final Plat Tonquin Woods at Villebois No. 5 | POLYGON PAYMASTER, LLC | Issued |
| AR13-0041 | VILLEBOIS PDP 2 NORTH Planning Class I Review Final Plat Tonquin Woods No. 4 (Only lots and alleys for Construction Phase 1 are created, other construction phases indicated as tracts). | POLYGON PAYMASTER, LLC | Pending |
| AR13-0042 | VILLEBOIS PDP 1 CENTRAL: TOULOUSE PETIT Planning Class I Review Final Plat | POLYGON PAYMASTER, LLC | Issued |
| AR13-0043 | BRENCHLEY ESTATES/JORY TRAIL Planning Class II Review Parking lot modification 28035 SW PARKWAY AVE | CRP/HOLLAND BRENCHLEY ESTATES | Issued |
| AR13-0046 | VILLEBOIS PDP 3 EAST & PDP 4 EAST Planning Class II Review Phasing Amendment 29092 SW 110TH AVE | POLYGON PAYMASTER, LLC | Issued |
| AR13-0048 | Planning Class I Review Zoning Compliance Letter 26300 SW 95th AVENUE | PLANNING & ZONING RESOURCE COR | Issued |
| AR13-0049 | VILLEBOIS - RETHERFORD MEADOWS Planning Class I Review FINAL PLAT REVIEW- | LENNAR NORTHWEST INC | Pending |
| AR13-0050 | SOUTHERN WINE DISTRIBUTORS OF OREGON Planning Class II Review Distribution Center - Modify an existing Stage II Final Plan (See DB07-0043 - Joe's Distribution Center) 9805 SW BOECKMAN RD | BREMIK CONSTRUCTION Authorized Rep: VLMK Engineers, Patrick Haugen | Issued |
| AR13-0051 | 3-BAY Planning Class I Review Install parking lot lights near the sanding rock stockpile in SW corner of 3-Bay parking lot. | CITY OF WILSONVILLE PUBLIC WORKS | Issued |
| AR13-0052 | BRENCHLEY ESTATES - NORTH Planning Class I Review Lot 2 Final Plat *See DB12-0018 et seq. | BRENCHLEY EST. PART. PHASE III | Pending |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Administrative Reviews October through December 2013 | | | |
|---|--|-----------------------------------|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| AR13-0053 | VILLEBOIS - RETHERFORD MEADOWS Planning Class I Review - Fencing and Signs | WESTLAKE CONSULTANTS INC | Pending |
| AR13-0054 | VILLEBOIS - RETHERFORD MEADOWS Planning Class I Review - Landscape Changes | WESTLAKE CONSULTANTS INC | Issued |
| AR13-0055 | VILLEBOIS - BEAUSOLEIL ROW HOME Planning Class I Review Class I Modification | POLYGON PAYMASTER, LLC | Issued |
| AR13-0056 | TERRENE APARTMENTS Planning Class II Review to allow the addition of carport structures over 37 existing parking spaces 8810 SW ASH MEADOWS RD | CRP/HOLLAND BRENCHLEY ESTATES | Issued |
| AR13-0057 | Planning Class II Review Administrative Relief for rear yard setback 6605 SW ESSEX CT | CAVARNO ALAN W & JENNIFER | Issued |
| AR13-0058 | WORLD OF SPEED Planning Class I Review: Approval for exterior structural bow truss relative to interior tenant improvements proposed in previously submitted building permit 27490 SW 95TH AVE | SITEWORKS | Issued |
| AR13-0059 | RENAISSANCE BOAT CLUB/WILLAMETTE LANDING/ABELE Planning Class I Review Subdivision Final Plat Review - 33-Lot Planned Development (Originally known as Willamette Landing). 8455 SW METOLIUS LN | RENAISSANCE CUSTOM HOMES, LLC | Pending |
| AR13-0060 | Planning Class I Review Review for a wireless compound expansion on existing telecommunications site at WasteWater Treatment Plant 9275 SW TAUCHMAN | WESTOWER | Issued |
| AR13-0061 | WILSONVILLE FAMILY FUN CENTER Planning Class I Review Temporary Use Permit for Christmas Tree Sales in Parking Lot December 2013. | RODRIGO TORRES | Issued |
| AR13-0062 | Planning Class I Review Zoning Verification Letter 29555 SW BOONES FERRY RD | PLANNING & ZONING RESOURCE COR | Issued |
| AR13-0063 | Planning Class I Review Zoning Verification Letter 29899 SW BOONES FERRY RD | PLANNING & ZONING RESOURCE COR | Issued |
| AR13-0064 | HOFFMEYER COMPANY Planning Class I Review Request for 2 8'x40' storage containers in back of lot. 9675 SW COMMERCE CIR | HOFFMEYER REALTY LLC | Issued |
| AR13-0065 | Planning Class I Review Zoning Compliance Letter 32200 SW FRENCH PRAIRIE RD | MASSEY CONSULTING GROUP, LLC | Issued |
| AR13-0066 | VILLEBOIS SAP CENTRAL Planning Class I Review Large Lot Subdivision Final Plat | COSTA VILLEBOIS LLC | Pending |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Sign Reviews October through December 2013 | | | |
|---|--|---------------------------------|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| SR13-0040 | NW SPINE & LASER SURGERY CENTER Planning Class 1 Sign Review 8995 SW MILEY RD | RUDNICK ELECTRIC | Issued |
| SR13-0041 | COLUMBIA BANK Class II Sign Permit - MSP Adjustment 8229 SW WILSONVILLE RD | MEYER SIGN COMPANY OF OREGON | Issued |
| SR13-0042 | NW RUGS Planning Class 1 Sign Review Temporary banner for month of January 2014 29735 SW TOWN CENTER LOOP W | SHAWN NILI INC. | Issued |
| SR13-0043 | BOULDER CREEK APARTMENTS Planning Class 1 Sign Review Temporary Banner - Expires April 11, 2014 6600 SW WILSONVILLE RD | MADISON APARTMENT GROUP LP | Issued |

| Tree Reviews October through December 2013 | | | |
|---|--|--|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| TR13-0050 | Type A Class 1 Tree Removal Permit One dead Maple tree | ASH MEADOWS HOMEOWNERS ASSN | Issued |
| TR13-0090 | Type B Class II Tree Removal Permit Canyon Creek Meadows Subdivision <i>Tree removal permits will be submitted seperately by property owners</i> | CREEK (27) OPERATING COMMUNITY MNGT INC CANYON | Issued |
| TR13-0096 | Type B Class II Tree Removal Permit 6 street trees 28299 SW BOBERG RD | LLC IOSCO WAREHOUSING & DISTRIBUTI | Issued |
| TR13-0097 | Type A Class 1 Tree Removal Permit One Red Maple 30924 SW BOONES FERRY RD | COPPING RITA Y | Issued |
| TR13-0098 | Type A Class 1 Tree Removal Permit Remove (1) Ash Tree along Cascade Loop severely damaged during 9/28/13 storm 28508 SW CASCADE LOOP | HEDBERG ALAN S | Issued |
| TR13-0099 | Type A Class 1 Tree Removal Permit Remove one (1) spruce tree in rear yard 7692 SW THORNTON DR | EDMONDS BLAISE | Issued |
| TR13-0100 | Type A Class 1 Tree Removal Permit Remove one (1) tree. 7686 SW THORNTON DR | ALEXANDER PEKALSKI | Issued |
| TR13-0101 | Type A Class 1 Tree Removal Permit Remove three (3) trees. 7332 SW IRON HORSE ST | GERHARD RICHTER | Issued |
| TR13-0102 | Type A Class 1 Tree Removal Permit 28965 SW CASCADE LOOP | DONNA HAMMOCK | Issued |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Tree Reviews October through December 2013 | | | |
|---|---|-----------------------------------|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| TR13-0103 | Type B Class II Tree Removal Permit Remove one (1) tree, a Pin Oak: the tree is dead. The tree proposed for removal is a street tree. Applicant is proposing not to replace the tree following its removal. 28718 SW MEADOWS LOOP | KURT AHLSTROM | Issued |
| TR13-0104 | Type A Class 1 Tree Removal Permit Fir trees in front yard along 4th St. 9430 SW 4TH ST | SNYDER JEFFREY L & TERRY L DOS | Issued |
| TR13-0105 | Type A Class 1 Tree Removal Permit Two Zelkova trees 26760 SW COLVIN LN | JOSLIN NANCY A | Issued |
| TR13-0106 | Type A Class 1 Tree Removal Permit 2 sweet gums and one ash tree in Landover Park 28350 SW WILLOW CREEK DR | CITY OF WILSONVILLE | Issued |
| TR13-0107 | Type B Class II Tree Removal Permit One Maple tree 28487 SW MEADOWS LOOP | GREENBERG STEVEN J & KATHRYN S | issued |
| TR13-0108 | Type A Class 1 Tree Removal Permit Three dead trees-exempt from fees, applicant wanted a permit showing they were ok to remove 10660 SW WILSONVILLE RD | OAKLEAF PARK | Issued |
| TR13-0109 | Type A Class 1 Tree Removal Permit Remove three (3) hazardous trees. Arborist's report suggests the need to remove 11 trees; removal of only three (3) trees is requested by this permit application. 9600 SW BOECKMAN RD | INLAND PACIFIC PROPERTIES | Issued |
| TR13-0110 | Type A Class 1 Tree Removal Permit Removal of tree under firs in front yard. 7529 SW ROANOKE DR | HOLMES DENNIS & NICOLA | Issued |
| TR13-0111 | Type A Class 1 Tree Removal Permit Remove one (1) tree 28651 SW CRESTWOOD DR | SMITH CHARLES A & KAREN L | Issued |
| TR13-0112 | Type A Class 1 Tree Removal Permit 2 red maple street trees along Thornton being removed due to health and structure issues. To be replaced. 7567 SW LOWRIE LN | DODGION LARRY H | Issued |
| TR13-0113 | Type A Class 1 Tree Removal Permit One Crabapple Tree 28933 SW CASCADE LOOP | BRENT E WALTER | Issued |
| TR13-0114 | Type A Class 1 Tree Removal Permit One Fir tree 10415 SW PLEASANT PL | WILLIAMS WARREN | Issued |
| TR13-0115 | Type A Class 1 Tree Removal Permit One diseased Japanese Red Pine tree 28549 SW ASH MEADOWS BLVD | ASH MEADOWS HOMEOWNERS ASSN | Issued |
| TR13-0117 | Type A Class 1 Tree Removal Permit Remove one (1) tree damaging waterline. 27490 SW 95TH AVE | SITEWORKS | Issued |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

| Tree Reviews October through December 2013 | | | |
|---|--|-----------------------------------|--------------------------------------|
| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
| TR13-0118 | CAMPING WORLD Type B Class II Tree Removal Permit 4 trees 26875 SW BOONES FERRY RD | CAMPING WORLD | issued |
| TR13-0119 | Type A Class 1 Tree Removal Permit One dead tree-Mamosa 29720 SW BOONES FERRY RD | BRUCE BURGOYNE | Issued |
| TR13-0120 | Type A Class 1 Tree Removal Permit Remove three (3) trees. 10963 SW MATZEN DR | JOHN AND CATHERINE BUSEY | Issued |
| TR13-0121 | RENAISSANCE BOAT CLUB/WILLAMETTE LANDING/ABELE Type C or Type D Class 1 Tree Removal Permit Remove 115 trees. Enabled by DRB approval granted in case file DB13-0039. 8455 SW METOLIUS LN | RENAISSANCE CUSTOM HOMES, LLC | Issued |
| TR13-0122 | Type A Class 1 Tree Removal Permit 2 Red Maple (no evidence that required to be maintained, trees are dying. 25200 SW PARKWAY AVE | GROWCO LANDSCAPING INC. | Issued |
| TR13-0123 | Type A Class 1 Tree Removal Permit 2 diseased Crabapples 28950 SW CASCADE LOOP | SPENDLOVE KURK | Issued |
| TR13-0124 | Type B Class II Tree Removal Permit Remove 1 sweetgum tree. 9140 SW PIONEER CT | LAWRENCE JAMES NATHAN & SANDRA | issued |
| TR13-0125 | Type A Class 1 Tree Removal Permit Three dead trees 28925 SW BOBERG RD | GRACE CHAPEL | Issued |
| TR13-0126 | Type A Class 1 Tree Removal Permit One Incense Cedar tree at Memorial Park 8200 SW WILSONVILLE RD | CITY OF WILSONVILLE | Issued |
| TR13-0127 | Type A Class 1 Tree Removal Permit 2 flowering plum trees 7488 SW GLENWOOD DR | HARPER JACK W & SHIRLEY | Issued |
| TR13-0128 | Type B Class II Tree Removal Permit A small grove of non-native Hawthorne trees on the North side of Courtside Drive, directly north of City Hall. 29799 SW TOWN CENTER LOOP E | CITY OF WILSONVILLE | Issued |
| TR13-0129 | Type A Class 1 Tree Removal Permit Remove three (3) trees. 32033 SW GUISS WAY | CHRIS KALEIKILO | Issued |
| TR13-0130 | Type A Class 1 Tree Removal Permit Remove one (1) tree. 10406 SW SERENE PL | RONALD KENNEDY | Issued |
| TR13-0131 | Type A Class 1 Tree Removal Permit Remove three (3) trees abutting Montessori School. | THOMAS BERNERT | Issued |
| TR13-0132 | Type A Class 1 Tree Removal Permit 3 Cedar trees 7060 SW MONTGOMERY WAY | GAHAN GREG | Issued |

