



Special City Council Meeting September 10, 2020

Executive Session 5:00pm

Work Session 5:25pm

Council Meeting 7:00pm

(All held in Council Chambers)

This meeting is taking place with social distancing precautions in place:

- Councilors are participating virtually, via Zoom videoconferencing.

To Provide Public Comment:

- Written comments may be submitted to the City Recorder (Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070).
- Digital comments (email) may be submitted to cityrecorder@ci.wilsonville.or.us.
- Individuals may participate online through the Zoom videoconferencing platform. Contact City Recorder at cityrecorder@ci.wilsonville.or.us or by phone at (503) 570-1506 to register.

You can watch the City Council Meeting here:

You Tube: [youtube.com/c/CityofWilsonvilleOR](https://www.youtube.com/c/CityofWilsonvilleOR)

City of Wilsonville

City Council Meeting

September 10, 2020



AGENDA

**WILSONVILLE SPECIAL CITY COUNCIL MEETING
SEPTEMBER 10, 2020
7:00 P.M.**

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

Mayor Tim Knapp

Council President Kristin Akervall
Councilor Charlotte Lehan

Councilor Joann Linville
Councilor Ben West

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, Work Session and City Council meetings
will be held in the Council Chambers, City Hall, 1st Floor**

- 5:00 P.M. EXECUTIVE SESSION** [25 min.]
A. Pursuant to: ORS 192.660 (2)(e) Real Property Transactions
ORS 192.660(2)(h) Legal Counsel / Litigation
- 5:25 P.M. REVIEW OF AGENDA AND ITEMS ON CONSENT** [5 min.]
- 5:30 P.M. COUNCILORS' CONCERNS** [5 min.]
- 5:35 P.M. PRE-COUNCIL WORK SESSION**
- A. Coffee Creek Logistics Center (Rybold/Bradford) [20 min.]
 - B. Frog Pond West Development Agreement (Neamtzu) [10 min.]
 - C. Frog Pond Ridge (Luxhoj) [10 min.]
 - D. Wilsonville Investment Now (WIN) Proposal Update (Vance) [20 min.]
- 6:35 P.M. ADJOURN**
-

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Thursday, September 10, 2020 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on August 18, 2020. 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 there with 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. ODOT I-205 Toll Project (Ottenad)
- B. Upcoming Meetings

7:15 P.M. COMMUNICATIONS

- A. None.

7:15 P.M. CITIZEN INPUT AND 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.

7:25 P.M. COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

- A. Council President Akervall
- B. Councilor Lehan
- C. Councilor West
- D. Councilor Linville

7:35 P.M. CONSENT AGENDA

A. **Resolution No. 2842**

A Resolution Of The City Of Wilsonville Revising The Template For A Development And Annexation Agreement For Frog Pond West Development And Amending Resolution No. 2649. (Neamtzu)

- B. Minutes of April 1, 2019; September 5, 2019; November 4, 2019; February 20, 2020; March 2 & 16 2020; April 20, 2020; May 4, 2020; June 15, 2020 and July 6 & 20, 2020; August 17, 2020 Council Meetings. (Veliz)

7:40 P.M. NEW BUSINESS

A. **Resolution No. 2844**

A Resolution And Order Amending Resolution No. 2834 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution Nos. 2803. (Jacobson)

7:45 P.M. CONTINUING BUSINESS

- A. None.

7:45 P.M. PUBLIC HEARING

A. Ordinance No. 842 – 1st Reading (Land Use Hearing)

An Ordinance Of The City Of Wilsonville Annexing Approximately 17.57 Acres Of Property Located On The West Side Of SW Stafford Road South Of SW Frog Pond Lane Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 1500 And 1700, A Portion Of SW Frog Pond Lane Right-Of-Way, And A Portion Of SW Stafford Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Walter Remmers, William Ray Morgan, And Janice Ellen Morgan, Petitioners. (Luxhoj)

B. Ordinance No. 843 – 1st Reading (Land Use Hearing)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 15.93 Acres On The West Side Of SW Stafford Road South Of SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 1500 And 1700, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant. (Luxhoj)

C. Ordinance No. 844 – 1st Reading (Land Use Hearing)

An Ordinance Of The City Of Wilsonville Annexing Approximately 5.85 Acres Of Property Located On The South Side Of SW Clutter Street Just West Of SW Garden Acres Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lot 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Chris And Sonya Bickford Petitioners. (Bradford)

D. Ordinance No. 845 – 1st Reading (Land Use Hearing)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Washington County Future Development, 20-Acre (FD-20) Zone To The Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) Zone On Approximately 5.85 Acres On The South Side Of SW Clutter Street Just West Of SW Garden Acres Road; The Land Is More Particularly Described As Tax Lot 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Panattoni Development Company, Inc., Applicant. (Bradford)

8:15 P.M. CITY MANAGER’S BUSINESS

8:20 P.M. LEGAL BUSINESS

8:25 P.M. ADJOURN

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated.) 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 cityrecorder@ci.wilsonville.or.us.

Ordinance No. 844:
Annexation
Ordinance No. 845: Zone Map
Amendment
Coffee Creek Logistics Center

City Council Work Session

September 10, 2020

Presented by: Philip Bradford, Associate Planner

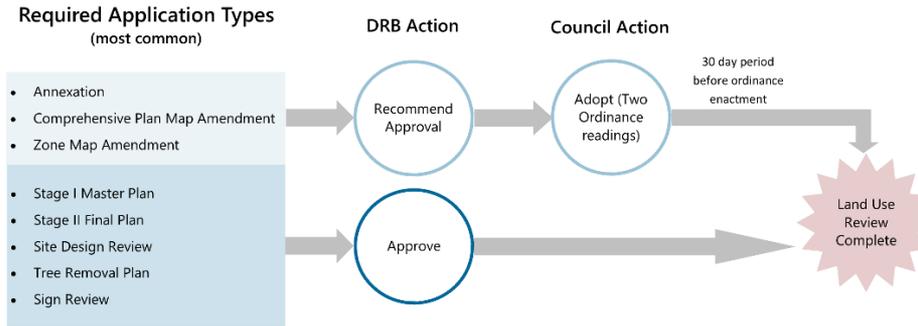


Location

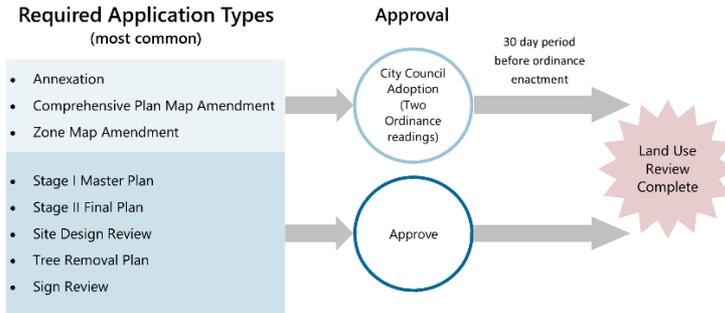


Coffee Creek Industrial Design Overlay Design Process

CURRENT DEVELOPMENT REVIEW PROCESS: PLANNED DEVELOPMENT PROCESS



PROPOSED DEVELOPMENT REVIEW PROCESS: COFFEE CREEK INDUSTRIAL DESIGN OVERLAY DISTRICT



Ordinances

- **Ordinance No. 844** – Annexation of 5.85 Acres of land into City of Wilsonville
- **Ordinance No. 845** – Zone Map Amendment from Washington County Future Development – 20 Acre (FD-20) to Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA)



Project Facts

- 110,366 square feet floor area
- 72 parking spaces
- 22 loading berths
- New and first Wayside on SW Clutter
- 39,501 square feet landscaped area



Proposed Development



DRB Panel B Hearing – Sept. 28, 2020

- Applications for review:
 - Stage I Master Plan
 - Stage II Final Plan
 - Site Design Review
 - Type C Tree Removal Plan
 - 5 Waivers
 - Class 3 Sign Permit



Waivers

- Loading Berth Locations
- Vehicle Parking Area
- Base, Body, Top Dimensions
- Canopy Height
- Ground Floor Height



Questions?





CITY COUNCIL WORK SESSION STAFF REPORT

Meeting Date: September 10, 2020		Subject: Wilsonville Investment Now (WIN) Proposal Update	
		Staff Member: Jordan Vance, Economic Development Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<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 type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: Staff recommends that the Council provide direction on proposed Wilsonville Investment Now incentive program.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities	<input checked="" type="checkbox"/> Adopted Master Plan(s): Economic Development Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Direction on policy recommendations from the Urban Renewal Task Force for potential consideration in the Wilsonville Investment Now (WIN) incentive program (Attachment A).

EXECUTIVE SUMMARY:

In October 2019, City Council gave staff direction to pursue a revised Tax Increment Finance (TIF) Zone program and present details to the Urban Renewal (UR) Task Force for input. The UR Task Force was convened on July 20, 2020 to review the proposal and provided unanimous support of the program with the recommendation to consider incorporating additional policy considerations including: 1) diversity, equity, inclusion (DEI); 2) local business expansion; 3) industry type/traffic considerations; and 4) the existing program criteria of job creation, the wages of those jobs, and capital investment. The minutes from the UR Task Force meeting can be found as Attachment B.

This report focuses on the additional policy considerations from the Task Force. Staff will incorporate Council's direction and bring back a final proposal in the coming months.

As background, the Wilsonville Investment Now (WIN) program—formerly the TIF Zone program—uses TIF to provide tax rebates to qualifying investments anywhere in the City outside of existing urban renewal areas. The proposed WIN program offers flexible evaluation criteria and multiple tiers of benefits, making it attractive to a wide range of businesses. The full program proposal is attached (Attachment A) which provides an analysis of the proposed modifications and explanation of how the program has evolved over time. Key elements of the revised proposed concept include:

- **Eligibility Criteria.** The three existing categories of program qualifications would remain the same under the new program: value of new construction, number of new employees, and compensation of new employees. However, the proposed thresholds have been adjusted to provide greater flexibility, in recognition that no development in the past has qualified under the existing thresholds in the program.
- **Tiers of Benefits.** The proposal calls for offering different levels of benefits to businesses that meet different qualifying thresholds.
- **Citywide Eligibility.** The new program will not designate specific properties up-front, but allow any qualified development to utilize the program citywide with the exception of existing urban renewal areas.
- **Tax Rebate.** As with the original TIF Zone program, qualified developments would receive a tax rebate if all standards are met, as opposed to a tax abatement. This means participating businesses will pay property tax up front and on time, and receive a rebate later, once they demonstrate that they have met the required thresholds.
- **WIN Area Formation Approach.** City Council would adopt the framework and WIN Program up-front, but would not adopt individual WIN areas until later, once a qualifying business has submitted an application for a specific site.

ADDITIONAL POLICY CONSIDERATIONS

Diversity/Equity/Inclusion

Staff recommends that the WIN program address the issue of diversity, equity and inclusion (DEI). Rather than a restrictive approach, staff recommends that business could receive additional points or consideration in program application. Consider a 'menu' option, where if applicant meets a certain number of community benefits (3 out of 7 for example), they may be eligible for additional consideration.

State of Oregon's Definition of Diversity, Equity, Inclusion:

Diversity is the appreciation and prioritization of different backgrounds, identities, and experiences collectively and as individuals. It emphasizes the need for representation of communities that are systemically underrepresented and under-resourced. These differences are strengths that maximize the state's competitive advantage through innovation, effectiveness, and adaptability.

Equity acknowledges that not all people, or all communities, are starting from the same place due to historic and current systems of oppression. Equity is the effort to provide different levels of support based on an individual's or group's needs in order to achieve fairness in outcomes. Equity actionably empowers communities most impacted by systemic oppression and requires the redistribution of resources, power, and opportunity to those communities.

Inclusion is a state of belonging when persons of different backgrounds, experiences, and identities are valued, integrated, and welcomed equitably as decision makers, collaborators, and colleagues. Ultimately, inclusion is the environment that organizations create to allow these differences to thrive.

Potential DEI Considerations for WIN Program

- Certified Minority/Women Business Enterprise (M/WBE)
- Certified Disadvantaged Business Enterprise (DBE)
- Certified Service Disabled Veteran (SDV)
- Certified B Corporation
- Procurement Plan(*requires annual reporting*):
 - Good faith effort to increase good/services purchased from businesses owned by people of color in specified geography, such as South metro, Portland metro or Oregon.
- Workforce Development (*requires annual reporting*):
 - Good faith effort to promote job openings to a wider group of candidates, including people of color and former felons from the Coffee Creek Correctional Facility, through recruitment agencies and job fairs targeting these populations.
 - Good faith effort to provide career pathways to higher wage jobs, including ongoing training, professional development and promotional opportunities to higher-level positions.
 - Good faith effort to engage youth of Wilsonville through internships, mentoring and educational opportunities on career pathways in partnership with West Linn-Wilsonville School District, Clackamas Community College and Oregon Tech.
- DEI Company Program (*requires annual reporting*):
 - At least one FTE committed to company program around diversity, equity and inclusion.
- Childcare (*requires annual reporting*):
 - On-site employer-provided childcare.

Local Business Expansion

Staff recommends prioritizing local businesses that have already invested in Wilsonville, as new research suggests most economic development growth comes from existing businesses, not from out-of-state recruitments. Additional points could also be assigned based on the below factor:

Potential Considerations for WIN Program

- Business operating in Wilsonville 0-5 years
- Business operating in Wilsonville 6+ years

Industry Type

At the Task Force meeting, some resident members raised concerns about high traffic generating uses such as large-scale distribution centers. Staff does not recommend limiting or restricting by business/industry type or precluding perceived high-traffic generators, like distribution companies, as the City's planning process will include detailed transportation analysis that ensure Code required Level of Service and Volume to Capacity requirements are met.

Regarding industry type, the program inherently prioritizes high-value, high-wage projects, and it is anticipated that the vast majority of businesses that qualify will be traded-sector companies that sell products and services outside of Oregon, thereby bringing new wealth in the state rather than recirculating the wealth that is already here. By limiting industry type to traded sector, the program may preclude projects in other high-wage industries like professional services or finance that may not meet the technical definition of traded sector, but would nonetheless have a positive impact on the local economy.

EXPECTED RESULTS:

Incorporate new policy considerations into an incentive program that will be more effective in attracting a wider range of high-value, high-wage projects to Wilsonville.

TIMELINE:

Once directed by Council, staff could incorporate new policy considerations to the program and bring back to the Council for review in fall 2020.

CURRENT YEAR BUDGET IMPACTS:

The scope of work for the consultant team to assist in establishing the revised program has an estimated budget of \$18,360.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 8/24/2020

Discretionary professional services in the Community Development Administration budget will be responsible for the program costs.

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 8/25/2020

The City Council elected to put the original TIF program out for an advisory vote, given past local concerns with regard to Urban Renewal. That program has now expired, per its terms. This is a new program and Council may wish to follow the same protocol.

COMMUNITY INVOLVEMENT PROCESS:

URA Task Force meeting on July 22, incorporating feedback from a stakeholder group that includes residents, taxing districts, state economic development groups, and private sector.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

An updated WIN incentive program has potential to bring more high-wage jobs and high-value development to Wilsonville during uncertain economic times.

ALTERNATIVES:

Maintain original program criteria of jobs, investment and wages.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

- A. Wilsonville Investment Now (WIN) Proposal July 15, 2020
- B. URA Task Force Meeting Results July 22, 2020
- C. Wilsonville Investment Now (WIN) Proposal Update Presentation



DATE: July 15, 2020
TO: Jordan Vance, City of Wilsonville
FROM: Nick Popenuk and Ali Danko, Tiberius Solutions
SUBJECT: WILSONVILLE INVESTMENT NOW (WIN) PROGRAM - PROPOSED UPDATE

Background

In 2013, the Wilsonville City Council approved the designation of six separate properties as individual urban renewal districts. Each of these properties were referred to as a Tax Increment Financing (TIF) zone. The TIF zones used the same funding mechanism and State legislative framework as standard urban renewal districts. However, rather than fund large-scale, long-term projects, the TIF zones were intended to provide property tax rebates as a development incentive for qualifying companies who invest in any of the six properties.

Ultimately, none of the development that occurred within the TIF Zones met the eligibility thresholds established for the program, and the existing TIF Zones incentive program expired in November 2019. City staff have identified a potential new approach to modify the program going forward.

Benefits of the Program

The program was originally designed in a recession environment to incentivize development on vacant or under-utilized industrial warehouses and convert the spaces to higher-value manufacturing facilities.

The benefits offered to, and requirements for qualifying businesses were patterned off of the Enterprise Zone program administered by the State of Oregon. Wilsonville did not meet State requirements for establishing an Enterprise Zone (maximum thresholds for unemployment and median family income). The lack of an Enterprise Zone, puts Wilsonville at a disadvantage when potential industrial developers compare sites in Wilsonville to sites in other communities. The TIF Zones helped to mitigate this disadvantage.

Limitations of the Program

The original approach to TIF Zones had limitations as an economic development tool:

- It required identifying a handful of specific sites in advance, and therefore is not applicable to the vast majority of potential development sites in the City.
- The thresholds for qualifying development are rigid, and did not allow flexibility to accommodate a wider range of potential businesses.
- Each site required the adoption of an urban renewal plan. Those plans have annual administrative requirements, and also require consultation with affected taxing districts to renew or extend the plans when they reach their schedule termination dates.

City staff are recommending a new approach to TIF Zones, to resolve these limitations. The new approach is called the Wilsonville Investment Now (WIN) Program.

Key Elements of the Proposed Wilsonville Investment Now (WIN) Program

Key elements of the proposed concept include:

- **Eligibility Criteria.** The three existing categories of program qualifications would remain the same under the new program: value of new construction, number of new employees, and compensation of new employees. However, the proposed thresholds have been adjusted to provide greater flexibility, in recognition that no development in the past has qualified under the existing thresholds in the program.
- **Tiers of Benefits.** The proposal calls for different levels of benefits being offered to businesses that meet different qualifying thresholds.
- **Citywide Eligibility.** The new program will not designate specific properties up-front, but allow any qualified development to utilize the program citywide.
- **Tax Rebate.** As with the original TIF Zone program, qualified developments would receive a tax rebate if all standards are met, as opposed to a tax abatement. This means participating businesses will pay property tax up front and on time, but receive a partial or full rebate later once they demonstrate that they have met the required thresholds.
- **WIN Area Formation Approach.** City Council would adopt the framework and WIN Program up front, but would not adopt individual WIN areas until later, once a developer has submitted a qualifying application for a specific site.

The new approach would provide the City with a more effective and attractive incentive program to attract new businesses.

Benefits for Qualifying Businesses

Original TIF Zone Program

The original TIF Zone Program offered a property tax rebate for qualifying businesses. The rebate would be offered for three years, and would equal 75% of the tax increment finance (TIF) revenue generated by the new investment. Note that the program was implemented through the adoption of “reduced rate” urban renewal plans. This meant that not all components of the consolidated property tax rate were subject to the rebate program. Applicable tax rates included:

- Permanent rate tax levies
- General obligation bond levies approved by voters prior to October 6, 2001
- Local option levies approved by voters prior to October 6, 2001.

Proposed New WIN Program

The proposed new WIN program would still provide a property tax rebate for qualifying businesses. However, the applicable tax rates subject to TIF through urban renewal has decreased over time. New urban renewal plans are defined as “permanent rate” plans, and only collect TIF revenue generated from permanent rate tax levies. All general obligation bond and local option levies are excluded from the calculation of TIF revenue. All WIN plans would be permanent rate plans.

The proposed new program therefore calls for **rebating 100% of the TIF revenue** generated by the new investment, less the costs to the City of administering the program.

Additionally, the proposed new WIN program identifies **two tiers of qualifying benefits**. Full benefits are proposed to include a tax rebate **for a period of seven years**. Partial benefits are proposed to include a tax rebate **for a period of four years**. The duration of these proposed benefits are loosely based on the State Enterprise Zone program.

Enterprise Zones offer a similar tax abatement program, resulting in a 100% abatement of property tax revenue for three to five years. Because the WIN program is only able to offer a rebate on the permanent tax rates, as opposed to the full consolidated tax rate, it results in a lesser incentive than Enterprise Zones on an annual basis. Thus, a longer time period is proposed for the new WIN program to provide cumulative benefits that are similar in scale to the Enterprise Zone program.

Eligibility Requirements

Original TIF Zone Program

The original TIF Zone Program required businesses to meet minimum qualifying thresholds for new capital investment, employment, and compensation. These eligibility requirements had no flexibility, and only one single tier of benefits. To qualify, an eligible business must meet each of the following minimum criteria:

- Capital investment: \$25,000,000
- New jobs: 75
- Compensation: 125% of County average (Clackamas County annual average wage, 2019: \$54,802; Washington County annual average wage, 2019: \$73,226¹)

Proposed New WIN Program

The proposed new WIN program is intended to have flexible eligibility requirements, as well as two tiers of qualifying benefits (full incentive, and partial incentive). The program would consider the same three factors as the original TIF Zone program: **capital investment, employment, and compensation**. Businesses would be awarded points, based on each of these factors, and a minimum total score would be required to qualify for each tier of benefits.

Policy 4.1.3 of Wilsonville's Comprehensive Plan states that "the City shall encourage light industry compatible with the residential and urban nature of the City." The policy's Implementation Measure 4.1.3.c states that the City should "favor capital intensive, rather than labor intensive, industries within the City."² This proposed new WIN program reflects Implementation Measure 4.1.3.c by assigning relatively more weight to capital investment than to jobs.

The proposed scoring system is summarized as:

- Capital Investment
 - 1 point per \$500,000 investment
- Points per job, based on percent of median County average wage of those jobs
 - Under 100%: 0 points per job
 - Between 100% and 125%: 0.2 points per job
 - Between 125% and 150%: 0.4 points per job

¹ State of Oregon, Employment and Wages by Industry (QCEW), all industries and all ownerships

² D-13

- 150% and above: 0.6 points per job
- Scoring
 - Under 60 points: no incentive
 - Greater than or equal to 60 points, under 80 points: partial incentive
 - Greater than or equal to 80 points, full incentive

Graphs of Qualifying Thresholds

The charts below illustrate how the proposed new scoring system would apply to hypothetical businesses. Each chart shows a specific range of compensation. For that compensation range, we illustrate a range of possible combinations of capital investment and employment, and their eligibility for the proposed WIN program incentives.

- Businesses within the light blue area of the charts would qualify for the full WIN program incentive.
- Business within the dotted blue and white area of the charts would qualify for a partial WIN program incentive.
- Businesses within the dark blue of the charts would not qualify for the WIN program incentive.