**Wilsonville Planning Division
2013 Fourth Quarter Report
October through December**

**Tree Reviews
October through December 2013**

| Permit Number | Permit Description | Applicant | Hearing Date(s) / Actions |
|---------------|---|---------------------|---------------------------|
| TR13-0133 | Type A Class 1 Tree Removal Permit 2 trees-retroactive 31197 SW METOLIUS CT | ZAMBERLAN DEBORAH J | Issued |

**Planning Staff Activities, Projects and Meetings
October through December 2013**

Recurring Activities

| | |
|--|---|
| Archiving/Purging of Planning Records | Metro Committee meetings |
| Basalt Creek Area Planning | Parks Team Meetings |
| Counter – Customer Service | Posting of Public Notices on project sites |
| Conditions of Approval Tracking | Pre-Construction meetings |
| Development Coordination Meetings | Project Site Visits/inspections |
| Eden Permit Tracking | Updating and redesign of Planning's web pages |
| French Prairie Bicycle/Pedestrian/Emergency Bridge | Villebois Meetings |
| Frog Pond/Advance Road Planning | Washington County Planning Directors meetings |



Patrick Duke
Library Director

**LIBRARY
BOARD**

Hilly Alexander
Chair

La Rue Williams

Caroline Berry

Reggie Gaines

Alan Steiger

**Wilsonville Public Library
Monthly Report to Council
January 2014**

Quarterly (October to December) Statistics

- **Physical item circulation:** 120,726 items checked out or renewed.
- **E-book and downloadable audiobook circulation:** 4,178, up 66% from last year.
- **Volunteer hours donated to the library:** 2,927

Administration

- **Strategic Planning update**

Library staff has drafted a mission and vision statement for the Library, and are working on goals to execute the service responses identified by the Community Advisory Panel. These service responses are:

- **Create Young Readers** – which is a focus on early literacy
- **Visit a Comfortable Place** – a focus on physical and virtual space
- **Connect to the Online World** – which includes both access to technology within the library as well as access to online resources remotely.
- **Stimulate Imagination** – reading and viewing for pleasure for all ages

The Community Advisory Panel is scheduled to review the new plan on January 30.

- **Library Remodel**

As part of the Library District agreement in 2008, Clackamas County agreed to set aside \$1M in capital funds for each library in the District. The Wilsonville Library's funds become available in January. Library and Community Development Department staff are examining options.

Adult Services

- October through December adult programming attendance: 520.

January Programming:

- **"Soccer City USA: The Birth and Rise of the Portland Timbers"** with Michael Orr
Tuesday, January 28 6:30 PM - 8:00 PM The Old Church at Wilsonville
McMenamins
- **Book Notes Concert: Sky in the Road.** 2pm, January 11th.
- **William Stafford Poetry** – The library is celebrating the 100th birthday of poet William Stafford with our own John Ehrstine teaching Stafford this Winter. The class will last 8 weeks, starting on January 29. Oregon Poet Laureate **Paulann Petersen** will be at the library on the 29th to launch the class, and Stafford's son and poet, Kim Stafford, will close the class on **March 19th** with a lecture at McMenamin's Old Church. **Kim Stafford's talk is titled: You Must Revise Your Life: William Stafford on Poetry and Peace.** This program is underwritten by the Library Foundation

- **The Genealogy Club** meets on **January 27** at **1pm** at the **Wilsonville LDS Church**.

See more events at www.wilsonvillelibrary.org

Youth Services

- October through December Youth Services programming attendance was **6,442**.

January Programming

- **Storytime and other preschool programming** starts on January 6th
This year's schedule:

Toddler Time
Tuesdays 10 am

Babytime
Tuesdays 11 am

Family Storytime
Tuesday 6:30 pm
Wednesday 10:30 am,
and 1:00 pm
Thursday 10:30 am

**Haz un Titere y cuenta un
Cuento en Espanol e Ingles**
(Bilingual Storytime)
Monday 6 pm

School age programming
each month.

- **Teen Game Night, January 24th, 6:30 pm**
- **K-2 Book Adventures, January 16, 4pm**
- **Library Family Nights**
Collaborating with local elementary schools, the Library will be hosting Library Family Nights to invite local school families into the Library and acquaint them with the Library's services. The upcoming schedule is:
 - January 22nd Boones Ferry Primary Title 1 families
 - January 29th and 30th Boeckman Creek families
 - February 13th Lowrie Primary families
 Each event will start at 6:30pm.

Affiliates

- **Wilsonville Friends of the Library**
Friends will meet on January 14th. The Friends raised over \$30,000 in 2013 and use those funds to supplement the collection budget as well as fund programming such as our Spanish Storytime and the BookNotes Concert Series.
- **Wilsonville Public Library Foundation**
The Foundation has its annual meeting on January 15th in the Library. Alan Steiger will become President of the Foundation for 2014. The Foundation raised over \$20,000 for the Library in 2013, and funds key initiatives like Science Adventure, Dolly Parton's Imagination Library, and our literature seminars; as well as small initiatives like a collection of children's books in English and Spanish at the Autumn Park Apartments.

Parks and Recreation

December 2013 Report

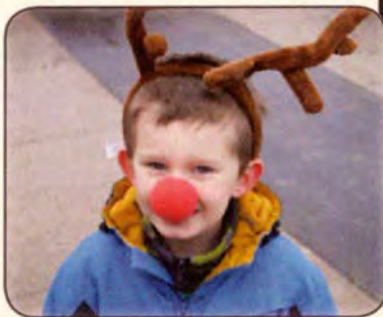


Reindeer Romp a Success!

Wilsonville's first Reindeer Romp 5k and kid's dash was a rousing success. With a grand total of 292 participants, the chilly weather did not dampen the spirits of participants of all ages. The youngest runners donned their antlers and red noses and ran a lap around Town Center Park after being led through warm up exercises with Dr. Laura Lajoie.

Many kids joined their families and friends for the 5k fun run that followed, and ended up high fiving Bullwinkle the Moose at the Family Fun Center. While the runners thawed out they enjoyed refreshments, crafts and games, Christmas tunes and a visit from Santa.

The event raised \$900 to support scholarships for Wilsonville Parks and Recreation Department. The event was made possible by support from a generous group of sponsors: Family Fun Center and Bullwinkle's Restaurant, Qdoba, Lamb's Thriftway, Fred Meyer, Costco, Joy of Life Chiropractic, Holistic Health, Elements Massage, Family Chiropractic and Golazo sports drinks. Thank you to all who participated!



Lending a Helping Hand

We have just wrapped up the holiday program with our partner organizations Clackamas County Compassion in Action (CIACC) and Fill a Stocking, Fill a Heart.

- * 10 families were assisted in applying for holiday toy & food boxes through CIACC. The families were then adopted by generous Wilsonville businesses.
- * 30 seniors enrolled in our home delivered meal program were given stockings filled with gifts and other useful items.

Through our Senior Financial Aid Fund we continue to assist low income seniors with energy costs, class scholarships, and other emergency needs. We would like to thank the Wilsonville Community Seniors for their generous support of this fund.

Parks and Recreation Department

Holiday Fun Fest

On December 19th, the Parks and Recreation Department hosted the 10th annual Holiday Fun Fest at the Community Center. 174 individuals came out to build graham cracker houses decorated with colorful candies. One of the most enjoyable elements of the event was watching parents and grandparents interacting with their children/grandchildren and discussing the master building plan. For many families this event has become an annual tradition and some children have been coming for most, if not all, of the 10 years the event has been in existence.



Upcoming Events

Hit Parade - Monday, January 27th, 2:00pm to 4:00pm, Wilsonville Community Center.

The center will be rockin' and rollin' as pop historian and D.J. Jim Pritchard takes us on a journey through the musical world of the 1940s and 50s. He will spin some tales of the 'big name' stars he met throughout his career, and then the dance floor will be open as he plays some of the old favorites. Participants are asked to call the Community Center to reserve their seat. There is no charge for this adult 55+ special event.

Daddy Daughter Dance - Friday, February 28th, 7:00pm to 9:00pm, Wilsonville Community Center.

"A night in Hollywood" is the theme for the annual event which always sells out. Tickets are \$14 per person and includes unlimited photos in the photo booth!

Registration now open



Registration for Winter programs is now open. All classes/programs can be viewed online and the paper version of the Activity Guide will arrive in mailboxes during the middle of January.

Public Works

November/December 2013

Wagner Well House Restoration

Facilities Maintenance Division

Senior Utility Worker Sean Byrne and Seasonal Utility Worker Max McCluskey cleaned and preserved the historic Charbonneau Wagner Well House in early November.

Several citizens stopped by while staff was working to let them know how much the building means to them and that they are glad the City is taking care of the historic well house.

The crew removed and cleaned the siding with a combination of hand scrubbing and light pressure washing using an environmentally friendly cleaner. This helped to restore the natural luster of the wood without any damage to the materials. Staff then secured any loose cedar shake siding back in place. The project took a total of 32 labor hours to complete.

In addition, four old electrical lighting fixtures were replaced with low profile LED Accent lighting fixtures, under Sean's Limited Building Maintenance Electrician (LBME) Apprenticeship.

BEFORE



AFTER



INSIDE THIS ISSUE

- 1** Wagner Well House
- 2** Electrical Response Plans & Leaf-free Trees
- 3** Leaf Pick-Up, Holiday Wreaths & Billy Goat Vacuum
- 4** Emergency Call Outs & Tips on Mulching



Quick Reference Electrical Response Plans

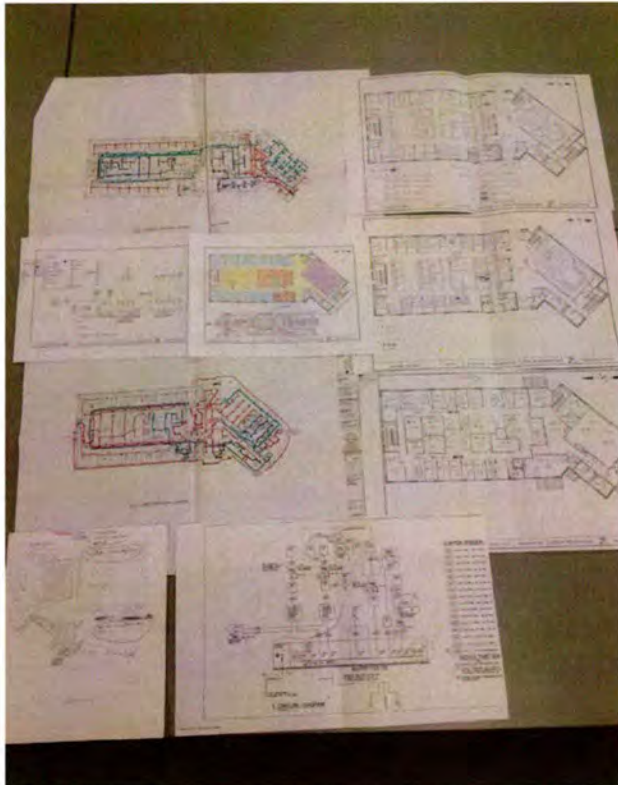
Facilities Maintenance Division

In order to substantially reduce response times to electrical work orders or emergencies occurring at City Hall, staff has focused on extracting key information out of the extensive set of electrical plans (photos to the left).

This allows staff to verify the information for accuracy, and be able to develop comprehensive, quick reference response plans. This project revealed some inaccuracies in record plans which were corrected.

The new quick reference guide also identifies what elements will be energized in the event of a power outage.

A special thanks to Susan Rothenberger, GIS & Mapping Technician who was instrumental in creating the new drawings.



Leaf Free Trees

Facilities Maintenance Division

The month of November was the final big push for the removal of the leaves on most of the City's sites. The Public Works crews will continue the leaf pickup for a few more months, but the volume has now dropped, considerably.

There are several Wilsonville residents who are more than happy to receive loads of leaves for their landscape and garden winter mulching, thereby saving the City some cost of debris removal.



Leaf Pick-Up Day

Roads & Infrastructure Division

Republic Services and the City of Wilsonville sponsored the Wilsonville Fall Leaf Day for the second year.

Wilsonville citizens were invited to drop off their leaves at City Hall parking lot and City staff was on hand to assist residents with placing the leaves into dumpsters.

Approximately 110 cubic yards of leaves were collected along with several boxes of canned goods and toiletries that were donated by participants. Donated food and personal care products were delivered to the Wilsonville Community Sharing program.



Holiday Wreaths

Facilities Maintenance Division

For the 2013 holiday season, the Public Works Staff installed wreaths on several of the City buildings in late November and will remove the decorations in January.



Billy Goat Walk-Behind Leaf Vacuum

Facilities Maintenance Division

Using the Billy Goat Walk-Behind Vacuum, the Public Works crew is able to be more effective with the final cleanup of sidewalks, walkways and parking lots.

Because of this vacuum, very little leaf or debris residual is left after cleaning thus providing a more "finished" look to the area.