Exhibit 1 includes three hypothetical development examples to provide additional context for understanding the charts:

- Example A: \$5 million investment, 100 jobs (no incentive)
- Example B: \$15 million investment, 200 jobs (partial incentive)
- Example C: \$45 million investment, 350 jobs (full incentive)

Exhibit 1. Incentives for Average Wages between 100% and 125% of County Wage

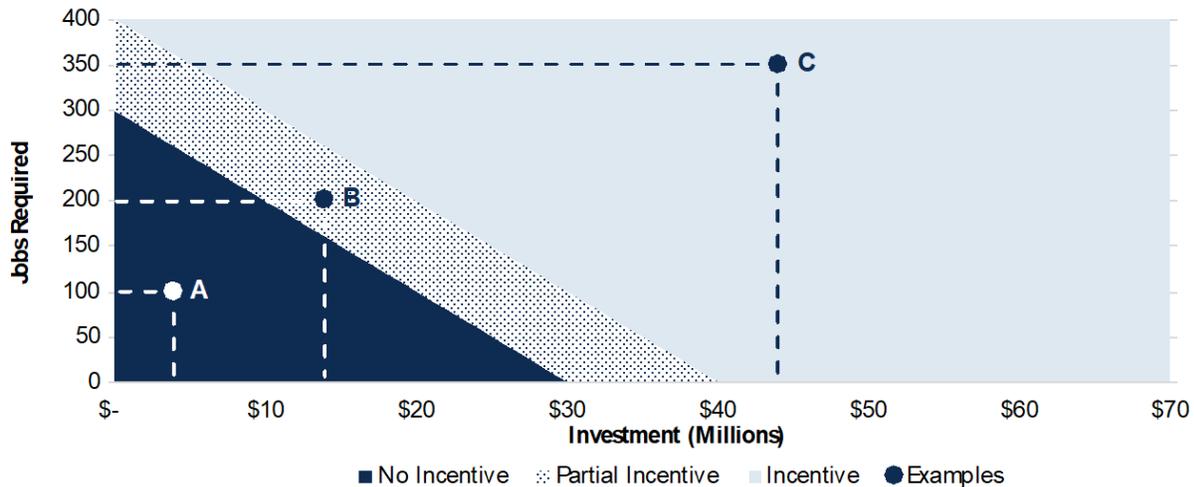


Exhibit 2. Incentives for Average Wages between 125% and 150% of County Wage

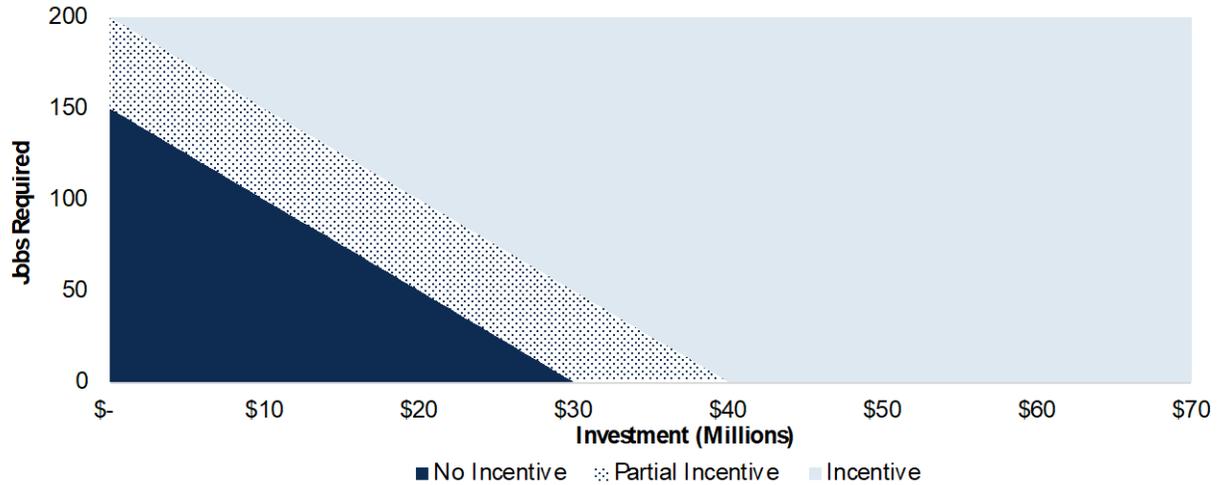
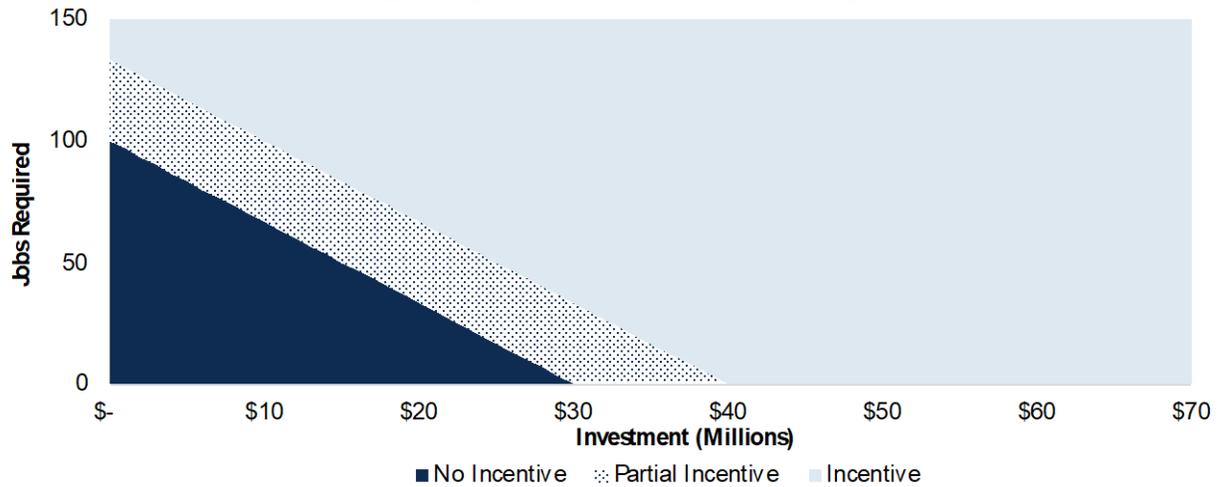


Exhibit 3. Incentives for Average Wages Over 150% of County Wage



The link below shows a web-based 3-D scatter plot chart that illustrates the qualifying thresholds for all three criteria (investment, employment, and compensation) simultaneously
 : <https://plotly.com/~alisondanko/5/>

Example Developments

Exhibit 4 below shows how three actual developments from elsewhere in the Portland metro region would qualify for the proposed WIN program, and what level of rebate each would receive. These example projects all received Enterprise Zone benefits from the State of Oregon. While the Daimler Trucks project would also receive full benefits under the proposed WIN program, the other two examples would only receive partial benefits, or no benefits, due to the relatively low amounts of capital investment, employment, and wages.

Exhibit 4. Example Developments

	Daimler Trucks <i>City of Portland</i>	FedEx Ground <i>City of Portland</i>	Cummins <i>City of Portland</i>
Development Details			
Capital Investment	\$ 142,000,000	\$ 30,336,000	\$ 24,241,810
Jobs	539	57	22
Average Salary	\$ 107,962	\$ 48,169	\$ 54,787
Incentive Type			
Total Points	587	61	49
Incentive	Full	Partial	No
Years of Rebate	7	4	0
Taxes Paid (Year 1\$) - Wilsonville			
<i>Year 1</i>			
Taxes Paid	\$ 1,716,359	\$ 366,672	\$ 293,012
Taxes Paid to WIN Area	\$ 1,164,627	\$ 248,804	\$ -
Rebate Received	\$ 1,164,627	\$ 248,804	\$ -
Rebate % of Taxes Paid	68%	68%	0%
<i>Total (Over Rebate Period)</i>			
Taxes Paid	\$ 12,014,512	\$ 1,466,689	\$ -
Taxes Paid to WIN Area	\$ 8,152,387	\$ 995,215	\$ -
Rebate Received	\$ 8,152,387	\$ 995,215	\$ -

Source: Multnomah County Assessor Report, Continuing Investment, 2019

Note: Multnomah County average annual wage used to calculate points total.

Geographic Eligibility

Original TIF Zone Program

The original TIF Zone program identified six specific sites within the City of Wilsonville, and established urban renewal plans for each of those sites. The selected sites generally included large, vacant warehouses. Development interested in other sites throughout the City were not eligible to pursue the TIF Zone incentives.

Proposed New WIN Program

The new WIN program would be available to industrial development anywhere within Wilsonville city limits, with the exception of property located within an existing urban renewal area. The new program would provide far greater flexibility in the application of the tool, and would make the tool a more attractive incentive when marketing the City of Wilsonville to prospective developers. This added flexibility would require the City to wait to adopt an urban renewal plan to implement a WIN area until after the City approves an application from a qualifying developer for a specific site.

Program Application

Proposed New WIN Program

The new WIN program was created with the intent to be as easy and objective as possible. The application is a single spreadsheet with clear criteria, inputs, and calculations. Any applicant can enter their own development assumptions and other information into the application spreadsheet to see their eligibility for the program. The information provided by the developer is subject to verification by City staff to ensure the developer has financial capacity to deliver the proposed development before a WIN area will be formed.

Interested developers must submit an application form to the City prior to beginning any construction work on the new development. After receiving a developer's application, City staff will meet with the applicant during a preauthorization conference, providing an opportunity for deliberate review of the application and underlying assumptions. This approach is modeled after the State's Enterprise Zone application program.

The City will need to dedicate staff time for answering pre-application questions, deliberate review of completed applications (including follow-up), the establishment of the WIN areas, and once the development has occurred, verification of actual investment, jobs, and wages. WIN areas will also require staff time for ongoing administration in accordance with ORS 457.

After City staff approves a developer application for the program, the City would then need to go through the adoption process for a new urban renewal plan to implement the actual TIF mechanism that would be used to fund the program and provide the tax rebate to qualifying developers. By statute, all urban renewal plans must be adopted by a non-emergency ordinance. All new urban renewal plans must include the following steps in the adoption process:

1. Review by the urban renewal Agency.
2. Transmittal to all taxing districts with required 45-day comment period prior to City Council vote on ordinance.
3. Review by the Planning Commission for conformance with the comprehensive plan.
4. Presentation to the County (vote of approval is not required).
5. Notice to all citizens of a public hearing.
6. Public hearing and City Council vote on non-emergency ordinance.

The process of plan adoption for each new WIN Area is anticipated to take four months.

URBAN RENEWAL AREA TASK FORCE
Meeting Summary

Attachment B

DATE:	WEDNESDAY, JULY 22, 2020	TIME END:	4:35 PM
LOCATION:	29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR ***VIRTUAL MEETING		
TIME START:	3:00 PM		

ATTENDANCE LOG

TASK FORCE MEMBERS		STAFF	OTHER
Mary Closson	Pat McGough	Jordan Vance	Cllr. Kristin Akervall
Kevin Ferrasci O'Malley	Bret Marchant	Tami Bergeron	Nick Popenuk, Consultant
Bryan Guiney	Susie Myers	Keith Katko	Elaine Howard, Consultant
Son Le Hughes	Stu Peterson	Chris Neamtzu	
Amy Juaron	Ken Rencher		
Andrew Karr	Dick Spence	TF MEMBERS ABSENT	
Jon Legarza	Cassandra Ulven	Liz Aspray	Jessica Pelz
		Jeff Deitrick	Christine Reynolds
		Alan Kirk	Steve Sieber
		Ethan Manuel	John Southgate
		Doug Middlesetter	Peter Stalick
		Matt Miller	Al Steiger
		Matt Morvai	John Wynton

AGENDA SUMMARY

AGENDA	ACTIONS
Welcome and introductions	<p>Jordan Vance opened the meeting at 3:04 pm and asked Kristin Akervall to welcome everyone after roll call and brief participant introductions.</p> <p>Councilor Akervall shared a statement asking citizen participants, none known to be attending, to submit comments regarding URA in conjunction with City Council Meetings which are recorded. Testimony received at City Council would be included as part of the URA record.</p> <p>Councilor Akervall provided information regarding the purpose of this Task Force. Today's task force brings together taxing districts as well as stakeholders from the business and development community to provide guidance and recommendations on a proposal by staff to use urban renewal as an incentive tool to attract business investment. The Urban Renewal Task Force is comprised of a group of people who represent the Wilsonville City Council, Broker/Developers, Business/Property Owners, Taxing Districts, Resident/Community and Business Advocacy Groups, and Staff/Consultants.</p> <p>The Task Force will provide guidance and feedback on project deliverables to staff, which will provide information and analysis regarding the URA to the City Council.</p> <p>Councilor Akervall stated this group would be reviewing the new Wilsonville Investment Now (WIN) program regarding URA TIF Zones. In 2019 Council tasked staff to design a new City URA program. Staff recrafted the TIF program to be WIN.</p>