An added bonus is that less debris is going into the storm water system, which is beneficial to the environment.



After Hours Emergency Call-outs

Public Works Department

The first half of December has been a busy time for Public Works.

During times of inclement weather, the Wilsonville Police Department will assess the road conditions during the night. If they determine the roads should be sanded then they contact the Public Works on-call pager. In December, staff was called-out in the middle of the night to apply quarter-ten sand to the roadways due to freezing fog and ice.

Because of the icy conditions the City incurred some property damage around town. The first of which was a roll over crash just before the new Boeckman Bridge taking out some landscape and fencing (photo immediately below). Another was due to a hit and run crash on Boones Ferry near Ridder Road where most of the guard rail was destroyed at that intersection (second photo below).



Tips on Mulching

Roads & Infrastructure Division

As you may have noticed mulch has been applied to the median island on Town Center Loop. Mulch can be a landscaper's best friend and it has many great benefits. Using mulch is a good way to suppress weeds and help keep the soil moist. Just remember do not apply mulch too thick because if it applied it too densely it will absorb the irrigation or rainwater and keep moisture from reaching the tree's root.

Another tip to remember is not to mound the mulch up around a tree's trunk. Having the mulch piled-up around the tree will keep the tree's bark consistently moist, and makes ideal conditions for insect and disease problems.

One last suggestion is to match the texture of the mulch to the size and type of plants that are being mulched around. Big chunks of bark surrounding small plants can make the plants look dwarfed.



From the Director

The City Council received a report from SMART staff and consultants on January 6, with the initial findings of the Transit Integration Project (a cumbersome name for a study focused on ways to improve the efficiency of transit operations between Wilsonville and Portland).

One of the big issues being addressed in the study has to do with SMART's current costs in providing out of town dial-a-ride services to clinics and hospitals that are some distance from Wilsonville. Not surprisingly, a dial-a-ride trip to St. Vincent Hospital is much more costly to provide than a trip to a local clinic. This is especially true when only one passenger is on board for each of those trips.

This raises fundamental questions about the role of public transit. Are we here to provide as many passenger trips as possible at the least cost to the public, or is our role to provide transportation for those most in need and least able to afford it? Given how transit is funded by both state and federal agencies, it is clear that our role is to do both, with somewhat of a balancing process.

In the coming months, the work on the Transit Integration Project will move into alternatives for the City Council to consider. At that point, the Council will be asked to help in balancing our competing priorities for the best interests of the community overall. That will not be easy, but the important decisions rarely are.

Stephan Lashbrook



Worried about wintery road conditions?
Leave the driving to a professional!

In This Issue

- Operations Update
- Transit Projects
- Regional Connections
- Options Programs

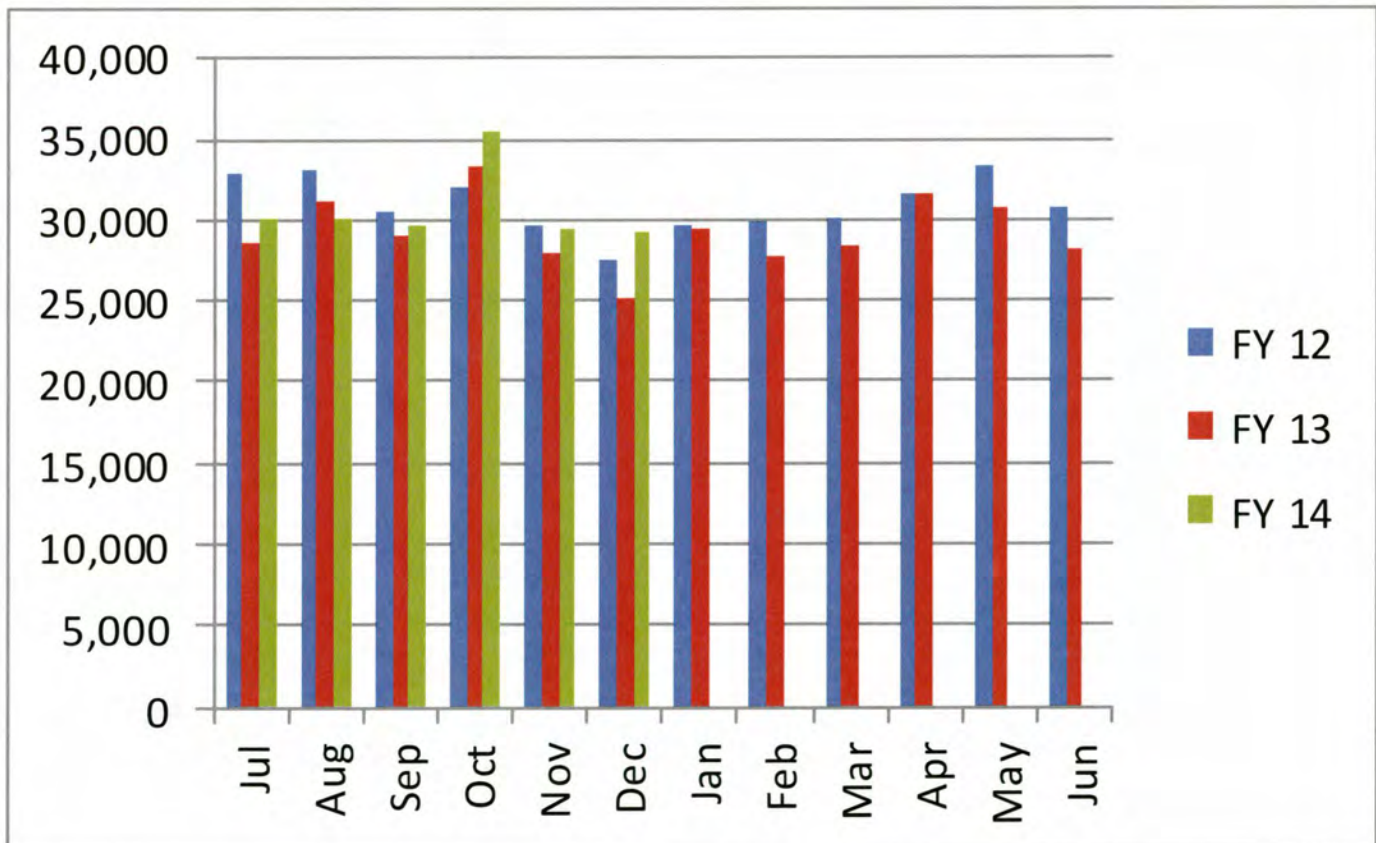
SMART OPERATIONS

During the second quarter (Oct.—Dec.), ridership is outpacing the record pace of FY12. During that 2011 three month time period, ridership was at 89,043 and on its way to the highest annual ridership realized—370,526. For the same period in 2013, ridership is at 94,039, which is a 5.7% increase. Since FY12 outpaced FY14 during the 1st quarter, ridership for the year through the first six months are comparable for the two fiscal years (185,466 FY12 vs.183,818 FY14).

With Ridership trending higher, we expect FY14 will be another record breaking year. Stream Global, which completed their move in early September has had a positive impact on our ridership. Ridership during November and December has, in the past, dropped significantly because of the holidays. This year however, had less of a drop in ridership. (For comparison, last year's ridership dropped as low as 23,700 in December while this December remained at near 28,000.)

Routes with significant gains are the 2X Barbur (37.9%); Route 4 Crosstown (+20%); Route 5 95th Ave. (+17%); and Route 6 Argyle Sq. (10.3%).

During December, Operations hired a new Field Supervisor to replace one who retired after serving the City for 12 years.



Regional Connections

As SMART's **Transit Integration Project** moves into the second phase to further analyze transit options based on data analysis and public input, SMART is keeping an eye on other area studies taking place close to Wilsonville that will improve transit to better serve the south metro area.

TriMet's **Southwest Service Enhancement Plan** and Metro's **Southwest Corridor Plan** both are seeking to achieve community visions through integrated land use and transportation planning.

Public meetings will be held this winter to help determine the short-term improvements and the long-term vision for bus service in Wilsonville and the south metro area.

To learn more about these regional projects visit trimet.org/sep/southwest.htm and to learn more about SMART's Transit Integration Project visit ridesmart.com/tip

SMART's public open house meeting dates will be announced in February.

TriMet's SW Service Enhancement Plan Public Meetings

Thursday, January 9, 6:30 – 8:30 p.m.

West End Building, Santiam Room
4101 SW Kruse Way, Lake Oswego

Wednesday, January 15, 6:30 – 8:30 p.m.

Bolton Fire Station # 58
6050 SW Failing St., West Linn

Thursday, January 16, 6:30 – 8:30 p.m.

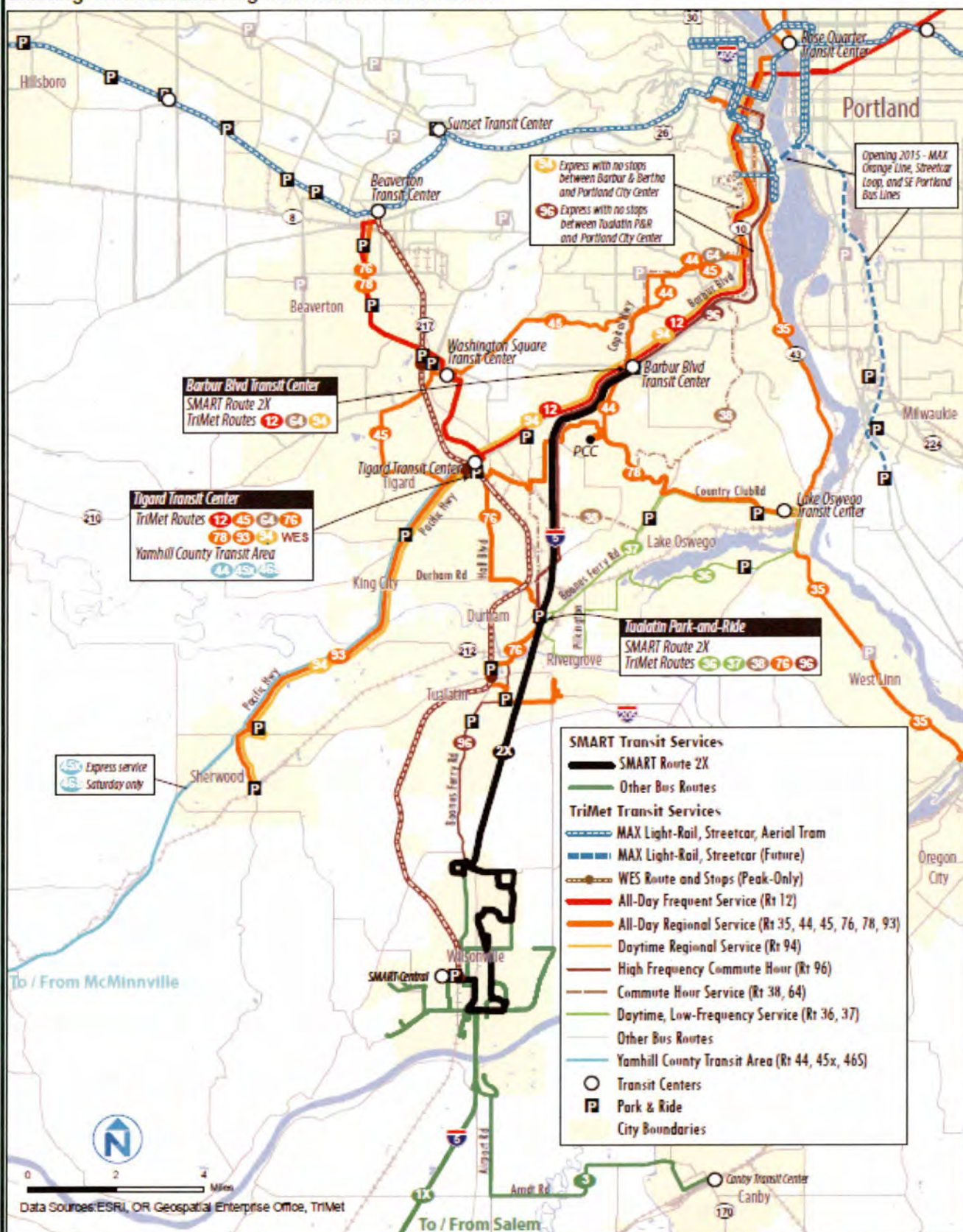
City Council Chambers
22560 SW Pine St., Sherwood

Thursday, February 13, 6:30 – 8:30 p.m.

Tualatin Public Library
18878 SW Martinazzi Ave., Tualatin



Existing Route 2X and Regional Transit Connections



Options Outreach Programs

- The Walk Smart Program sees an extra boost of participation each New Year with employees and residents trying to stick to their resolutions and get more steps in during their day to meet physical activity goals. Replacing short vehicle trips with walking is a perfect way to help incorporate more activity into an every day routine.
- SMART Options staff are busy preparing for the 2014 spring/summer outreach season and scheduling dates for walks and bike rides. If you have an idea for a group walk or bike ride or would like to volunteer with Walk Smart or Bike Smart, please let us know!
walksmart@ridesmart.com



Holiday Lights Tours

In partnership with the Wilsonville Community Center, SMART hosted 5 trips and brought 157 Wilsonville holiday revelers up to P.I.R. to see the amazing lights display. Nearly 200 new toothbrushes were donated by residents and then given to the Wilsonville Community Sharing & Food Bank. wilsonvillecommunitysharing.org



Wishing you a Happy and Healthy 2014!