<p>Urban Renewal districts update</p>	<p>Councilor provided some meeting logistic specifics so that everyone knows the expectations regarding Zoom meeting logistics.</p> <p>Jordan Vance led the discussion regarding Urban Renewal (UR) districts. Wilsonville has three UR districts comprising 22% of the City's acreage. Jordan started a presentation explaining URA funding and how the TIF revenues are dispersed. He shared the Year 2000 Plan Tax Revenues slide and explained Wilsonville's approach in creating value and minimizing impact on its taxing district partners.</p> <p>Keith Katko, Assistant Finance Director, introduced each of the three URA districts and provided a financial status update:</p> <p>Year 2000 Plan: created in 1992, maximum indebtedness \$107.M, we have remaining available debt capital funds of \$25.8 with Kinsmen and Boeckman dip projects as the remaining targeted expenses.</p> <p>Westside: created in 2003, remaining funds of \$7.5 million to be spent on Brown Road – about two years out.</p> <p>Coffee Creek: created in 2016 and has maximum indebtedness of \$67 M, will be for Garden Acres, SW Java, Day Roads, Sewer extensions, Rd upgrades. Has all or most of these funds left since most of the work has not been completed.</p> <p>Keith's presentation stated "<i>The end is near...</i>" referring to the Year 2000 plan which has outstanding debt \$18.6 M and the Westside plan has outstanding \$27.7 M debt. Both are anticipated to be done in two years.</p> <p>Keith went on to explain the return on investments for each of these taxing districts:</p> <p>Year 2000: Debt issues \$93.4M and assessed value \$461.1M West side: Debt issued \$43.0M and assessed value \$655.1M Coffee Creek: Debt issued \$3.8M and assessed value \$26M</p> <p>Jordan Vance asked for questions. None of the participants had questions.</p>
<p>TIF Zone Incentive Program redesign</p>	<p>Jordan introduced Nick Popenuk of Tiberius solutions who would speak about the TIF Zone incentive program redesign.</p> <p>Nick showed the "TIF Zone Program" was a tax incentive for vacant or underutilized buildings. This was developed during the previous recession. The incentive program was not used due to its constraints which applied to specific sites, rigid qualifying criteria, and required the adoption of an urban renewal plan for each site without knowing if qualifying investment would occur.</p> <p>City staff decided the concept of the TIF Zone Program needed to "sunset" with a new program offered. Hence the development of the WIN Program. This is a tax rebate program – the businesses still pay their taxes and the City can issue rebate after the business has met the criteria of the program. The eligibility criteria: value of new investment, number of new employees, and compensation of new employees. There are two (2) tiers of benefits.</p>

Nick continued to explain benefits for qualifying businesses. Rebates 100% of TIF generated by the new investment; Two tiers of qualifying benefits: full incentive tax rebate for 7 years and partial incentive tax rebate for 4 years.

Eligibility requirements:

- Capital investment 1 point per \$500k
- Points per job based on percent of median county average wage of those jobs (0-.6 points)
- Scoring:
 - Under **60** points: **no** incentive
 - **60-79** points: **partial** incentive
 - **80** or above: **full** incentive

Program application:

- Clear and objective application
- Must be approved prior to construction
- City/applicant meet for preauthorization
- Adopt new UR plan for each investment : public hearing, citywide notice, consult and confer with taxing districts

Nick ended the presentation and moved to an Excel spreadsheet to show hypothetical scenarios using the “application process”. He shared examples where an applicant would qualify for full and partial benefits and also where an applicant would not qualify for benefits. Nick walked through the spreadsheet to show the various taxes associated with the sample businesses and what taxes would be applicable to the incentive WIN program.

Discussion & Comments:

Nick and Jordan invited the participants to provide input and questions. Jordan started a group anonymous poll via the Zoom webinar format, for group discussion.

Poll Question #1: Is this good direction to take the TIF Zone program? (12 respondents)

Yes	83%
No	0%
Not sure	17%

Cassandra asked if the land and AV use of an eligible site count toward State maximums. Nick responded to the question affirmatively.

Susan asked whether we consider transportation impact. How do we avoid distribution centers? Nick responded that we need to hear if there are certain types of businesses that should/not be emphasized by this program. He also said the requirements will be held to an Urban Renewal Plan process which a business will need to undergo. Susan said that the original TIF Zone plan had a goal of avoiding distribution centers. She also believed that current businesses would be concerned that new businesses may use up transportation resources.

Stu spoke in defense of distribution centers such as Columbia Distribution Center. He said they did increase traffic but paid good wages and offered many employment opportunities. A lot of the demand is generated by these distribution centers over retail. He believes that this is the new path for retail sales going forward.

Amy asked if the WIN Program was open to all businesses or traded sector only. Nick answered and said there have not been any recommendations yet and so we are looking for input from this group.

Brian liked the plan and innovative eligibility criteria that considers both investment and jobs in a flexible way, noting that other programs in the state tend to favor one or the other.

Jon was curious about the scoring criteria. Wilsonville has done a great job promoting diverse businesses in the City. Although distribution centers offer wages and jobs, it is a lower wage. He wants to encourage Wilsonville to watch the businesses that want to come to Wilsonville.

Andrew confirmed that the goal of this program is to grow businesses in Wilsonville. Do we want to encourage employment and livability? Should other criteria be considered by adding or subtracting points for the program? Nick confirmed we are just starting this program design and are considering all points such as these.

Ken asked if this program will affect the timing/speed of development in these areas. Ken also asked if there were any new residential development or commercial in the zones – such as Coffee Creek. Chris said that for instance, the retail area in Frog Pond would not qualify for this program.

Kevin asked about payroll specifics for telework jobs. Both Nick and Jordan believe that jobs would need to be located in Wilsonville to be associated with Wilsonville for payroll purposes.

Mary asked to be better informed on this issue. She cited the Coca Cola plant and water usage. How are resources being part of the consideration? Jordan said it currently is not part of the program criteria but could be if the group feels this would be important.

Jordan took a quick “thumbs-up poll” to determine which policy considerations the group would like staff to consider for the WIN program:

- **Traffic:** 5 thumbs up
- **Equity inclusion/diversity:** 8 thumbs up; Brian noted many Oregon enterprise zone programs have equity/community benefit requirements already
- **Local business priority:** 8 thumbs up
- **Traded Sector Companies:** 2 thumbs up

Bret would rather abstain from voting as this is not his community. He noted that he is a proponent of focusing public incentives on traded sector companies.

Jordan asked for any additional eligibility regarding business type. Susan wanted to know if this program excludes heavy industrial. Nick said the existing city zoning would allow/not these types of businesses.

Poll Question #2: Is the program eligibility criteria (11 respondents):

Too flexible:	18%	} Results noted
Reasonable:	55%	
Too rigid:	9%	
Not sure:	17%	

Jordan asked if anyone would like to share the reasoning behind their response. He asked if anyone had recommendations to make the program more balanced. No one responded.

Poll Question #3: Do you believe this program more competitive with business recruitment, expansion and retention efforts (11 respondents):

Yes 100% *Results noted*
No
Not sure

Jordan asked if there were any further questions or comments.

Andrew wondered how much effort is put forth by applicant and city staff before it gets to the public hearing state. Nick responded that the applicant would need to submit a thorough application and have those joint conferences to determine the readiness and applicability of this business and program. Nick said it is of best interest to the City and the applicant for this to move quickly and not delay construction but time will need to be taken to ensure this is a viable opportunity.

Susan said she is an advocate for traffic impact to be considered, as a current business owner.

Cassandra said she feels it is a good use of TIF funds.

RETAKE Poll Question #1: Is this good direction to take the TIF Zone program? (10 respondents)

Yes: 100%

Jordan asked this group if they would like to see the proposal again before it goes to City Council or if they feel direction given to staff was sufficient for them to move forward. Also, Nick offered to share the presentation to their various boards if they wish.

Elaine mentioned that we need to consider traffic for this program. Jordan asked for a thumbs up for the requirements.

Yes: 4 thumbs up

Chris said traffic has always been a concern for this community. It makes a lot of sense to consider traffic requirements by applicable business applicants.

Jordan summarized that the group seemed satisfied with feedback being received for staff to capture the following criteria in the program:

- Business type
- Local business priority
- Traffic
- Diversity/Equity/Inclusion

Jordan thanked everyone for their participation and thoughtful input!

Councilor Akervall thanked presenters and staff for the information developed and shared. She was happy to see the many benefits when a variety of community members come together such as today.



Wilsonville Investment Now (WIN) Proposal Update

September 10, 2020





History of TIF Zones in Wilsonville

- Adopted in 2013
- Six site-specific urban renewal areas
- Property tax rebate incentive for qualifying investments
- No development within the TIF Zones qualified for the incentive
- Expired in November 2019
- 2019-20: redesigned as Wilsonville Investment Now (WIN) w/ flexible criteria and tiers of benefits
- July 22, 2020: URA Task Force Meeting



Wilsonville Investment Now (WIN) Program

Key Elements of Proposed Program

- Tax rebate
- Eligibility criteria:
 - Value of new investment
 - Number of new employees
 - Compensation of new employees
- Two tiers of benefits
- Citywide eligibility, except for existing URA areas



URA Task Force Direction

- Is this good direction to take the TIF Zone program? (10 respondents)
 - Yes: 100%
- Do you believe this program will make City more competitive with business recruitment, expansion and retention efforts (11 respondents):
 - Yes: 100%
- Additional policy considerations:
 - Diversity, Equity, Inclusion (DEI)
 - Local business expansion
 - Industry Type/Traffic Considerations



DEI Program Considerations

- Certified Minority/Women Business Enterprise (M/WBE)
- Certified Disadvantaged Business Enterprise (DBE)
- Certified Service Disabled Veteran (SDV)
- Certified B Corporation
- Procurement Plan(*requires annual reporting*):
 - Good faith effort to increase good/services purchased from businesses owned by people of color in specified geography, such as South metro, Portland metro or Oregon.
- Workforce Development (*requires annual reporting*): promote job openings to BIPOC communities, ongoing workforce training, engage Wilsonville youth
- DEI Company Program (*requires annual reporting*):
 - At least one FTE committed to company program around diversity, equity and inclusion.
- Childcare (*requires annual reporting*): on-site provided childcare



Local Business Expansion

- Business operating in Wilsonville 0-5 years
- Business operating in Wilsonville 6+ years



Industry Type Considerations

- Large distribution centers or high traffic generators
- Traded-sector industry
- Remote employees



Council Direction

- Direction on URA Task Force policy considerations
- Specific or general feedback on proposed criteria for each policy consideration



ODOT I-205 Toll Project: NEPA Alternatives Public Comment Period

TABLE OF CONTENTS

ODOT I-205 Toll Project

• Raising Revenue and Managing Congestion.....	2
• DRAFT Executive Summary.....	8
• FAQ - Frequently Asked Questions	14
• Memo - Evaluation Performance Measures for Reporting Impacts in the NEPA Analysis – DRAFT	18
• Purpose and Need Statement	24

Letters of Comment from Other Jurisdictions

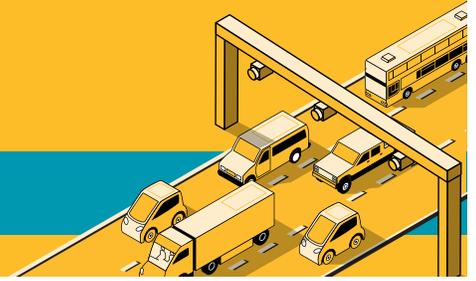
• 2020 08 13 Clackamas County Coordinating Committee “C4” Letter to OTC, RE: I-205 NEPA Alternatives Comment Period	30
• 2020 08 25 Tualatin Letter to ODOT, RE: I-205 NEPA	34

Draft City of Wilsonville Letter of Comment

• 2020 09 10 Wilsonville DRAFT Letter to ODOT, RE: I-205 NEPA Alternatives Comment Period.....	37
--	----

I-205 Toll Project

Raising Revenue and Managing Congestion



We have a growing congestion problem on I-205

As the risks of COVID-19 are reduced, traffic congestion is expected to return. More cars driving in and through the Portland metro area makes our days more challenging and costs us time and money. In fact, congestion is estimated to cost our region about \$2 million per day.