Contact Us

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King, Sandy

From: David Lake <orlaked.dbl@me.com>
Sent: Thursday, January 23, 2014 7:44 AM
To: City Council Members
Subject: Discussion Regarding Marijuana Dispensaries

Dear Mayor and City Council Members:

It is my understanding from reading an article in the Wilsonville Spokesman that you are discussing the topic of marijuana dispensaries at tonight's City Council Meeting. Unfortunately, I am unable to attend but I wish to urge you in the strongest possible manner to develop rules and regulations that prohibit the building or operating of marijuana dispensaries in the City of Wilsonville. I believe if one looked carefully at the vote regarding medical marijuana in Clackamas County, in general, and Wilsonville, in particular, one would find that this measure did not pass in these jurisdictions. Marijuana use, whether for feigned medicinal purposes, or otherwise, is a large gateway to the use of other, equally addictive drugs which cause considerable harm to our children and community at large. Marijuana dispensaries would be a blight on this community and be seriously detrimental to the family-supporting environment many of us have worked so hard to build and maintain. That such laws may be challenged legally should be irrelevant. This is a moral hazard issue and we should take a moral stand and let the legal system deal with it as it may.

Sincerely,
David B. Lake

THE NEW YORKER

A REPORTER AT LARGE

BUZZKILL

Washington State discovers that it's not so easy to create a legal marijuana economy.

BY PATRICK RADDEN KEEFE

NOVEMBER 18, 2013

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Washington's law gave state officials only a year to answer difficult questions: Who could grow legal pot? Who could sell it? How much would an ounce of the drug cost? Photograph by Maureen Drennan.

One morning in August, Mark Kleiman, a professor of public policy at U.C.L.A., addressed the Seattle city council on the subject of marijuana. Kleiman is one of the country's most prominent and outspoken analysts of drug policy, and for three decades he has argued that America's cannabis laws must be liberalized. Kleiman's campaign used to seem quixotic, but in November, 2012, voters in Washington and Colorado passed initiatives legalizing the use and commercial sale of marijuana. Immediately afterward, the State of Washington decided that it needed help setting up a pot economy. State bureaucrats don't generally sit around pondering the improbable, so they had made no contingency plans. A call for proposals was issued. Kleiman assembled a team that beat out more than a hundred other contenders for the job. He calls himself a "policy entrepreneur," and offers advice through a consultancy that he runs, BOTEC Analysis Corp. In a nod to the ambiguity inherent in studying illicit economies, BOTEC stands for Back of the Envelope Calculation.

Washington and Colorado have launched a singular experiment. The Netherlands tolerates personal use of marijuana, but growing or selling the drug is still illegal. Portugal has eliminated criminal sanctions on all forms of drug use, but selling narcotics remains a crime. Washington and Colorado are not merely decriminalizing adult possession and use of cannabis; they are creating a legal market for the drug that will be overseen by the state. In a further complication, the marijuana that is legal in these states will remain illegal in the eyes of the federal government, because the Controlled Substances Act of 1970 forbids the growing and selling of cannabis. "What the state is doing, in actuality, is issuing licenses to commit a felony," Kleiman says. In late August, after months of silence, the Department of Justice announced that it will not intervene to halt the initiatives in Washington and Colorado. Instead, it will adopt a "trust but verify" approach, permitting the states to police the new market for the drug. Many other states appear poised to introduce legalization measures, and the Obama Administration's apparent acquiescence surely will hasten this development.

Washington's initiative, called I-502, received fifty-six per cent of the vote, with especially strong support in western Washington, around Seattle. Voters saw a lot to like: the end of prohibition of a drug that many people enjoy and consider harmless; a fresh source of tax revenue; an end to the punitive, and racially discriminatory, enforcement of marijuana laws. Each year, U.S. authorities make more than three-quarters of a million arrests for marijuana offenses. Blacks are more than three times as likely to be arrested for such offenses as whites are, though they are no more likely to use the drug. Pete Holmes, the city attorney of Seattle,

told me that state prosecutors had stopped indicting people for marijuana possession, because local jurors found the prohibition so objectionable that they tended to acquit on principle. A few years ago, Holmes stopped prosecuting misdemeanor marijuana-possession cases. He then publicly endorsed I-502.

The law, which was sixty-four pages long and contained hundreds of specific provisions, assigned the liquor-control board the role of regulating the pot market. Yet many difficult questions remained: Who would be allowed to grow legal marijuana? Who would be allowed to sell it? How much would an ounce of legal pot cost? The legislation gave Washington officials only a year to come up with answers. Randy Simmons, the state's project manager for I-502, says, "From the week after the initiative passed, it's been about a hundred and fifty miles an hour."

The liquor-control board instructed Kleiman and his associates at BOTEC to submit research papers outlining the advantages and disadvantages of rival approaches to legalization. They were to be paid two hundred and ninety-two dollars an hour. In the spring and summer, Kleiman's team engaged in the often surreal enterprise of conducting market research on a black market: producing reports on the number of active marijuana users in each county; estimating how many retail cannabis outlets would be needed to serve that population; assessing how various tax schemes might affect the price of the drug. They also investigated protocols for "product quality standards and testing." Kleiman's mandate was to offer officials options, rather than prescriptions. But he has a lot of opinions, and does not excel at hiding them.

If Seattle has welcomed the legalization of marijuana with utopian optimism—a conviction that Washington's experiment will eventually sweep the nation—then Kleiman can seem like a total downer. Allergic to cant, he speaks with the bracing candor of a scientist in a disaster movie, and appears to derive grim pleasure from informing politicians that they have underestimated the complexity of a problem.

The council meeting took place at City Hall, a glass-and-steel building overlooking Puget Sound. Council members sat around a long table, looking scrubbed and upbeat, as Kleiman—a large man of sixty-two, with a lumbering gait and an unruly gray beard—took a seat before a microphone. "One of the ideas that has actuated the cannabis-legalization movement is that law enforcement really has bigger fish to fry," he said. "We'd rather have cops chasing burglars than pot sellers. And that's a reasonable viewpoint." He paused. "But the implication of . . . a legal commercial market is *not* that you need less enforcement." The city councillors looked anxious. "That'll be true in the long run," Kleiman allowed. "In the long run, there shouldn't be much of an illegal business. . . . In the short run, though, the answer is just the opposite."

When legal marijuana goes on sale, sometime next spring, the black market will not simply vanish; over-the-counter pot will have to compete with illicit pot. To support the legal market,

Kleiman argued, the state must intensify law-enforcement pressure on people who refuse to play by the new rules. A street dealer will have to be arrested in the hope that “you will migrate that dealer’s customers into the taxed-and-regulated market.”

Officials in Washington had been expecting a peace dividend, yet Kleiman was calling for a crackdown. It was the kind of logical argument that nobody wants to hear. Not even law enforcement: to a narcotics detective, pot legalization can feel like an existential affront. As if to deepen the insult, tax revenue from the sale of legal cannabis will be devoted to substance-abuse prevention and research—not to police or prosecutors. Who, then, was going to pay for such a crackdown? Although Kleiman urged state officials to set aside funds for increased law enforcement, he can get impatient with such complaints. He likes to say, “You don’t get any of the revenue for arresting *robbers*, either.”

He left the city councillors with a warning: without intensified law enforcement, pot legalization might not succeed. “The illicit market is a paper tiger,” he concluded. “But a paper tiger doesn’t fall over until you push it.”

As an undergraduate at Haverford, Kleiman was a triple major in political science, economics, and philosophy, and he readily concedes that he analyzes things to death. His friend Phil Heymann, a professor at Harvard Law School, recalls having lunch with Kleiman at a university cafeteria. Kleiman launched into an impromptu analysis of the arrangement of the buffet tables and the traffic patterns of his fellow-diners, riffing on the optimal layout for the efficient allocation and consumption of lunch. “There’s a puzzle-solving quality to Mark,” Heymann says. “He loves to think through the decision theory of everything.”

Jonathan Caulkins, a professor at Carnegie Mellon, worked with Kleiman in Washington. In drug-policy circles, he says, Kleiman is known as a prodigious generator of unorthodox solutions: “Not all of these ideas turn out to work in practice, but a lot of what happens in the whole field is Mark throws out an idea and then we all investigate it, check it, respond to it.” Kleiman has never been married and has no children, which allows him to crisscross the country, bestowing policy advice, most often on matters of criminal justice. This year, he is on track to hit a hundred thousand miles.

Kleiman prides himself on being unconstrained by fixed ideas, and tends to discuss policy as if it were an engineering problem—a dispassionate tabulation of costs and benefits. He has been fiercely critical of the excesses of drug enforcement, but he also distrusts the unfettered libertarianism of those who would like to see all narcotics legalized. Harold Pollack, the co-director of the University of Chicago Crime Lab, says, “Mark has a kind of iconoclastic credibility that comes from the fact that he doesn’t fit neatly into the usual ideological camps you find in criminal-justice policy.”

Ethan Nadelmann, the executive director of the Drug Policy Alliance, a national group that advocates the decriminalization of all drugs, is more skeptical. “Mark has always caricatured the drug debate as the hawks on one side and the doves on the other, and he’s the wise owl sitting in the middle,” he says.

Although Kleiman has consistently pushed for a relaxation of cannabis laws, on the ground that marijuana is less harmful than alcohol and that the war on drugs has not worked, he has expressed wariness about full legalization, which he once described as “a heavy wager on a coin flip.” As recently as 2010, he condemned a ballot measure to legalize the commercial sale of marijuana in his home state of California. In an op-ed in the *Los Angeles Times*, he observed, “The only way to sell a lot of pot is to create a lot of potheads—not casual, moderate recreational users but chronic, multiple-joints-per-day zonkers.” The initiative was voted down.

But as the costs of prohibition accumulated—and legalization began to seem not just possible but inevitable—Kleiman began to reconsider his views. “We’re now in 1928,” he told me, likening this moment to the final days of alcohol prohibition. “It’s about to collapse under its own weight.” He was uniquely positioned to offer guidance. “Mark has the advantage that he’s been thinking about these questions for decades,” Thomas Schelling, the Nobel Prize-winning economist, told me. “He is the best there is on drugs.” Last March, when Washington’s liquor-control board announced the appointment of the BOTEC team, Kleiman wrote in a blog post, “All the claims we’ve made over the years about knowing how to make smart drug policy are about to be put to the test.”

Cannabis is the most widely used illicit drug on the planet. For millennia, it has been cultivated for both its medicinal and its psychoactive properties. Ancient Chinese texts recommend the plant as a surgical anesthetic. Herodotus describes the Scythians inhaling cannabis fumes, then shouting in ecstasy. In America, cannabis became illegal only in 1937, and the ban has never been especially effective. According to a Pew poll, more than thirty million Americans have used pot in the past year.

Before Kleiman entered academia, he worked in the government. In 1979, he joined the Department of Justice, where he wrote a series of memos arguing that aggressive enforcement of marijuana laws would be counterproductive. At the time, most pot in America was a low-potency product from Mexico; when U.S. authorities tried to impede smugglers, they succeeded mainly in driving up the price, which enriched the smugglers without significantly dissuading users. Moreover, by squeezing the supply from Mexico, U.S. authorities inadvertently encouraged domestic cultivators, who produced more intense strains of the drug.

In 1980, ten per cent of high-school seniors reported daily use of marijuana, and Ronald Reagan denounced it as “probably the most dangerous drug in America.” As President, he quadrupled federal spending on drug enforcement. Kleiman continued writing memos, but

nobody was paying attention. In 1983, he left government for the Kennedy School, at Harvard, turning his memos into a Ph.D. thesis and then his first book, "Marijuana: Costs of Abuse, Costs of Control." Kleiman argued that, although legalization represented "a radical, near-complete solution to the problem of the illicit marijuana market," it also risked "a potentially huge increase in the social costs of consumption." A better solution, therefore, was not the lifting of prohibition but "a severe enforcement cutback."

In 1996, California passed an initiative to legalize medical marijuana. Studies suggest that cannabis can help relieve the debilitating pain caused by chronic ailments and the nausea associated with chemotherapy. It was a decisive moment for the public image of the drug. "The only thing more potent than drugs as a negative symbol is cancer," a medical-marijuana advocate told Kleiman at the time. "We're going to make people choose between drugs and cancer. And they're going to vote for drugs."

Since then, nineteen other states and Washington, D.C., have passed similar measures. A 1991 survey found that only seventeen per cent of Americans supported fully legalizing marijuana. A Pew poll in 2010 showed that the number had jumped to forty-one per cent. By now, a majority of respondents favor the change. Young voters are twice as likely as the elderly to embrace legalization. Shifts in attitude are discernible even in conservative constituencies. The evangelist Pat Robertson recently told the *Times*, "We should treat marijuana the way we treat beverage alcohol."

Alison Holcomb, a lawyer with the A.C.L.U. in Seattle, wrote the ballot initiative that became known as I-502. She told me that her public-outreach efforts had targeted moderate voters who were not necessarily cannabis consumers themselves. "The majority of people don't like marijuana, but they also don't like our laws," she said. "So the message pivot is that you can support reform while not liking marijuana." Holcomb highlighted the role of Mexican drug cartels, which have made billions of dollars by supplying the American black market, and have been responsible for more than sixty thousand deaths in Mexico in the past seven years. Murderous cartels may be an even more potent negative symbol than cancer.

In her campaign, Holcomb emphasized that Washington had successfully legalized medical marijuana, in 1998. Crime did not go up. The streets were not overrun with dazed potheads. Instead, the black market gave way to a quasi-respectable, if mostly unregulated, scene.

One afternoon, in the comfortable Seattle neighborhood of Capitol Hill, I visited Muraco Kyashna-Tocha, who runs Green Buddha, one of the oldest medical-marijuana dispensaries in town. A woman in her fifties with short gray hair, she answered the door in yoga wear, a giant white cockatoo balanced on her shoulder. "Come on upstairs," she said. "I'll show you my grow."

Kyashna-Tocha has been cultivating marijuana for more than half her life. For many years, she did it illegally, until she was ratted out by a landlord, and busted, in 1997. Although the charges were dropped, the experience traumatized her, and when Washington legalized the medical use of marijuana she went into the dispensary business. She sells high-end sinsemilla—unpollinated female cannabis flowers—to medical-marijuana patients. Kyashna-Tocha is a patient herself: she told me that she has a seizure disorder, degenerative disks, and lingering pain from old operations.

Upstairs, we entered a humid, windowless room. Thirty cannabis plants stood beneath a canopy of fans and lights. “I can pull twelve pounds a year out of this room,” Kyashna-Tocha said. She pointed at the bristly plants: “That’s an Alaskan Thunderfuck. That’s Lemon Haze. Feels like espresso. *Really* big buzz.” Talking to boutique cannabis growers can resemble an encounter with an earnest sommelier. There are two subspecies of cannabis, she explained: indica, which mellows you out, and sativa, which boosts your energy and gives you a buzz. She added, “I used a little sativa before you arrived.”

In Washington, operating a dispensary is a legally ambiguous enterprise. Patients who obtain a “green card” from a sanctioned medical provider can grow up to fifteen cannabis plants. These users can pool their plants and form a collective, in which the growers are “reimbursed” for their costs. Kyashna-Tocha stressed that Green Buddha is nonprofit, adding that it generates only a modest income for her. But many medical outlets in Washington openly pursue profits. In a 2007 raid, Seattle police recovered fifteen hundred plants from the home of one dispensary owner. (The owner, who maintained that he represented twelve hundred patients, was not prosecuted.) Moreover, many “patients” are recreational users who have obtained a green card from a lax or unscrupulous medical provider. In 2010, Kyashna-Tocha told me, the state began allowing naturopaths to authorize cannabis patients, and “the whole scene completely blew out—you went from five dispensaries to sixty-five in, like, three months.” Some dispensaries stopped growing their own pot, because it was cheaper (if illegal) to import large quantities from California.

Kleiman considers the dispensary business to be farcically unregulated. “Anybody can make you a ‘patient,’ including a nurse practitioner,” he says. “I don’t think they’ve gotten to plumbers and veterinarians yet, but they’re getting there.” It’s not clear how dispensaries will fare once legal pot stores open. The framers of I-502, not wanting to alienate enthusiasts for medical cannabis, pointedly sidestepped the fate of the dispensaries and scarcely mentioned medical marijuana. Kleiman, however, was adamant from the start: he argued that the new regulated market was more likely to succeed if the state supplanted dispensaries with I-502 stores. Medical marijuana is not taxed, so it may remain cheaper than legal cannabis; Kleiman

maintained that the solution was to make sure that only genuinely sick people could receive medical cards, and then set up the I-502 stores so that such patients could purchase pot tax-free.

One advantage of the I-502 stores is that their marijuana will be tested for mold, fungus, pesticides, and other impurities. The state's dispensaries are not required to subject their product to such evaluations. Several years ago, Kyashna-Tocha established the Evergreen State Cannabis Trade Alliance, which encouraged dispensary owners to submit marijuana for testing, and issued a label for "patient-ready" weed. But her effort stalled: few dispensary owners were willing to incur the additional expense, and their customers were apparently untroubled by the possibility of impurities.

When Alison Holcomb started promoting the legalization initiative, the strongest opposition came not from law enforcement but from dispensary owners. "It was a horrible split that went right down the middle of this community," Kyashna-Tocha said. She supported the measure, and wept with joy on election night. She hopes that the state can keep the new pot industry small. "Think microbrew," she likes to say. At her house, she spoke excitedly about the possibilities of pot tourism: "I completely see bed-and-breakfast tours! You go to where the grow facilities are in the day, and then, toward dinnertime, you land in a couple of the stores and make your selection."

Even so, Kyashna-Tocha conceded that many consumers are not attuned to horticultural subtleties. "Budweiser is what sells," she said. The sativa seemed to be wearing off. She hoped to keep her dispensary alive by catering to connoisseurs, she told me, but legalization might well render her obsolete. "I may need to find a job about a year from now," she said.

Relying primarily on survey data, Kleiman and his colleagues determined that Washingtonians consume a hundred and sixty-five metric tons of pot a year. The BOTEC team concluded that Washington could accommodate this demand with approximately three hundred I-502 stores, most of them distributed along the Pacific Coast, where use is highest.

Kleiman's team next addressed the vexing issue of price. Economic theory would suggest that prices in the black market—and even in the quasi-legal medical market—are artificially high, because there is a "prohibition premium" associated with products that are less than completely legal. You're not just paying for the commodity; you're compensating everyone who undertook risk in getting it to you. In Washington, legal cannabis should be cheap to produce. Growing costs are minimal, and curing marijuana is less costly than curing tobacco.

If you make cannabis too cheap, however, you run the risk of "diversion," in which pot that is legal in Washington feeds the black markets in surrounding states. In a recent letter to the Department of Justice, a coalition of former drug-control officials warned that "diversion of the drug will explode" once marijuana becomes fully legal in Washington and Colorado. Alison Holcomb, the I-502 author, is untroubled by this possibility. She asked me, "If people in New

York are smoking Washington marijuana, isn't that better than smoking Mexican marijuana?" Diversion is another reason for Kleiman's call for a law-enforcement crackdown: if the Feds determine that cheap weed is flowing out of Washington, they might shut the experiment down.

One way to raise the price of legal marijuana is through taxes. Under I-502, the state will take an excise tax of twenty-five per cent when the producer sells to the processor (unless the producer does the processing himself). Another twenty-five-per-cent tax will be imposed when the processor sells to the retailer. Finally, consumers will pay an additional thirty-five per cent or so in taxes at I-502 stores. Washington's liquor-control board estimates that the state will receive up to two billion dollars in marijuana taxes over the next five years.

Kleiman has wondered out loud, "What if we threw a legalization and nobody came?" During the initial months of his contract, the liquor-control board maintained that outdoor cultivation of marijuana would not be permitted. But cannabis, like any agricultural product, takes time to grow. Unless illegally cultivated plants were grandfathered into the new system, the I-502 stores might not have sufficient inventory when they opened. Kleiman and others pushed the board to allow outdoor plants, which have a higher yield, and to create a "path to citizenship" for cannabis plants that had been grown illegally. Troubled by the prospect of pot shortages, the board eventually relented on both points.

Early in the summer, Kleiman projected that legal cannabis in Washington will initially sell for at least forty-two dollars for an eighth of an ounce. Outdoor growing will lower that figure, but probably not enough to undercut street dealers. Ben Schroeter, who goes by Ben Jammin, has been selling pot in the Seattle area for forty years, and offers high-quality, locally grown product for twenty-eight dollars an eighth. He sells weed from California at twenty dollars an eighth. Some customers may be willing to pay a premium for the convenience, and the peace of mind, associated with buying legal pot that has been tested for impurities. But Ben Jammin says, "I assume that a lot of people are still going to come to me."

At the city-council meeting in Seattle, Kleiman said that the tax scheme outlined in I-502 was rigid and shortsighted. Because of the state's heavy surcharges, legal marijuana will likely be more expensive than the illicit equivalent; but, as production costs plunge, legal pot will become much cheaper. "We're gonna have a tax that starts too high and winds up too low," Kleiman said. He laid out a better approach: "The optimal tax system . . . if I were doing it on a blackboard, would have been somewhat homeostatic. You're looking to maintain a price maybe a little bit below, or a little bit above, the current illicit price. And, therefore, you'd like to have the tax be low at the beginning . . . and *rise* as the cost in the industry falls." The state didn't reconsider its tax plan, however; the prospect of an immediate windfall was perhaps too tempting.

One group is definitely not coming to Washington's legalization party: minors. Scientific evidence suggests that marijuana poses few long-term health risks to adults but can harm adolescents whose brains are still developing. The liquor-control board has made it a priority to keep people under the age of twenty-one out of I-502 stores. But, according to some studies, a quarter of marijuana consumers are underage. Kleiman told the city council that it would be better for children to get marijuana from parents or friends who buy it at I-502 stores than to obtain it through the black market, because of the testing and the quality control. Moreover, if kids keep resorting to the black market, they will sustain the criminal enterprises that I-502 was designed to eliminate. "Once you have a licensed-store system, you should expect—and in fact want—most of the pot that goes to kids to go through that system," Kleiman said, adding, with a seditious grin, "*You* can't say that out loud. But I can." Young people who can obtain a green card already purchase pot from dispensaries. "Nineteen-year-old kids on skateboards with a medical-authorization card," Ben Jammin told me. "*That's* the cash cow now."

The morning after Kleiman's presentation at the city council, I drove to Tacoma to meet with Jay Berneburg, a lawyer who works exclusively on pot cases. Along the way, I heard a radio report on Kleiman's presentation, which highlighted his call for a police crackdown.

In the reception area outside Berneburg's office, I spotted a bowl of matchbooks. Each one was emblazoned with his phone number and the words "Drive Fast, Take Chances, Call Collect." Berneburg is in his fifties, and has a ponytail and wire-framed glasses. His voice has an ebullient rasp, and he walks with a piratical swagger. "I have two hundred dispensary clients," he told me, before catching himself. "Well, I represent *collective gardens*." Many of Berneburg's clients have worked in the marijuana industry for decades. When the liquor-control board starts issuing licenses, he told me, his clients will have to decide whether it's worth it to "come in from the cold."

He introduced me to a client—a longtime grower who asked that I not use his name. The man planned to apply for a license to grow pot, but complained that, because of all the taxes and restrictions, he'd have to "grow more to make less money." Berneburg said that many of his clients are ambivalent. "I can get a bag of weed as easy as I can get a dozen eggs," he said. "That's the way it has been, and that's the way it will be. The black market's not going anywhere."

Allen Ginsberg once suggested that the paranoia that sometimes results from smoking marijuana is an effect "not of the narcotic but of the law." Berneburg and his clientele are dubious about the state's intentions, and Kleiman's presentation to Seattle's city council did not help matters. "We're going to have the *toughest* enforcement in the country to make our legalization plan work?" Berneburg sputtered. "That is ass backward!"

In his view, Kleiman's proposal was driven not by high-minded policy considerations but by the logic of the street: "Look at what a thug will do for a thousand dollars. The *state* wants to make millions! I'm predicting a bloodbath, as the liquor-control board tries to capture market share. We're going to see some weird shit go down."

Berneburg began talking feverishly about jackboots and mass resistance, and I was reminded that part of the allure of cannabis is its historical connection to the counterculture. Berneburg recalled, "I was at a Grateful Dead concert once when I was a graduate student. I complained that there were cops there. And the guy I was with said, 'It wouldn't be any *fun* without the cops. If there wasn't that risk and danger, who the fuck would care?' "

When Kleiman is not on the road, he lives in the Brentwood neighborhood of Los Angeles, in a book-lined apartment overlooking a narrow courtyard. After I arrived there one morning, Kleiman prepared coffee, though he doesn't drink it himself. In another departure from convention, he prefers hot chocolate, even in high summer. "I like chocolate, and it's a stimulant," he explained.

In 1995, after many years as a lecturer at Harvard, Kleiman moved to U.C.L.A. He enjoys the West Coast, but his pallor marks him as an outsider. He grew up in a Jewish enclave of Baltimore, where his father was a surgeon, and he misses the East Coast, where his ardor for policy is less exotic.

When I asked Kleiman about his experience with marijuana, he replied, "If you do drug policy and you're asked whether you use drugs, you've got two choices. You can say, 'Yes, I'm a lawbreaker. Please come arrest me and ignore everything I say, because I'm a bad person.' Or, 'No, actually, I don't know what the hell I'm talking about.' Since neither of those is an advantageous admission, I don't answer the question."