Working on a solution

In 2017, the Oregon Legislature passed House Bill 2017, known as “Keep Oregon Moving.” This bill committed hundreds of millions of dollars in projects to address our congestion problem and improve the transportation system in the region and statewide. The legislation also led the Oregon Transportation Commission to pursue and implement tolling on I-5 and I-205 in the Portland metro area to help manage traffic congestion. A 2018 feasibility analysis, which included both technical analysis and public input, determined that tolling could help raise revenue and manage congestion on I-5 and I-205.

Listening to the community

Feedback from the community in 2018 was nearly unanimous across demographics: There is a congestion problem, it is having a negative impact on quality of life, and it is getting worse.

Public discussions revealed three consistent themes with tolling: avoid negatively affecting low-income communities, improve transit and



Image: Congestion on I-205 in Clackamas County.

other transportation choices, and address the potential of tolling diverting additional traffic to local streets.

Have your say!

A 45-day public comment period occurs Aug. 3 through Sept. 16, 2020. During this time, we will host activities where you can ask questions, offer feedback, and learn about the project, including:

- Alternatives under study
- How modern tolling systems work
- The program’s approach to equity

You’re invited to participate:

- **View and comment**
openhouse.oregondot.org/i205toll
- **Join** a webinar: Aug. 12, Aug. 18 or Aug. 20

Visit OregonTolling.org to learn more.

How can tolls help manage congestion?

By charging higher tolls when more people want to travel, some drivers will adjust their travel and free up highway space for those who need it most. Even a small shift in the total number of drivers makes travel more efficient.

Drivers will not stop to pay a toll. A transponder, a small sticker placed on the windshield, is read and connected to a pre-paid account. If a vehicle doesn't have a transponder, a camera captures the car's license plate, and the registered owner is billed. This keeps traffic flowing.

Tolling on I-205

We are studying options with a variable rate toll on all lanes of I-205 on or near the Abernethy Bridge between Stafford Road and OR 213. Tolls could both raise revenue for planned seismic upgrades and transportation improvements and manage congestion.



Image: Example of a transponder that drivers use in Washington state's modern tolling system.

We are conducting the federally required environmental review process for the I-205 Toll Project to examine different alternatives to address identified problems, needs and goals.

The exact location and configuration of tolls is under study now.

We examined several concepts for how tolling could be managed on I-205. We then developed five initial alternatives and scored each of them using screening criteria. Alternative 3 and Alternative 4 are recommended to move forward for further study, along with a “no toll” alternative.



Image: Congestion on I-205 in Clackamas County.

While both alternatives would result in some vehicles avoiding tolls and traffic rerouting to local streets, these effects are expected to be distributed along the I-205 corridor more evenly so no single area would receive a bigger impact. Also, both alternatives can be scaled to manage congestion on other regional roads and would provide a lower toll to local access users compared to other alternatives.

Leading with equity

We're collaborating with community partners to develop equitable solutions for historically and currently underrepresented and underserved communities by:

- Convening a group of leaders in equity to advise the project team
- Drafting an equity framework to guide project decisions and engagement
- Coordinating with community engagement liaisons to reach and hear from underserved and underrepresented communities
- Convening an Equity and Mobility Advisory Committee

Initial Alternatives

What is... ?

Transportation demand

The number of people who want to travel to participate in activities, given the transportation options available (including considerations of travel time, reliability, cost and access.)

Diversion

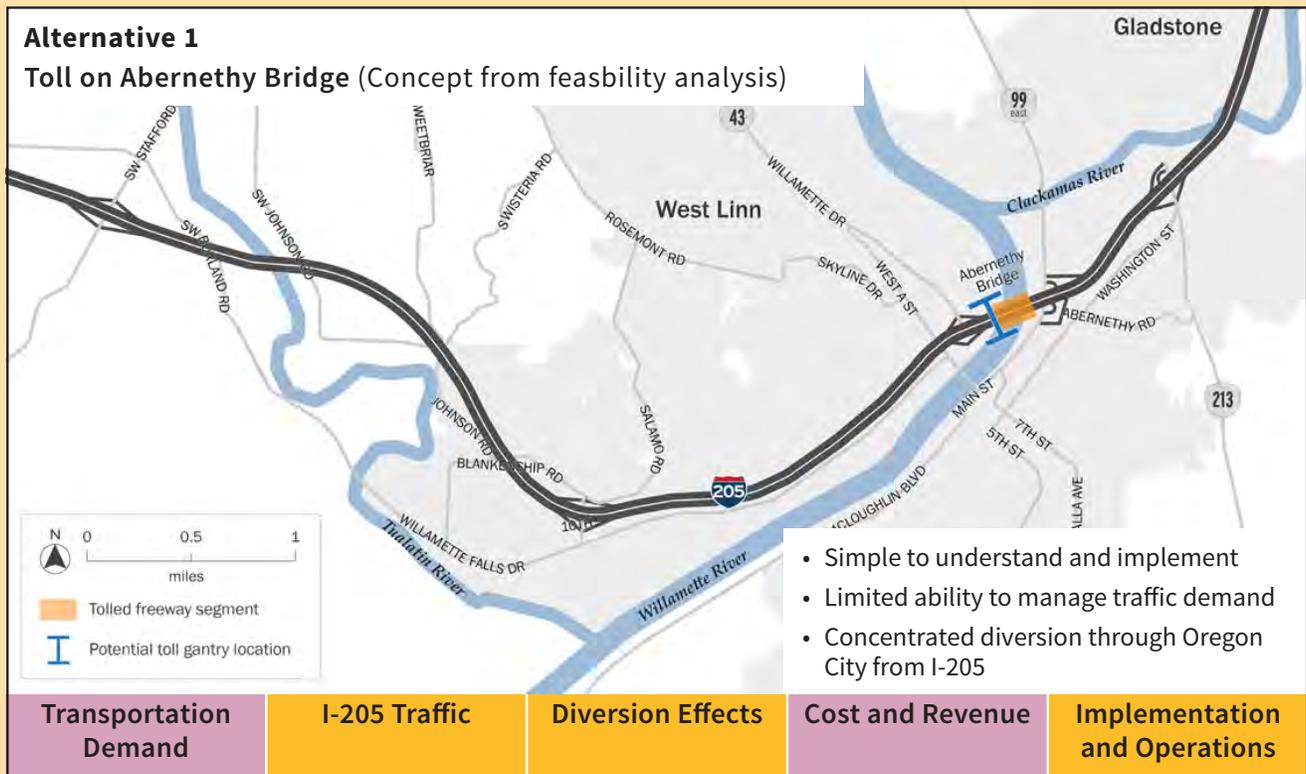
Changes in travel that result in less traffic volume on I-205, including rerouting to local streets and shifts to transit, carpooling or leaving at a different time of day.

A toll gantry

A structure over a roadway with equipment to take pictures of license plates and capture location data of transponders connected to toll accounts.

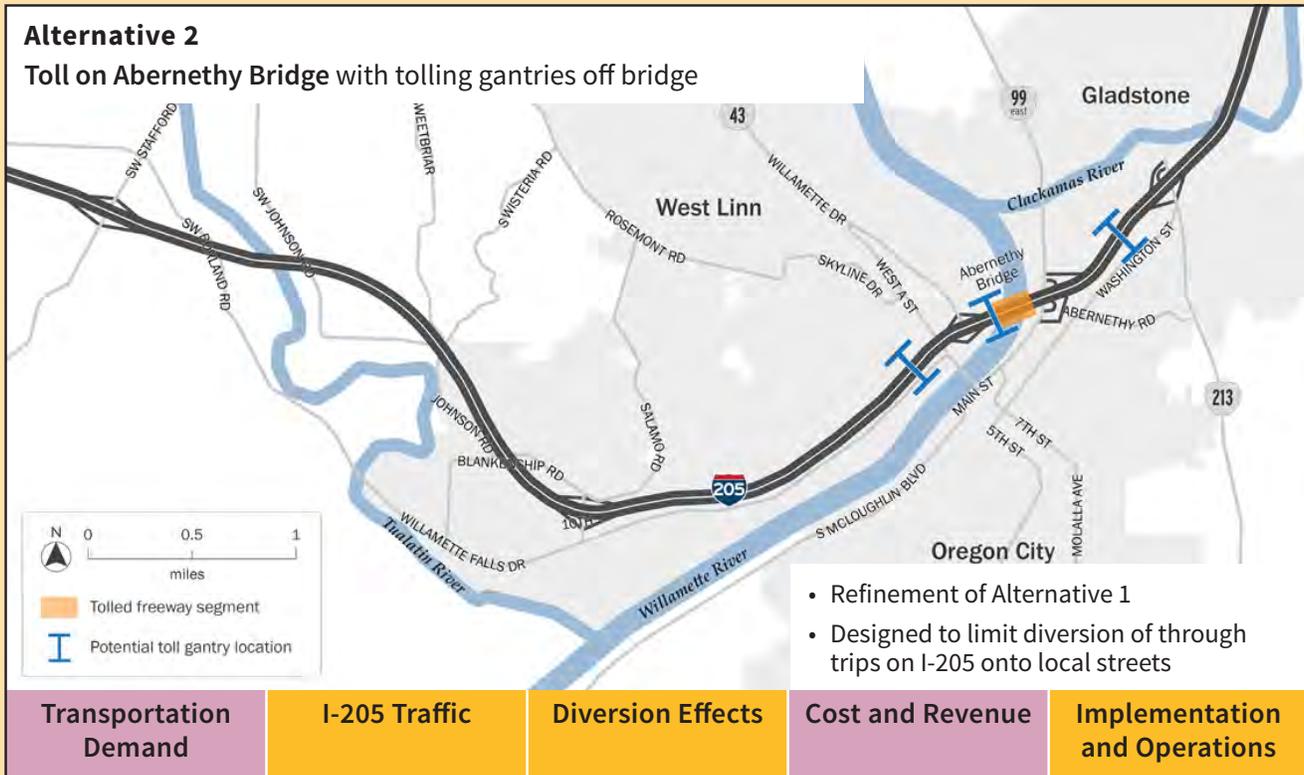
Key

Much Worse compared to other alternatives	Worse compared to other alternatives	Average compared to other alternatives	Better compared to other alternatives	Much Better compared to other alternatives
---	--	--	---	--



Alternative 2

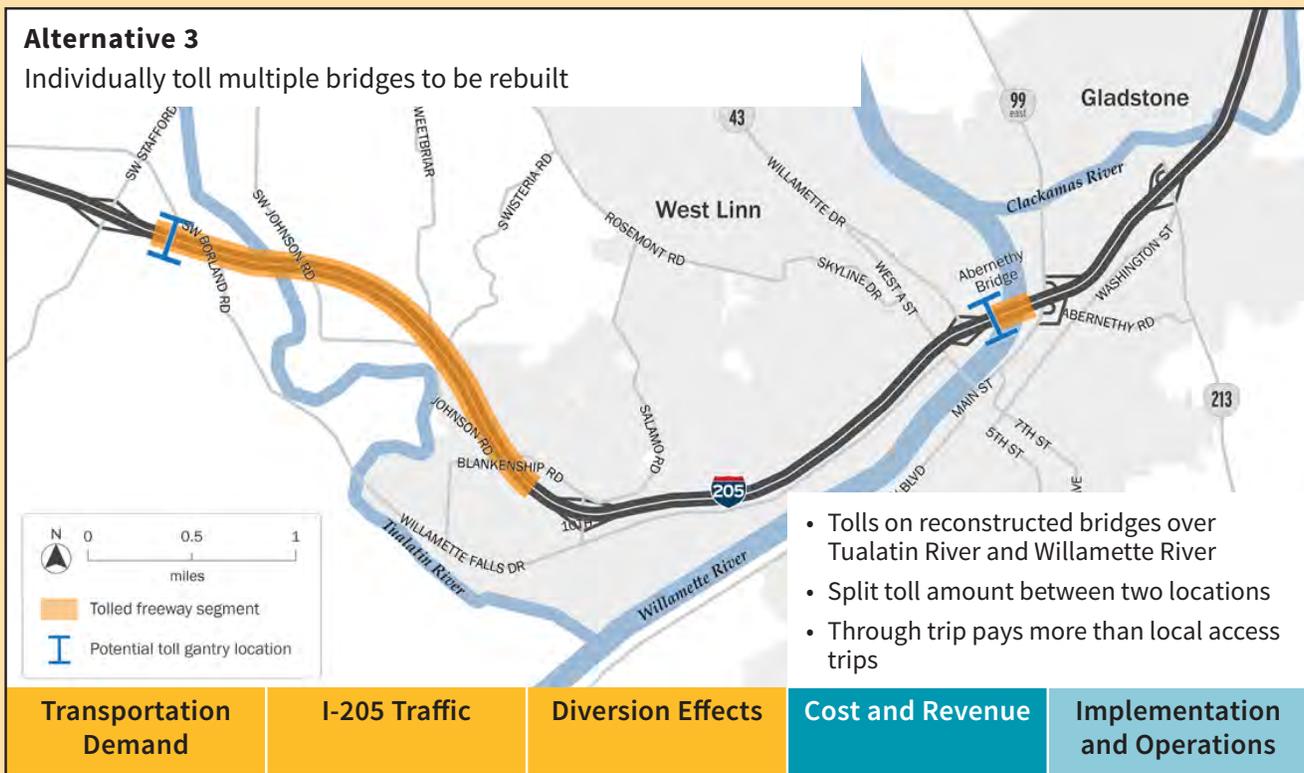
Toll on Abernethy Bridge with tolling gantries off bridge



- Refinement of Alternative 1
- Designed to limit diversion of through trips on I-205 onto local streets

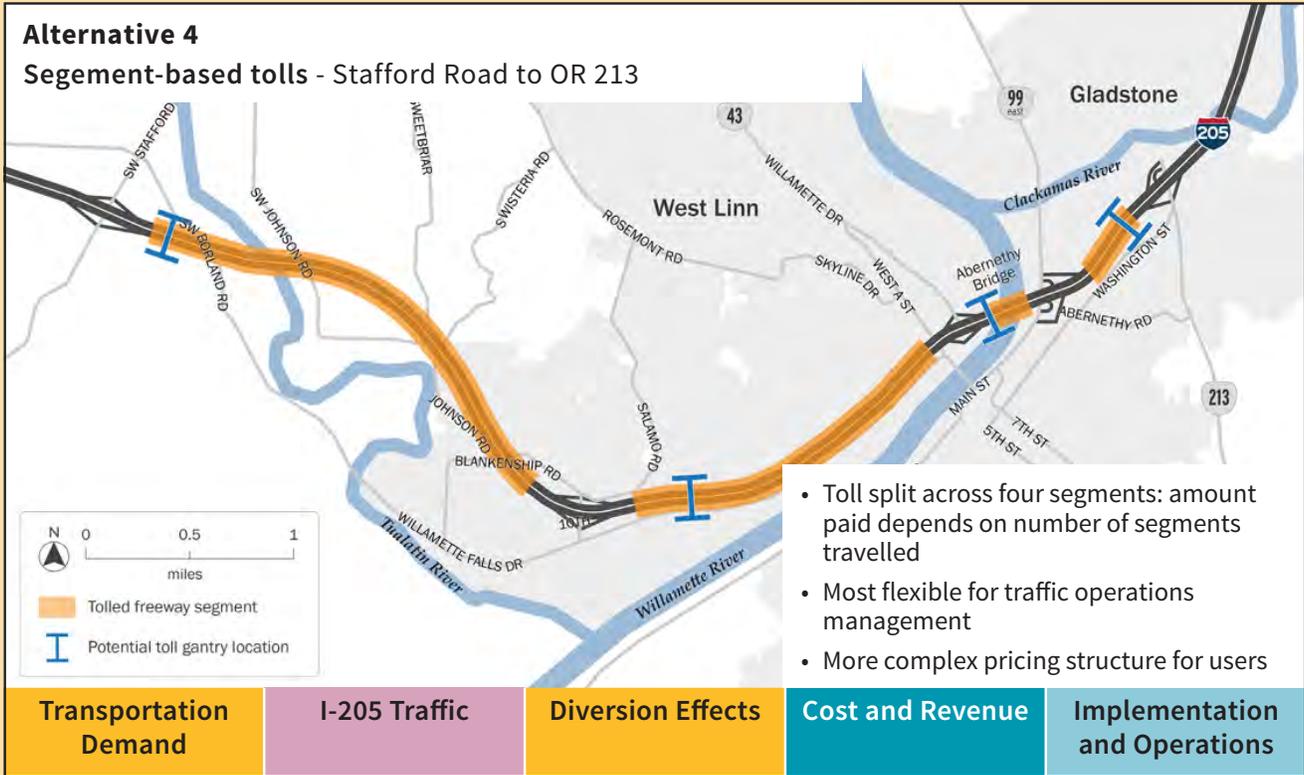
Alternative 3

Individually toll multiple bridges to be rebuilt

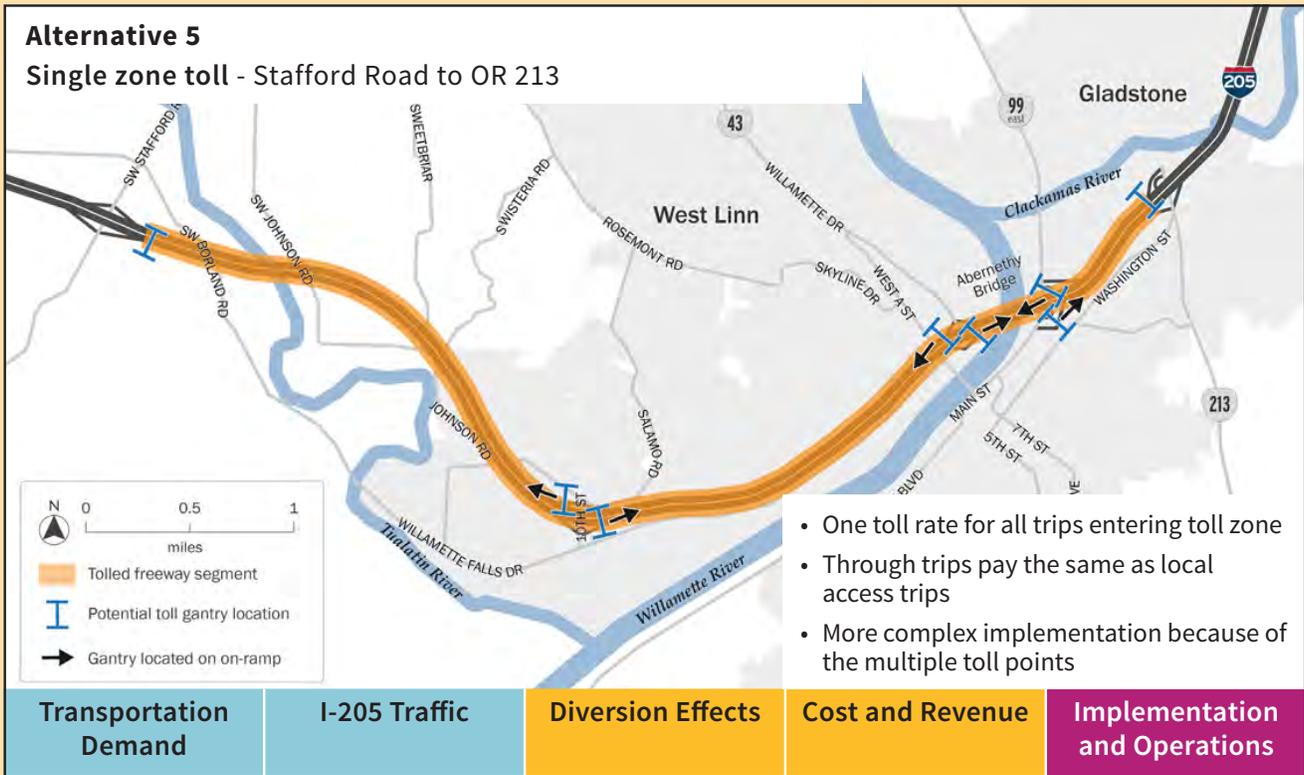


- Tolls on reconstructed bridges over Tualatin River and Willamette River
- Split toll amount between two locations
- Through trip pays more than local access trips

Alternative 4
Segment-based tolls - Stafford Road to OR 213



Alternative 5
Single zone toll - Stafford Road to OR 213



Where are we today?

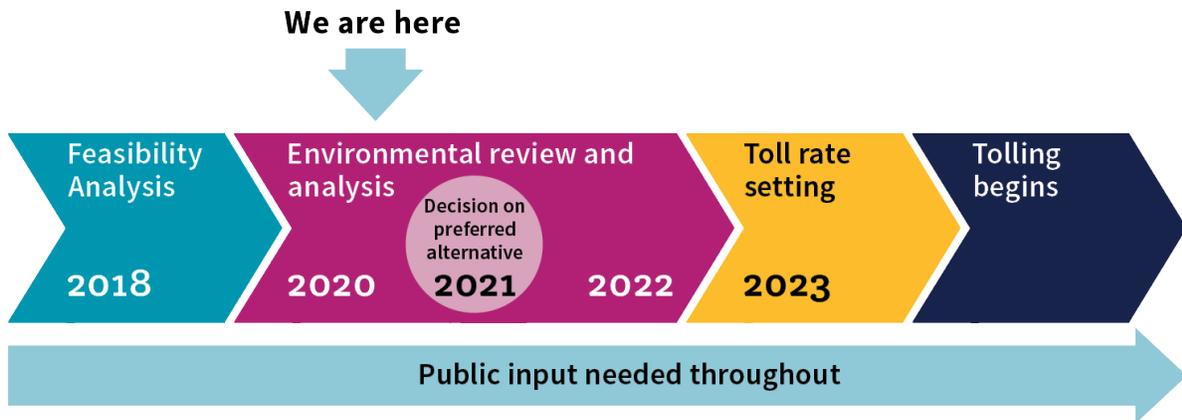


Image: Community members participating in an open house during the Value Pricing Feasibility Analysis in 2018.

Stay involved

Questions and comments can be submitted at any time to the project team at:

Web: www.OregonTolling.org

Email: oregontolling@odot.state.or.us

Phone: 503-837-3536

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

Если вы хотите чтобы информация об этом проекте была переведена на русский язык, пожалуйста, звоните по телефону 503-731-4128.

如果您想瞭解這個項目，我們有提供繁體中文翻譯，請致電：503-731-4128。

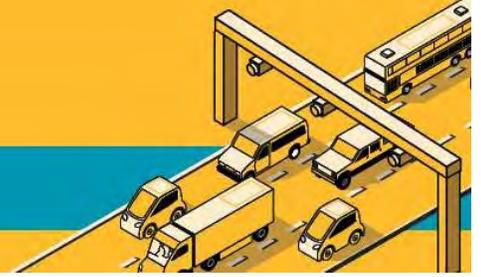
如果您想了解这个项目，我们有提供简体中文翻译，请致电：503-731-4128。

For Americans with Disabilities Act or Civil Rights Title VI accommodations, translation/interpretation services, or more information call 503-731-4128, TTY (800) 735-2900 or Oregon Relay Service 7-1-1.