He was more forthcoming about psychedelics. He told me to look up a YouTube video that captures a raucous conference organized in 1990 by the Multidisciplinary Association of Psychedelic Studies. Kleiman, appearing alongside Timothy Leary and Ram Dass, wears a tie-dyed T-shirt and speaks about a future of "performance-enhancing" drugs. Kleiman told me, "I've never met anybody who used cocaine thirty years ago and says, 'You know, I really learned a lot from my cocaine use.' But you know the Steve Jobs quote about how Windows would be a better operating system if Bill Gates had dropped acid just once?" One of Kleiman's books is called "Against Excess"—the title refers both to the war on drugs and to drug use. Leary, he told me, was undone by excess: "The tragedy of the sixties is that people managed to apply the drug-use practices of an Irish drunk to a very different chemical."

In 1986, Kleiman and a collaborator, Peter Reuter, published a seminal paper, "Risks and Prices," which argued that the drug trade should be analyzed not as a moral issue or a justice issue but as a market that is dynamic and adaptive. After the paper was published, Kleiman told

Reuter, “We’re monopolists in selling drug-policy analysis. If only there were a demand for it, we’d be rich!”

Kleiman and Reuter garnered an academic following, and more scholars adopted their rigorously empirical approach to drug policy. But Kleiman achieved his first mainstream policy victory only recently, for advancing an idea called “swift and certain.” Traditionally, criminals who have been placed on probation or parole are subjected to random drug testing. A failed test is a violation, and offenders sometimes receive extended jail sentences. But the timing of tests is sporadic, and many probationers take their chances and use drugs, either because they can’t control themselves or because the minimal likelihood of a test encourages risk. For decades, Kleiman argued that it would be better to schedule frequent drug tests for people on parole or probation, followed by relatively minor sanctions for those who fail. The idea was unpopular both with policymakers who wanted to severely punish drug use and with those who viewed addiction as a medical condition. Then, in 2004, a judge in Hawaii instituted a pilot program mirroring the swift-and-certain approach. People in the program were significantly less likely to use drugs when they knew they would be sanctioned for it, even minimally. And Hawaii’s criminal-justice system saved money, in part by reducing the number of prisoners serving long-term sentences. In 2010, Kleiman promoted the idea in a widely praised book, “When Brute Force Fails,” and other jurisdictions across the country—including Seattle—adopted the program.

Kleiman is gratified by this belated success, but he is frustrated that most drug policy remains influenced more by ideology than by data. There are few reliable studies about the dynamics of the illegal drug market, and scientists are shockingly ignorant of the pharmacology of cannabis. The Controlled Substances Act placed marijuana in the most restrictive category of narcotics, which meant that it had “a high potential for abuse” and no medicinal value. When scientists have sought to study, say, the role of cannabis in easing pain or diminishing seizures, they have faced considerable difficulty obtaining plants for testing.

Only one facility in the U.S. grows marijuana for scientists: the Coy W. Waller Laboratory, at the University of Mississippi. Established by the government in 1968, it can produce hundreds of pounds of pot in a year. During harvest season, armed guards patrol the facility. In order to obtain weed from Waller, academics must first seek approval from the Department of Health and Human Services and from the Drug Enforcement Administration. Although these entities have enthusiastically supported research into marijuana’s dangerous properties, they have been wary of inquiries into possible benefits of the drug. A few years ago, a team of researchers developed an experiment to explore whether cannabis eased post-traumatic stress in combat veterans. The team was denied access to pot from Waller. Kleiman calls such incidents “a disgrace.”

In a 2012 federal survey, ten million people reported having driven under the influence of an illegal drug in the previous year, most commonly marijuana. Alison Holcomb decided that I-502 should include provisions for testing drivers for drug intoxication. But scientists know little about how the key components of marijuana—tetrahydrocannabinol (THC) and cannabidiol (CBD)—affect different users. So Holcomb opted for a blunt test: if you are stopped while driving erratically, and your blood contains five nanograms of active THC, you will be issued a D.U.I. citation. The number is arbitrary: because marijuana affects users differently, the presence of a certain level of THC in the blood does not correlate predictably with a level of impairment. And if you are only an occasional user your THC level tends to drop rapidly about an hour after ingestion, whereas if you are a regular user the chemical can linger in your system for days. Because many medical users consume cannabis daily, the Washington test could have the practical effect of barring sick patients from the road, even though their heightened tolerance may leave them unimpaired.

No one is happy with the solution. The Marijuana Policy Project, a national organization urging reform of cannabis laws, argues that the THC test “criminalizes sober drivers.” Studies co-authored by researchers at the National Institute on Drug Abuse, meanwhile, suggest that a five-nanogram baseline may be too permissive—that impairment is possible with lower levels of THC. Kleiman points out that a blood test for THC cannot tell authorities whether the driver took a puff five minutes or five days ago. “You’d need some fairly fancy chemistry with metabolites to determine when the subject used,” he told me. “A mouth swab might work, but that remains to be developed.” (Some of the tax revenue from legalization will fund research on marijuana intoxication.)

The lack of a proper test is symptomatic of a larger problem. As Kleiman puts it, “We have done essentially no research about the effect on individuals of different mixes of chemicals.” I-502 declares that each legal pot plant should be traced and tracked “from seed to sale.” Bureaucrats seem to agree that cannabis should be sold with a label describing the drug’s effects. But if you don’t have the science, what do you put on the label?

Increasingly, consumers are moving away from smoking pot and shifting to extracted oils, concentrates, and “edibles” such as pot-infused cookies. Kleiman sees this as a potentially promising development: if you knew the precise quantity of THC in an edible, you could design the product so that it contained segments, as in a chocolate bar, and inform the consumer about the buzz he might anticipate from each piece. “We need to know at least as much about cannabis as Pillsbury knows about brownie mix,” Kleiman likes to say. “And we don’t.”

This summer, the liquor-control board held dozens of public meetings across Washington, soliciting input about I-502. In the eastern part of the state, which is more conservative, board members were lambasted for flooding the community with drugs. In western Washington,

they were decried for being too stringent. When I asked Randy Simmons, the I-502 project manager, to describe the hearings, he said, “A circus.”

One such meeting was held on August 6th, in a cavernous event space near Seattle’s Space Needle. A crowd of about a hundred assembled to hear the board members give short presentations. Citizens then approached an open mike. One speaker introduced himself as Arthur West. A medical-marijuana advocate, he began reading aloud from a six-page statement denouncing the board. The board members whispered in anxious consultation. Then Sharon Foster, the chair, announced, “Mr. West has filed a lawsuit against us. So, given that, we will not respond.”

The next speaker was a paunchy man in his sixties. “My name is Steve Sarich,” he said. “I have not filed a lawsuit against you—yet.” The crowd laughed. Sarich is well known in Seattle. He is an erotic photographer turned pot impresario who operates a dispensary; until recently, he also ran a company that makes edibles and a service for obtaining medical-marijuana authorizations. The 2007 raid that recovered fifteen hundred cannabis plants took place at Sarich’s home. He was one of the loudest opponents of I-502, which, he claimed, would enable the government to persecute cannabis patients through the D.U.I. provision. Several people suggested to me that Sarich’s opposition was driven by a desire to play the provocateur—and to protect his position in the medical-marijuana market. He turned to the room and announced, “I can guarantee that you’ve been lied to when they say, ‘We are not looking to take over medical.’”

Foster was looking haggard. “Truly, folks,” she said. “We do not have a role in medical marijuana at this time, and we don’t know if we ever will.”

A tall, gray-haired man introduced himself as John Dickinson. He announced that, at six earlier forums on I-502, he had incorrectly said that he was once the largest importer of hashish in the country. In fact, he had been No. 2.

“Thank you,” Foster said, tightly.

Dickinson was not finished. Referring to the pot that will be sold at I-502 stores, he said, “I heard out in the hallway that you were going to put a limit on how high the THC will go.”

“Rumors abound,” Foster said.

Dickinson noted that some countries, like the Netherlands, had considered banning strains whose THC content exceeded fifteen per cent. “Is there any word about limiting the THC level?” he asked.

“No,” Foster said.

“Good!” Dickinson exclaimed, smiling. “Because I was going to share with people the strongest marijuana in the world.” He held aloft a baggie of weed, to laughter and applause. “It’s *twenty-nine* per cent!”

Another speaker was Linzy Burton, a drug-treatment counsellor for young people. A middle-aged black man, he stood out in the crowd. The proponents of legalization in Washington appear to skew white and middle class, but the population of users is considerably more diverse.

"My family has a history of drugs and alcohol," Burton began. "Everybody knows that marijuana is one of the gateway drugs." This claim has been comprehensively debunked, and there were some groans of protest. But Burton persisted. He said that in the south end of Seattle, where he works, there was already a heavy concentration of medical-marijuana establishments, many of them near schools. "How many more storefronts will be allowed to open up in our community?" he asked.

One of Foster's colleagues assured him that I-502 would not permit many stores to open in a single neighborhood. Burton had more to say, but Foster reminded him that there were many others waiting to ask questions. He pointed out that prior speakers had been permitted to ramble, and that he was one of the few attendees who represented "the youth." He began to shout. "There's people here who want to make *money* on this! People like me will be dealing with the fallout."

This past spring, a former Microsoft executive named Jamen Shively held a press conference in Seattle. Announcing his intention to raise as much as a hundred million dollars and invest it in the pot business, he proclaimed, "Yes—we are Big Marijuana." The national pot market may exceed thirty billion dollars, and a wave of media stories this spring heralded the birth of a new industry. A headline in *Vice*: "GET RICH OR HIGH TRYING."

Investors, prospectors, speculators, and salesmen are scrambling to join the so-called Green Rush. At investment summits, marijuana entrepreneurs pitch potential angel investors. The continued taboo on cannabis can give these proceedings a strange vibe. At one summit I attended, in a Manhattan office tower, people pitching startups wore tags with their full names, whereas potential investors wore tags that said only "Rick R.," or "John T.," as if they were members of an addiction support group.

When Kleiman learned of Shively's press conference, he wrote a lacerating blog post: "It was inevitable that the legalization of cannabis would attract a certain number of insensate greedheads to the industry. And I suppose it was also inevitable that some of them would be terminally stupid." Kleiman believes that the negative social consequences of legalization may be severe if profiteers can turn cannabis into a largely unregulated commercial product. He suggested to Washington's liquor-control board that it limit the volume that any individual grower can produce under I-502, in order to curb the "power of large producers." In October, the board announced that the largest producers will be limited to growing marijuana fields of thirty thousand square feet.

Because marijuana remains illegal under federal law, Kleiman is highly skeptical of the Green Rush. “Making money by selling marijuana is a very risky proposition,” he told me. “Making money by fleecing investors is much safer.” (The Financial Industry Regulatory Authority recently issued a warning to investors about “marijuana stock scams.”)

Under I-502, new pot businesses cannot be vertically integrated: growers and processors must remain separate entities from sellers. This provision is aimed, in part, at preventing a single business from dominating the industry. But boosters for the new pot economy have taken to citing an adage attributed to Mark Twain: “When everyone is looking for gold, it’s a good time to be in the pick-and-shovel business.” So-called ancillary businesses are not barred by federal law, and the most careful investors are focussing on these markets.

Brendan Kennedy and Michael Blue run a private-equity firm, Privateer, that invests in the “cannabis space.” They met at Yale’s business school, and take pride in looking painfully square: they are clean-cut and athletic, and most days they wear suits. When I visited them one day, in a borrowed conference room in Seattle, they were making a pitch to a potential investor who had flown in from Chicago. The investor, concerned that word might get back to his professional circle in the Midwest, asked that I not divulge his name.

The cannabis market, Kennedy informed the investor, is already “bigger than corn.” He added, “The objective is to build a vertical conglomerate of companies in the medical-cannabis industry and, ultimately, the cannabis industry.”

As long as selling pot remains illegal under federal law, any business that is openly connected to the trade will find it difficult to put its money in a bank, because financial institutions do not want to risk the legal exposure. According to the National Cannabis Industry Association, fewer than half the medical-marijuana dispensaries in the U.S. have bank accounts. They struggle to make payroll, and have trouble paying taxes. One dispensary owner told me about taking seven thousand dollars in cash to the Washington Department of Revenue, to pay his monthly tax bill. He was turned away, because the teller refused to deposit his “drug money.”

Privateer has had its bank accounts shut down more than once. But, Kennedy explained to the potential client, the firm does not “touch the plant” when making its investments. Privateer has so far acquired only one company, Leafly, which aims at becoming the Yelp of cannabis—a sleek online guide to strains and dispensaries. Privateer recently closed a seven-million-dollar round of funding, which it intends to invest in other ancillary businesses, so that when pot becomes legal nationwide it can assume a dominant position in the market for cannabis itself.

In the interim, Kennedy said, he and Blue planned to “professionalize” the industry, starting with its image. They disdain iconography involving cannabis leaves or Bob Marley. Leafly’s Web site presents pot varieties in a grid that wittily alludes to the periodic table. Kennedy and

Blue have sought advice from the Seattle marketing company Heckler Associates, best known for inventing the name Starbucks. Scott Lowry, the Heckler executive who handles the Privateer account, told me, “When we started working with Starbucks, nobody was drinking upscale coffee. It was pretty much Folgers in a can.” The cannabis industry represents a similar opportunity, he said.

The investor had a question. If marijuana became legal across the U.S., wouldn’t the price plummet, decimating profits? Before Kennedy and Blue could respond, he supplied the answer himself: “Volumes are going to go up, right?”

Kennedy and Blue exchanged an awkward glance. Then Kennedy told the investor, “I think volumes *will* go up.”