The information in this document, and the public and agency input received, may be adopted or incorporated by reference into a future environmental review process to meet the requirements of the National Environmental Policy Act.

I-205 Toll Project

DRAFT Executive Summary



Date July 7, 2020
To Lucinda Broussard, Oregon Toll Program Director
From I-205 Toll Project Consultant Team
Subject Executive Summary: Comparison of I-205 Screening Alternatives Technical Report
CC Chi Mai, ODOT R1 Major Projects
 Alex Bettinardi, ODOT Transportation Planning and Analysis Unit

PURPOSE

This report summarizes the recommendations for alternatives to carry into the National Environmental Policy Act (NEPA) analysis for the I-205 Toll Project and highlights key findings supporting those recommendations.

OVERVIEW

Table 1 summarizes the overall assessment of screening alternatives based on evaluation categories. Alternatives 3 and 4 are the initial alternatives recommended for advancement to the NEPA process.

Table 1: Overall Assessment of Alternatives by Evaluation Category

Evaluation Category	Alt 1 & Alt 2	Alt 3	Alt 4	Alt 5
Transportation System Demand				
I-205 Traffic				
Diversion Effects				
Cost and Revenue				
Implementation and Operations				
Recommendation	Do Not Advance	Advance for Further Evaluation	Advance for Further Evaluation	Do Not Advance

Substantially worse outcomes than other alternatives 	Worse outcomes than other alternatives 	Average or typical outcomes among alternatives 	Better outcomes than other alternatives 	Substantially better outcomes than other alternatives
--	---	---	--	--

WSP evaluated five alternatives for tolling I-205 between the Stafford Road and OR 213 interchanges. These alternatives constitute geographic location options where tolls will be charged (toll gantries) and different structure for assessing tolls (e.g., single point, segment-based, and zonal).

Table presents the list of screening alternatives, the rationale behind their development, and a brief assessment of each.

Table 2: I-205 Screening Alternatives Under Consideration for Further Evaluation

Alt.	Description	Development Rationale	Assessment	Recommendation
1	Abernethy Bridge Toll (Concept E from the 2018 Value Pricing Feasibility Analysis)	Recommendation of the Value Pricing Feasibility Analysis, simple to implement	Manages demand on I-205 around the Abernethy Bridge but results in significant traffic increases near the Arch Bridge and in downtown Oregon City	Not recommended for further evaluation
2*	Abernethy Bridge Toll with Off-Bridge Gantries	Modification of Alternative 1 to limit rerouting in downtown Oregon City	Manages demand on I-205 around the Abernethy Bridge but results in significant traffic increases near the Arch Bridge and in downtown Oregon City	Not recommended for further evaluation
3	Bridge Tolls - Abernethy Bridge and Tualatin River Bridge	Tolling a second bridge reduces the cost of crossing the Abernethy Bridge, which reduces the incentive for some trips to take alternative toll-free routes	Manages demand on I-205 at the Abernethy Bridge and between Stafford Road and 10th Street, traffic increases on nearby routes are less concentrated	Recommended for further evaluation
4	Segment-Based Tolls - Between Stafford Road and OR 213	Tolling multiple roadway segments lowers the average toll cost and reduces the incentive for some trips to take alternative toll-free routes	Manages demand on I-205 between Stafford Road and OR 213 without resulting in concentrated traffic increases, offers significant flexibility to limit rerouting and manage traffic operations	Recommended for further evaluation
5	Single-Zone Toll - Between Stafford Road and OR 213	Single toll rate applied for any travel within the tolled area, intended to reduce the incentive for regional trips to use alternative toll-free routes	Manages demand on I-205 between Stafford Road and OR 213, results in traffic increases on the edges of the toll zone, limited ability to better manage demand and scale the system to the region	Not recommended for further evaluation

*Note: Alternative 1 and Alternative 2 perform the same in all model-based performance measures, as the regional travel demand model does not provide significant differentiation between these alternatives.

All the alternatives considered could provide a tolling system on I-205 that would both manage congestion and raise revenue. However, there are tradeoffs among the alternatives, and no single alternative scores the best on all criteria. In general, alternatives were evaluated based on their ability to manage demand on I-205 and limit rerouting to nearby roadways (taking

different roads to avoid the toll) while generating similar levels of revenue to fund congestion relief projects.

The screening analysis is focused on evaluating five potential configurations for the I-205 Toll Project. The analysis compares the alternatives against one another considering key evaluation criteria and performance measures. The technical analysis is the basis for recommending which alternatives be advanced for further study in the NEPA process. In the NEPA analysis, the technical analysis tools and models are expected to be refined to better assess local impacts and a wider range of performance measures.

Initial Screening Criteria

Alternatives were assessed in five evaluation categories with 12 qualitative and quantitative performance measures. Alternatives were assessed relative to one another on these performance measures, with quantitative measures based on results from the Metro regional travel demand model. General performance of each alternative in these categories was summarized in Table 1, while Table 3 provides additional detail by performance measure.

The criteria and their associated performance measures are as follows:

- **Transportation System Demand** – Assesses the extent to which tolling affects vehicle travel by estimating the impact of each alternative on total vehicle miles travelled (VMT) and vehicle hours of travel (VHT) in the regional transportation system. The alternatives generally shift vehicle demand away from freeways to non-freeways but result in an overall decrease in demand on the regional system.
- **I-205 Traffic** – Assesses the extent to which tolling changes the volume of vehicles using I-205 by estimating the change in vehicular throughput between Stafford Road and OR 213. Tolling is expected to decrease daily vehicle volume and improve traffic flow on I-205.
- **Diversion Effects** – Assesses the extent to which drivers avoid the toll by either switching their travel mode or switching their route. Modal switch is assessed in terms of trips shifted from single-occupancy vehicles (SOV) to high-occupancy vehicles (HOV), transit, and active modes like biking or walking. Rerouting is assessed by changes in travel volume on various regional roadways and facilities and communities near the alternatives. While shifts in mode are generally small and consistent across all alternatives, the location of rerouting effects can vary substantially between alternatives.
- **Cost and Revenue** – Assesses the net revenue potential after accounting for operations and maintenance costs, and capital costs. Alternatives are assessed relative to one another with values, indexed to Alternative 1 as it represents the original recommendation from the Value Pricing Feasibility Analysis. All alternatives were developed with the intention of generating similar net revenues.
- **Implementation Criteria** – Assesses various issues associated with implementation of tolling including difficulty of implementation, scalability to a regional tolling system, flexibility for managing traffic operations, and eligibility under federal tolling authorization

programs. Unlike the other evaluation criteria and performance measures, this assessment was qualitative in nature.

Table 1: Assessment of Alternatives by Performance Measure

Evaluation Category	Performance Measure Assessment	Alt 1 & ALT 2	Alt 3	Alt 4	Alt 5
Transportation System Demand	Reduce VMT on freeways and non-freeways	○	○	○	○
	Reduce VHT on freeways and non-freeways.	◐	○	○	◑
I-205 Traffic	Higher vehicle throughput on I-205 segments between Stafford Road and OR 213	○	○	◐	◑
Diversion Effects	Person-trips shifting away from SOV travel to other modes (e.g., HOV, transit, active)	○	○	○	○
	Limit increased traffic due to rerouting on non-tolled regional roads	○	○	○	◑
	Limit increased traffic due to rerouting on local and adjacent roadways	◐	○	○	○
Cost and Revenue	Higher net toll revenue (adjusted gross toll revenue collected less operations and maintenance costs)	◐	◑	●	○
	Lower capital costs for physical toll infrastructure and procuring toll vendor services	◑	○	◐	○
Implementation and Operations	Difficulty of implementation	◑	◑	○	○
	Flexibility for managing traffic operations	◐	◑	●	○
	Scalability to a future regional tolling system	○	◑	●	○
	Eligibility under federal tolling authorization programs	◑	◑	○	○

Substantially worse outcomes than other alternatives ○	Worse outcomes than other alternatives ◐	Average or typical outcomes among alternatives ○	Better outcomes than other alternatives ◑	Substantially better outcomes than other alternatives ●
---	---	---	--	--

Recommendations

Federal tolling authority is provided under Title 23, Section 129 of the U.S. Code, and projects that are eligible under this code provide greater certainty of implementation because no further approvals are required. Alternatives 1, 2, and 3 are likely eligible under Section 129. It is possible that neither Alternative 4 nor 5 would be eligible under Section 129 and that federal tolling authority would instead be required under the Value Pricing Pilot Program (VPPP). The VPPP allows for a wider range of configurations but requires discretionary approval of the U.S. Secretary of Transportation and entails a significant amount of uncertainty regarding when approval can be expected. Advancing at least one alternative that is eligible under Section 129 federal tolling authority is recommended.

Alternative 3 and Alternative 4 are **recommended** for advancement. Both effectively manage traffic on I-205 while generating revenue. While these alternatives do result in rerouting from vehicles avoiding the toll, the rerouted traffic would be distributed along the I-205 corridor so that no one particular facility or community receives the full impact. Because it has more tolled segments, Alternative 4 offers added flexibility in terms of using variable toll rates to manage traffic on I-205 while limiting rerouting effects. Both alternatives can be readily scaled to other regional facilities.

Alternatives 1 and 2 are **not recommended**. Both would result in significant traffic increases in Downtown Oregon City, on the Oregon City Arch Bridge, and near the OR 43 interchange with I-205 as a result of traffic rerouting to avoid a toll. Furthermore, these alternatives would be less effective at managing traffic along I-205 beyond the Abernethy Bridge.

Alternative 5 is **not recommended**. While the single-zone toll approach of this alternative would be effective at limiting rerouting of through trips on I-205, it would not be as effective at managing traffic patterns for trips entering and exiting I-205 near the tolled zone and would potentially result in concentrated rerouting effects. Because there would be one toll rate for all trips regardless of distance travelled, the alternative would have limited flexibility to manage traffic operations and would be difficult to scale to other facilities in the region as currently structured.

Limitations

The initial recommendations above are intended for ODOT consideration. To date, the technical evaluation and recommendations have not been reviewed by technical working groups or agency stakeholders.

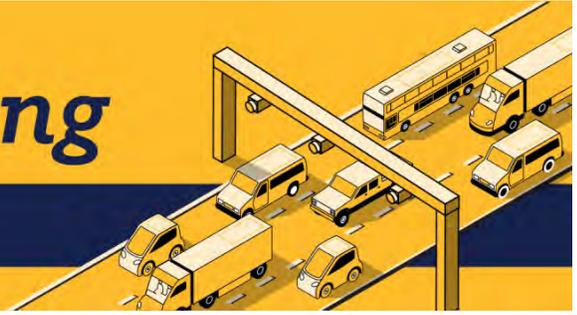
The technical analysis is focused on comparison of the alternatives against one another using a limited set of evaluation criteria that do not fully assess the potential impacts the I-205 Toll Project. Full consideration of environmental and social impacts will be assessed in the NEPA analysis.

The analysis relies heavily on outputs from the Metro regional travel demand model for 2027 scenarios. The technical analysis tools, models, and assumptions are expected to be refined to better assess local impacts and a wider range of performance measure in the NEPA analysis.

DRAFT

I-5 and I-205 Tolling

Frequently Asked Questions



February 2020

Q. Why is Oregon considering tolling I-5 and I-205 highways?

A. In 2017, the Oregon Legislature approved House Bill 2017, known as Keep Oregon Moving. This bill committed hundreds of millions of dollars to projects that will address congestion and improve the transportation system statewide. HB 2017 funded bottleneck relief highway projects, freight rail, transit improvements and bicycle and pedestrian facilities. The bill also directed the Oregon Transportation Commission to pursue and implement tolling I-5 and I-205 in the Portland Metro region to provide additional traffic management tools to further manage congestion.