This is the most politically delicate aspect of Privateer’s sales pitch: the unspoken premise that legalization will probably entice more Americans to use marijuana. Presumably, there are potential consumers who do not use cannabis today because it is illegal, or because they don’t want to navigate the black market or obtain a dubious medical recommendation. For others, the process of legalization may diminish whatever stigma they associate with the drug. If legalization lowers the price of pot, some people may choose it over other intoxicants, like beer. One of Kleiman’s research papers suggests that kids are very likely to be “price sensitive,” as are chronic users and the poor, because cannabis “forms a larger share of their household budgets.”

If you’re looking to invest in marijuana, all this is good news. But Kleiman finds it troubling, from a policy perspective. He has long argued that the problem with legalizing any vice—whether it be alcohol, nicotine, or gambling—is that “addiction is where the money is.” Twenty per cent of the Americans who drink account for almost ninety per cent of all alcohol consumption. It cannot be news to beer and liquor companies that their key demographic is the problem drinker.

According to surveys, people who use marijuana “more than weekly” account for roughly ninety per cent of cannabis consumption. A RAND study indicates that this trend is increasing: the number of “use days” reported by the heaviest consumers has risen markedly in recent years. Marijuana may not be physiologically addictive—you don’t go into severe physical withdrawal if you abruptly stop using it—and no one has ever died of an overdose. But even the most ardent advocates of legalization generally concede that it can become a problematic habit for some users. According to the National Survey on Drug Use and Health, more than eight million people reported trying to reduce their marijuana consumption in 2011.

The big riddle, Kleiman believes, is whether marijuana might become a substitute for alcohol. He would be happy if a switch to cannabis caused a decline in drinking. Alcohol use has far more detrimental social costs than marijuana use, by virtually any measure: addiction,

accidents, violence, illness, death. But what if users instead “complement” alcohol with pot? A recent paper in the *Journal of Policy Analysis and Management* suggests that, “as marijuana becomes more available, young adults in Colorado and Washington will respond by drinking less, not more.” But the truth is that scholars have done almost no research on consumer preferences involving marijuana and alcohol, and how they might change under full legalization.

Kleiman is fond of saying that the U.S. government should triple taxes on alcohol. In his dealings with Washington’s liquor-control board, he did little to hide the contempt he feels for the country’s lax regulation of alcohol, and he warned that I-502 blindly applied the state’s alcohol policies to marijuana. “The alcohol model is a very, very bad model that’s had very, very bad outcomes,” Kleiman told the board. “We shouldn’t want to do that again.”

One afternoon this summer, Kleiman went to Washington, D.C., to attend a symposium on legalization hosted by the National Institute of Justice. In a speech, he said, “The primary impact of legalizing cannabis is there will be probably six hundred and fifty thousand fewer arrests every year and forty thousand fewer people behind bars. And there will be an additional . . . fifteen billion stoned hours.” He looked out at the half-empty auditorium. “You have to decide whether a stoned hour is a good thing or a bad thing,” he went on. “That decision is going to drive a lot of your judgment about whether legalization is a good idea or a bad idea. But, even if you had your values straight, you’d have to know the facts. And we mostly don’t.”

For years, Kleiman’s resistance to outright legalization was based, in part, on a fear that commercialization of the drug could triple its use. But when he arrived in Washington State he proposed an audacious solution. In order to curb problematic consumption, you could introduce a license for using cannabis. We issue licenses to drive a car or to own a gun—why not a license for consuming recreational drugs? Any adult could obtain such a license, and the license could stipulate a quota for personal monthly use. This quota would be set by the user, and could be large or small. But, once the consumer had set a quota, it could be changed only in writing—with a month’s notice. Such an innovation could counteract the dangers of excessive, impulsive use by encouraging individuals to set their own limits. Users could set very high quotas for themselves, of course, but the provision would nudge at least some citizens into being more responsible. To work properly, a personal-quota system would need a central database of marijuana users, which would allow I-502 stores to determine if customers were trying to exceed their monthly allotments.

Kleiman’s solution was ingeniously eclectic—a hybrid that balanced individual liberty and state control. Nobody liked it. He floated the idea to the liquor-control board, but its members never seriously considered it. “In their liquor-board hat, they don’t think of themselves as having primarily a drug-abuse-control mission,” he said to me. “Their job is to make sure the

taxes are paid, hours are observed, and no direct sales are made to minors. The idea of a personal quota has no place in that system.”

Phil Heymann told me, “Mark’s instincts are not to think too much about political feasibility. That would be a waste of his talents.”

At the symposium in D.C., Kleiman told the audience that his greatest worry about I-502 was advertising. What could the type of marketing that turned millions of Americans into Starbucks addicts do with marijuana? I-502 will restrict advertising near schools, and campaigns cannot be aimed at children. But the Supreme Court has interpreted the protections of the First Amendment to extend to “commercial free speech,” and a ban on advertising a legal product might be deemed unconstitutional. For Kleiman, one flaw of I-502 is that the state will simply regulate stores owned by private individuals. It would be better for the state to own and operate the stores—that way, government officials could opt not to advertise at all. But states cannot order their employees to violate federal law, so state ownership is not yet an option. In any case, many states have eagerly marketed vice for tax money, most notably with state-run lotteries and casinos. Earlier this year, the liquor-control board unveiled a logo for Washington State marijuana, with a cannabis leaf superimposed on a map of the state. After an outcry that the state was “promoting” pot, the design was abandoned.

“I don’t like stores,” Kleiman told me. “Stores are basically marketing centers.” He tried to sell the liquor-control board on an alternative approach: home delivery of pot. Such services already exist for medical marijuana. But, to Kleiman’s frustration, the board rejected the idea. At the symposium, he said, “It’s very hard, in the somewhat Manichaean world of politics, not to go from ‘Cannabis is illegal and you should go to jail for selling it or using it’ to ‘Cannabis should be tightly regulated,’ without going all the way to ‘We should sell it like cornflakes.’”

Ethan Nadelmann, of the Drug Policy Alliance, thinks that Kleiman’s fears are overblown: when the Netherlands decriminalized marijuana, consumption levels rose, but they remained lower than in many countries where pot was prohibited. The popularity of the drug has risen and fallen over the decades, and nobody really understands why. If marijuana consumption goes up in Washington in the coming years, it wouldn’t be possible to attribute this shift entirely to I-502.

When I asked Alison Holcomb whether she could live with a big increase in marijuana consumption, she paused. Holcomb knows that legislators in other states are monitoring the experiments in Washington and Colorado. “Would it bother me if problematic use went way up?” she said. “Yes. Would it make me think that we should go back to treating it as a crime? No.”

After Kleiman’s speech, we walked to a coffee shop, where he ordered a hot chocolate. His work for the liquor-control board was drawing to a close, he told me. He and his BOTEC

colleagues had proposed several follow-up studies—"I think we have a way of measuring the cross-elasticity of demand between alcohol and cannabis," he noted—but the board said that it had only so much money. "They are properly quite focussed on the nuts and bolts of getting rules out to the world, getting licenses issued, getting stores up, getting stuff into stores," he said. "I think we did some good by sort of urging them to look beyond that." In mid-October, a working group appointed by the state legislature proposed abolishing the dispensary business, tightening the system for authorizing medical-cannabis use, and channelling patients into the I-502 stores—all ideas that Kleiman had proposed.

Still, I got a strong sense that his experience in Washington had not been entirely happy. By the time the liquor-control board hired Kleiman's team, the state had only seven months left to construct a new economy. Officials had to barrel ahead, Kleiman told me, and did not have the time to integrate innovations such as personal licenses and home-delivery systems.

Randy Simmons, the I-502 project manager, observed that an academic can conceive regulations and mechanisms that seem brilliant on paper but is spared the need to reconcile that vision with "the real world of politics and all the different stakeholders and making different groups happy." Simmons added, "They get to just say, 'This is how we think it should be.'" When James Cole, the United States Deputy Attorney General, was asked recently about the Obama Administration's decision to allow Washington and Colorado to legalize and regulate cannabis, he said, "There *are* no perfect solutions here." It appears that I-502, like so many government programs, will be flawed from the start, and will demand patchwork modification in the coming years. One imperative of political life is that, at a certain point, you have to stop formulating a policy and start selling it, and when this transition occurred with I-502 Kleiman may have become an impediment. He is not one for the unequivocal endorsement. Yet, in his judgment, drug-policy questions are so complex that, if you are not at least somewhat equivocal, you aren't thinking hard enough. He said of Washington's state officials, "'Complicated' is not one of their objectives at the moment."

For now, Kleiman will watch the rollout of I-502 from the sidelines, and blog about it. "It's disappointing," he told me. During one of our conversations, he paraphrased a famous joke about Hubert Humphrey: "Poor Hubert—he's got solutions the rest of us don't even have problems for."

By January, Washington will have started dispensing licenses to grow and sell marijuana. Ben Jammin, the dealer, told me, "We're not sure what's coming—but it's coming." Kleiman is happy to see prohibition end, and he hopes that legalization is a great success, but he is no longer optimistic. He told me, "I think commercial production and sale of cannabis is going to end in tears." ♦

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**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 **January 23, 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:

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

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 15, 2014.

King, Sandy

From: David Lake <orlaked.dbl@me.com>
Sent: Thursday, January 23, 2014 7:44 AM
To: City Council Members
Subject: Discussion Regarding Marijuana Dispensaries

Dear Mayor and City Council Members:

It is my understanding from reading an article in the Wilsonville Spokesman that you are discussing the topic of marijuana dispensaries at tonight's City Council Meeting. Unfortunately, I am unable to attend but I wish to urge you in the strongest possible manner to develop rules and regulations that prohibit the building or operating of marijuana dispensaries in the City of Wilsonville. I believe if one looked carefully at the vote regarding medical marijuana in Clackamas County, in general, and Wilsonville, in particular, one would find that this measure did not pass in these jurisdictions. Marijuana use, whether for feigned medicinal purposes, or otherwise, is a large gateway to the use of other, equally addictive drugs which cause considerable harm to our children and community at large. Marijuana dispensaries would be a blight on this community and be seriously detrimental to the family-supporting environment many of us have worked so hard to build and maintain. That such laws may be challenged legally should be irrelevant. This is a moral hazard issue and we should take a moral stand and let the legal system deal with it as it may.

Sincerely,
David B. Lake



*2012 community survey

Rated as
Excellent or Good*

Ease of bicycle travel

70%

Ease of walking

81%

Availability of
paths and trails

78%

NUMBER OF BIKES
LOADED ON SMART BUSES

EACH MONTH

770

RESIDENTS WHO
WALKED FOR
WORK COMMUTE

3%

Regional average rate is 3.5%

OCCUPANCY RATE OF
SMART'S 48 BIKE LOCKERS

83%

PERCENTAGE OF REGIONAL
ICE AGE-TONQUIN TRAIL
COMPLETED
WITHIN WILSONVILLE

39%

As of November 2013,
Wilsonville has:

38.78

MILES OF SIDEWALK

11.84

MILES OF BIKE LANES

17.69

MILES OF
MULTIUSE PATHS

Standard performance indicators allow Wilsonville to track our progress over time in relationship to infrastructure availability and connectivity, use, and quality. The following indicators reflect the City's goals, are based on readily available data, and are both useful and usable.

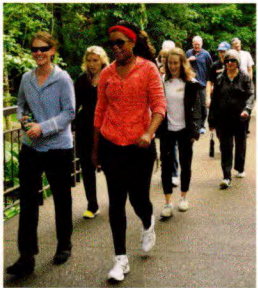
PERFORMANCE MEASURES

Getting There Is
EASIER
GETTING

Looking Back

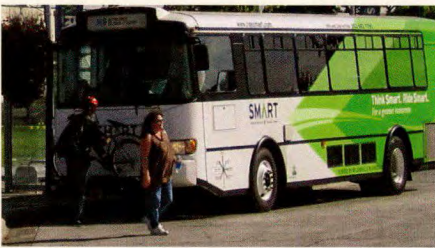
Major Accomplishments since 2007

- Completed Ice Age-Tonquin Trail segments through Villebois and Graham Oaks Natural Area
- Constructed sidewalk along the "Boeckman Dip"
- Safe Routes to School improvements and education at Lowrie Primary School
- Constructed multi-use paths on Town Center Loop West and north of Town Center Park
- Designated as a Bronze-level Walk Friendly Community
- Designated as a Healthy Eating Active Living community (HEAL)
- Provided wide, protected sidewalks through the I-5 / Wilsonville Road interchange
- Held the first Wilsonville Sunday Streets event
- Secured a grant to begin planning for the French Prairie Bridge over the Willamette River



How great it is for Wilsonville residents and workers to connect neighborhood to neighborhood - to be able to easily and safely walk or bike to parks, schools, transit stops, work, shopping and other services!

Learn more at
www.WilsonvilleConnectivity.com



Office of Community Development
503-682-4960 | planning@ci.wilsonville.or.us



503-682-7790 | bikesmart@ridessmart.com



503-682-3727 | ParksandRec@ci.wilsonville.or.us

Produced in collaboration with



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Greg Artman, Lisa Nead, Portland Reign Photography,
and VicCo Photography



Wilsonville's 2013 BICYCLE & PEDESTRIAN CONNECTIVITY ACTION PLAN

Bringing the City Together



This 3-year Action Plan

focuses on bicycle and pedestrian connectivity in Wilsonville – illustrating routes throughout the community and the planned capital improvement projects that will fill critical gaps. Wilsonville's plans for the future envision a community connected by sidewalks, bikeways, and trails. This Action Plan describes what the City is working on now to create a connected community.

- Walk, bike, skate, scoot, or roll to wherever you want to go
- Walk or bike to bus stops, then take a bus to other destinations
- Incorporate active living into daily activities

Action Plan: The Next Three Years

CONSTRUCT TRAILS: New segments of the Ice Age-Tonquin Trail along Coffee Creek wetlands, near Morey's Landing, and along Willamette Way East; upgrade the Memorial Park Nature Trail

FILL GAPS IN THE SYSTEM: Construct new street connections that include bicycle and pedestrian facilities: Barber Street, Canyon Creek Road, Costa Circle, Villebois Drive, Kinsman Road

ADD BIKE LANES AND SIDEWALKS TO EXISTING ROADS: Tooze Road, Boeckman Road, Grams Ferry Road

REPAIR AND IMPROVE SAFETY OF EXISTING FACILITIES: Canyon Creek and Boeckman Creek trail repairs, ongoing trails and sidewalk maintenance, Waterfront Trail improvements, green bike lanes on Wilsonville Road near I-5

ENCOURAGE WALKING AND BIKING: Bicycle way-finding signage, Bike SMART and Walk SMART outreach and education, maintain and distribute bike and walking maps, Discover Wilsonville personalized trip planning, enforcement of traffic rules to protect pedestrians in crosswalks

PLAN FOR THE FUTURE: Plan for citywide connectivity as Wilsonville grows, conduct annual bike/pedestrian counts, French Prairie Bicycle/Pedestrian and Emergency Bridge

SEEK OUTSIDE FUNDING: Bicycle and pedestrian bridge over I-5 connecting Town Center Loop to Barber Street, Boeckman Creek Trail, more Wilsonville Sunday Streets events

WILSONVILLE CONNECTS VIA PEOPLE POWER



The City is working to make sure it just gets easier to get around, especially as Wilsonville grows. We have a plan, and the City is committed to making the most of public and private investments to implement the plan and connect the community.

ONGOING PROGRAMS

- Bike SMART
- Walk SMART
- Annual bike/ ped counts
- Trail maintenance
- Safe Routes to School
- Walk Friendly Community designation
- Bike Friendly Community application
- Wilsonville Bike and Walk Map
- Enforcement for pedestrian crossings
- Discover Wilsonville individualized trip planning
- SMART website information and tools
- Annual road maintenance (includes bike lane sweeping)
- Wilsonville Walkers
- Wilsonville Wheelers
- Wilsonville Sunday Streets event
- SMART Central bike parking

CURRENT CONNECTIVITY PROJECTS

- | | |
|---|---|
| 1 Canyon Creek Road enhanced pedestrian crossings | 12 Barber Street extension from Kinsman to Coffee Lake Drive |
| 2 Canyon Creek Trail sinkhole repair | 13 Bike/Pedestrian Bridge over I-5 |
| 3 Tooze Road urban upgrade design (110th to Grahams Ferry Road) | 14 New trail along Boeckman Creek |
| 4 Costa Circle - Villebois extension | 15 Boeckman Creek crossing trail repair |
| 5 Villebois Drive extension | 16 Tonquin Trail segment - Willamette Way East, north of Chantilly |
| 6 Tonquin Trail segment along Coffee Lake wetlands | 17 Tonquin Trail segment - Willamette Way East, south of Chantilly |
| 7 Kinsman Road, extension from Barber Street to Boeckman Road | 18 Tonquin Trail segment west of Morey's Landing path |
| 8 Restripe Boeckman Road from Parkway to Canyon Creek Road | 19 French Prairie Bridge bike/pedestrian and emergency bridge project development |
| 9 Canyon Creek road extension | 20 Add green bike lanes on Wilsonville Road at two I-5 on-ramps |
| 10 Grahams Ferry Road Phase 1 | 21 Waterfront trail improvements |
| 11 Grahams Ferry Road improvements and pathway | 22 Memorial Park river access and nature trail improvements |

CITYWIDE PROJECTS

- Bicycle wayfinding signage
- Improving sidewalk access to SMART bus stops
- ADA compliance inventory and improvements: parks and trails

WHAT'S THE DIFFERENCE BETWEEN A PROJECT AND A PROGRAM?

Projects cover a wide range of capital infrastructure investments to improve walking and bicycling. Programs are education, encouragement, and outreach efforts that increase awareness, acceptance, participation, and safety for all roadway users.

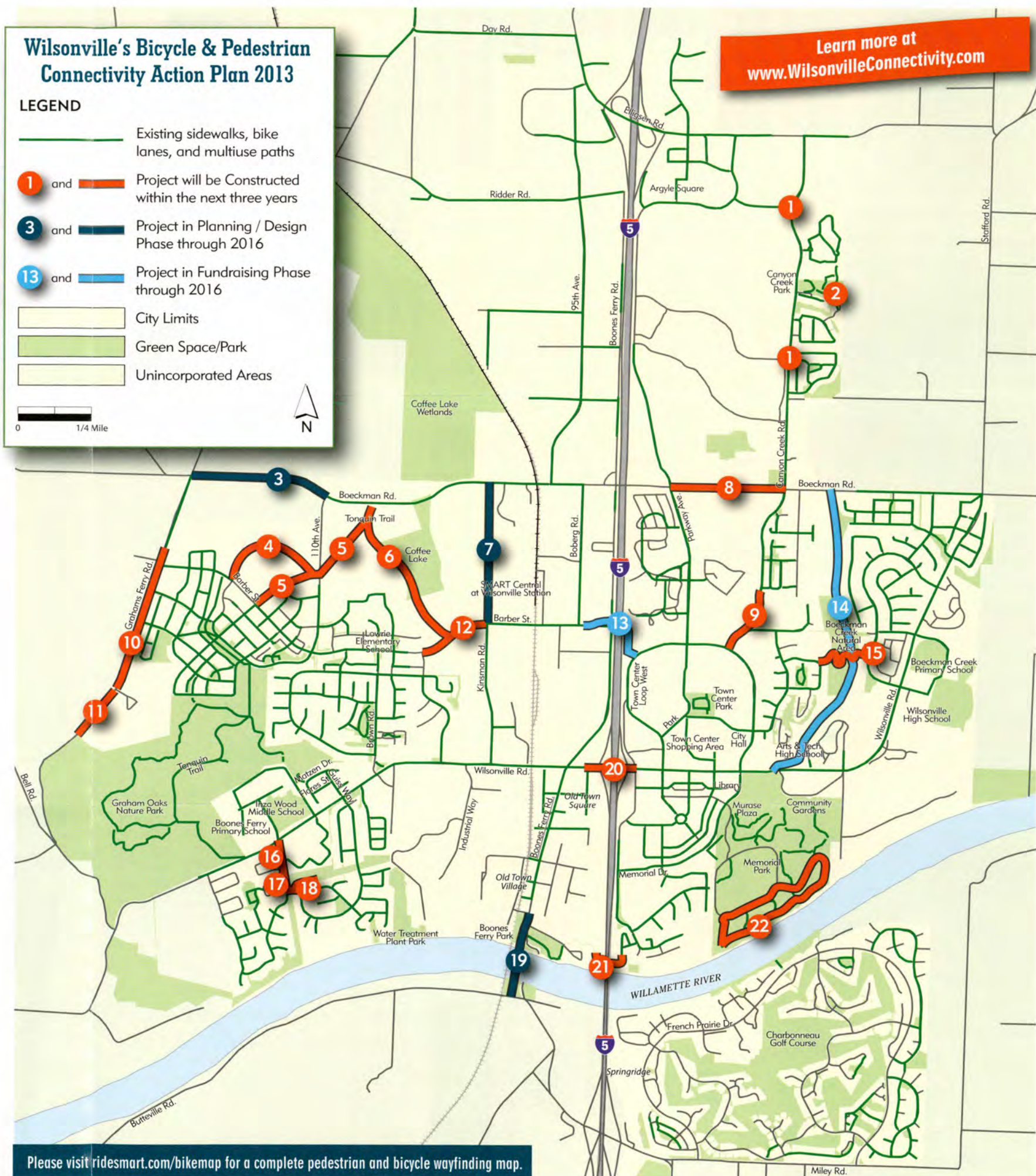
Wilsonville funds the projects and programs listed on this page through a variety of sources, including grants, payroll and property taxes, new development, charges on private development, and urban renewal.

Wilsonville's Bicycle & Pedestrian Connectivity Action Plan 2013

LEGEND

- Existing sidewalks, bike lanes, and multiuse paths
- 1 and Project will be Constructed within the next three years
- 3 and Project in Planning / Design Phase through 2016
- 13 and Project in Fundraising Phase through 2016
- City Limits
- Green Space/Park
- Unincorporated Areas

0 1/4 Mile



Learn more at
www.WilsonvilleConnectivity.com

Please visit ridesmart.com/bikemap for a complete pedestrian and bicycle wayfinding map.

City of Wilsonville
January 23, 2014 City Council Meeting

✓ Introduced himself
as new Comcast
Rep. for WV.

SPEAKER CARD

NAME: Tim GOODMAN Comcast

ADDRESS: 9605 SW NIMBUS AVE., BEAVERTON 97008

TELEPHONE: 503-605-6357 E-MAIL Tim-Goodman@cable.comcast.com

AGENDA ITEM YOU WANT TO ADDRESS: COMCAST FRANCHISE
EXTENSION

Please limit your comments to 3 minutes. Thank you.

**City of Wilsonville
City Council Meeting
January 23, 2014 Sign In Sheet**

[illegible]

City of Wilsonville

January 23, 2014 City Council Meeting Action Minutes

| COUNCILORS | STAFF | STAFF | STAFF |
|----------------------|-------------------|-----------------|-------|
| Mayor Knapp | Bryan Cosgrove | Katie Mangle | |
| Councilor Goddard | Mike Kohlhoff | Chris Neamtzu | |
| Councilor Starr | Jeanna Troha | Steve Adams | |
| Councilor Fitzgerald | Sandra King | Angela Handran | |
| Councilor Stevens | Stephan Lashbrook | Jen Massa Smith | |
| | Nancy Kraushaar | Stan Sherer | |
| | Joanne Ossanna | Mark Ottenad | |

| AGENDA | ACTIONS |
|--|---|
| WORK SESSION | |
| <ul style="list-style-type: none"> Council Concerns <ul style="list-style-type: none"> Councilor Starr inquired about the status of the cross walk request for Canyon Creek Basalt Creek Concept Plan Partnering Agreement With Tualatin 3-Year Bicycle and Pedestrian Connectivity Action Plan Comcast Franchise Agreement Extension Council Liaison Representation To Regional Boards And Committees URA Annual Report Aquatic Center Feasibility Study | <p>Staff will provide the information to Council once locations have been determined.</p> <p>Staff explained the partnering agreement and the approach the two cities will take in terms of decision making and public involvement for Basalt Creek concept planning</p> <p>Staff provided an update on the work completed to date on Council Goal 4a, which touches on both planning and implementation. The printed brochure and interactive website were shared with Council. Annually, staff will return to Council with a progress report on the projects completed.</p> <p>The purpose of the extension is to allow up to one year to complete negotiations for a new franchise agreement with Comcast.</p> <p>The liaison assignments are listed on the following page.</p> <p>Finance staff presented the report to Council, and noted minor changes to the report from what was in the packet.</p> <p>Staff presented a report regarding the selection of the consultant to perform an economic feasibility study for the development of a recreation and aquatic center. The successful firm is The Sports Facilities Advisory/Councilman-Hunsaker architectural consulting firm.</p> |
| REGULAR MEETING | |
| <u>Mayor's Business</u> | Upcoming meetings were announced. |
| <u>Communications</u> | |
| <ul style="list-style-type: none"> Leaders of the Korean War Memorial Foundation of Oregon | This item was not ready to move forward and will be brought back. |

| | |
|---|---|
| <u>New Business</u> | |
| <ul style="list-style-type: none"> Resolution No. 2451 – extending franchise agreement with Comcast to January 31, 2015 | Approved 5-0 |
| <u>Public Hearing</u> | |
| <ul style="list-style-type: none"> Ordinance No. 734 – amending W.C. Chapter 7, Business Licenses Sections 7.300, 7.320, 7.330, and 7.370 | <p>Approved on first reading 5-0.</p> <p>Staff directed to include an emergency clause in the ordinance for second reading.</p> |
| <u>City Manager's Business</u> | There was no report |
| <u>Legal Business</u> | There was no report |
| URBAN RENEWAL | |
| <ul style="list-style-type: none"> URA Annual Report | Adopted 5-0 |
| <ul style="list-style-type: none"> URA Resolution No. 239 – authorizing acquisition of property re: construction of Canyon Creek Road south to Town Center Loop East | Approved 5-0 |

RECORDED BY: SCK

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, Library Board
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, 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

These two boards are “informal” liaison assignments:

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