Q. What problem will tolling help address?

A. Tolling will address traffic congestion and mobility challenges in our region. Congestion impacts the economy through delayed movement of goods and services, and compromises reliability and travel time predictability for employers and employees. I-5 and I-205 carry the highest freight volume in the region and these major freight routes experience the highest level of congestion and unreliable travel time. Commuters, business travelers, freight haulers and others now struggle to plan consistent departure and arrival times. From 2015 to 2017 the population grew by 80,000 in the Portland region and drivers experienced a 13 percent increase in the hours of congestion. With projected population growth in the region, congestion will continue to grow. Tolling can help manage how this growth affects our transportation system.

Q. How will tolls help relieve congestion?

A. The use of variable rate tolls manages traffic flow and improves roadway efficiency by charging a higher price during peak traffic periods. The higher fee encourages some drivers to consider using other travel options, such as carpools or transit, or change their travel time to other, less congested times of the day. A small reduction in the number of vehicles on a road can significantly improve travel flow.

Q. What is the objective of variable rate tolling in the Portland Metro Area?

A. The purpose of tolling I-5 and I-205 is to reduce traffic congestion and improve mobility for the region, especially for the trips that depend on the freeway for regional and longer distance travel. Project objectives also include creating a revenue source to help fund bottleneck relief projects. The State of Oregon is exploring tolling as part of a comprehensive approach to better manage congestion in the tri-county metropolitan area.

Q. What is variable rate tolling or congestion pricing?

A. The term variable rate tolling or congestion pricing describes a type of tolling that aims to improve mobility, travel times and reliability by charging a higher price during peak traffic periods. The higher fee, typically implemented along with transit improvements, encourages some drivers to consider using other travel options such as carpools or transit, or change their travel time to other, less congested times of the day. If a small percentage of highway users choose another mode of travel or time of travel it can reduce traffic congestion for those who can't modify their trip and improve traffic flow for the entire system. Congestion pricing is a proven tool to manage congestion with approximately 40 pricing projects in operation across the country.

Q. Where are the proposed tolling locations in Oregon?

A. In 2018, regional stakeholders, agency partners, and the public explored options for tolling as part of a feasibility analysis. The early analysis identified two segments for further evaluation:

- I-5 through central Portland: Tolling a seven-mile section would reduce congestion and provide travel time savings in one of the most severely congested corridors in the Portland metro area.
- I-205 on or around the Abernethy Bridge in Clackamas County: Tolling this area could ease congestion and serve as a funding strategy for the planned widening and seismic strengthening of I-205 between Stafford Road and OR 213, including the Abernethy Bridge.

Further analysis is being conducted now to evaluate these segments and to determine the start and end points of tolling on I-5 and I-205.

Q. Why did the process begin on I-5 and I-205?

A. The Oregon Legislature designated I-5 and I-205 for the first study because they are the primary corridors for moving traded goods north and south through Oregon. Managing traffic congestion and mobility through tolling on these highways may result in the most benefit to the most travelers in the region as well as the statewide economy.

Q. When will tolls be implemented?

A. We are starting an environmental review and analysis for I-205 tolling in early 2020, with a final decision expected in 2022. Tolls could be implemented on I-205 as early as 2023. For I-5, we are initiating additional traffic and mobility analysis that will help identify where tolling would begin and end. We anticipate completing this initial analysis by 2021; the results of this analysis will inform the starting timeframe and alternatives for a formal environmental review process.

Q. Will other Portland area highways be considered for tolling?

A. During the feasibility analysis, we frequently heard from stakeholders and the public an interest in considering tolling on the rest of the regional system. The OTC has expressed an interest in exploring further pricing locations. Such analysis would build on the continued work on I-5 and I-205.

There are other separate efforts to explore congestion pricing in the Portland metro region. Metro is leading a regional congestion pricing technical study to evaluate different regional pricing scenarios and the [City of Portland](#) has a Pricing Options for Equitable Mobility project and convened a community task force to consider pricing options for equitable mobility.

Q. How are you addressing potential impacts to low-income communities and communities of color from tolling?

We will engage low-income communities and communities of color to better understand community needs and concerns. We are working with local and national equity leaders to create a framework for development of the tolling projects that result in benefits for communities that have traditionally been disproportionately negatively impacted by transportation decisions. An Equity and Mobility Advisory Committee (EMAC) will start work in 2020 to help identify strategies to improve outcomes and access to travel choices for all demographics.

We will explore equitable strategies used in other parts of the country, including reduced or free transponders, cash payment options for un-banked individuals, rebates or discounts for different income levels, and integrating benefits between travel modes, such as transit passes that accumulate toll credits. Community engagement and the EMAC will provide critical input to these strategies.

Q. With tolling, will congestion be worse for nearby neighborhoods?

A. Rerouting onto non-tolled surface streets could take place with drivers looking to avoid a toll. We also know that some drivers currently reroute to neighborhood streets to avoid congestion. As freeway travel becomes more reliable, and transit service more accessible, a positive result of variable rate tolling would be to reduce existing rerouting. Overall, the objective of variable rate tolling is to improve mobility by managing the freeway for freight and longer-distance trips so that surface streets can better serve shorter, local trips. The next phase of work will include additional analysis of rerouting and explore solutions in partnership with local agencies and governments.

Q. How much will the tolls cost?

A. Neither the price of tolls nor the exact times of day tolls may be in place have been determined. Those decisions will be based on a variety of factors and policy decisions considered in project development.

Q. Will there be toll booths to collect fees?

A. No. Fees would be collected electronically so drivers do not have to stop. There are different methods used in tolling systems throughout the world, including the use of transponders, a device that collects fees electronically as you drive, and license plate recognition technology. The most appropriate technology for the Portland metropolitan area will be determined at a later stage. Options for individuals without bank accounts will be studied to provide access to all.

Q. How will ODOT use the revenue collected through tolling?

A. The Keep Oregon Moving legislation (House Bill 2017) established a Congestion Relief Fund within the State Highway Fund, which would receive any net proceeds from tolling. Revenues from the Congestion Relief Fund would be spent on roadway projects, which could include travel lanes, bicycle and pedestrian facilities, or some transit improvements in or along the roadway, such as enhanced transit stops.

Q. Will out-of-state residents have to pay tolls in Oregon?

A. The tolling projects being considered would apply to all drivers who use the highways during tolled periods, regardless of the state of residence, just as it is on other tolled facilities around the world.

Q. How can I be involved and have my say?

A. We want to ensure that many perspectives are heard to inform the development of both tolling projects. We will engage the public through events, questionnaires, open houses, advisory committees and working groups. To stay involved visit www.oregontolling.org to sign up to receive project notifications or provide comments. Questions can be submitted at any time to the ODOT project team at oregontolling@odot.state.or.us.

Q. Where can I obtain up-to-date information and provide comments about tolling?

A. The latest information about the tolling projects is posted on the project website at www.oregontolling.org.

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

Если вы хотите чтобы информация об этом проекте была переведена на русский язык, пожалуйста, звоните по телефону 503-731-4128.

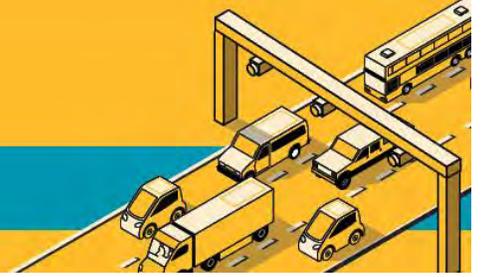
如果您想瞭解這個項目，我們有提供繁體中文翻譯，請致電：503-731-4128。

如果您想了解这个项目，我们有提供简体中文翻译，请致电：503-731-4128。

For Americans with Disabilities Act or Civil Rights Title VI accommodations, translation/interpretation services, or more information call 503-731-4128, TTY (800) 735-2900 or Oregon Relay Service 7-1-1.

I-205 Toll Project

MEMORANDUM



Date July 15, 2020
To Lucinda Broussard
From Sine Madden, Jennifer Rabby, and Environmental Discipline Leads
Subject Evaluation Performance Measures for Reporting Impacts in the NEPA Analysis – DRAFT
CC

The purpose of this memo is to communicate to our Agency Partners and others the performance measures that will be used in the comprehensive analysis of impacts that will be evaluated in the NEPA analysis for the I-205 Toll Project. The tables below provide a preliminary list of the performance measures planned to be evaluated as part of the I-205 Toll Project's NEPA analysis. The performance measures will be used to compare and disclose the impacts and benefits of the different alternatives studied in the NEPA document. Some performance measures will be reported quantitatively, while others will be qualitative.

Some of the performance measures inform the Project goals and objectives; however, there are numerous additional performance measures that will be reported on as part of the analysis. Table 1 identifies the performance measures that relate to the goals and objectives and Table 2 identifies the additional performance measures. Both tables identify which environmental discipline will analyze and report on each performance measure.

Table 1: Goals, Objectives, and Performance Measures

Goal	Objective	Performance Measure(s)	Environmental Discipline(s)
Provide equitable benefits for all users	Acknowledge and consider populations who use or live near the segment of I-205 between Stafford Road and OR 213 and have been historically and currently underserved and underrepresented or negatively impacted by transportation projects	Identify environmental justice populations and historically and currently underrepresented and underserved communities located near roadways affected by vehicle rerouting	Environmental Justice
	Engage people from historically and currently underserved and underrepresented communities to participate throughout the project design, development, implementation, monitoring, and evaluation processes	Documented engagement of people from historically and currently underserved and underrepresented communities	Environmental Justice

DRAFT Memo: Performance Measures for Reporting Impacts in the NEPA Analysis
July 15, 2020

Goal	Objective	Performance Measure(s)	Environmental Discipline(s)
	Maximize benefits and minimize burdens to historically and currently underserved and underrepresented communities	Disproportionate impacts from negative rerouting to environmental justice populations and historically and currently underrepresented and underserved communities	Environmental Justice
		Change in vehicle operating costs in the Portland metro area	Economics
		Change in travel costs as a percentage of household income	Environmental Justice Economics
	Provide equitable and reliable access to job centers and other important community places, such as grocery stores, schools, and gathering places	Vehicle travel time savings based on geographic area	Transportation Social Resources & Communities Economics Environmental Justice
		Change in access to jobs: share of regional jobs accessible within 30-minute drive	Transportation Social Resources & Communities Economics Environmental Justice
		Change in access to community resources located near roadways affected by vehicle rerouting	Social Resources & Communities Environmental Justice
	Support equitable and reliable access to health promoting activities (e.g. parks, trails, recreation areas) and health care facilities	Change in access to health promoting activities and health care facilities within 30-minute drive	Social Resources & Communities Environmental Justice Parks/ Recreation/ Section 4(f)/6(f)
Limit additional traffic diversion from I-205 to	Design toll system to limit rerouting from tolling	Change in level of rerouting	Transportation
		Change in average weekday daily traffic on selected major roadways	Transportation

DRAFT Memo: Performance Measures for Reporting Impacts in the NEPA Analysis
July 15, 2020

Goal	Objective	Performance Measure(s)	Environmental Discipline(s)
adjacent roads and neighborhoods	Design toll system to minimize additional noise impacts from traffic rerouting	Change in number of sensitive noise receptors experiencing an increase in noise levels	Noise
Support safe travel regardless of mode of transportation	Enhance vehicle safety on I-205 by reducing congested conditions Ensure multi-modal travel (e.g. transit, walk, bike) does not become less safe on local roadways affected by tolling on I-205	Change in roadway safety conditions (i.e., expected change in crashes)	Transportation
Improve air quality and reduce contributions to climate change effects	Reduce vehicle air pollutants and greenhouse gas emissions through improved travel efficiency Reduce localized air pollutants through reduced congestion and improved travel efficiency, particularly in community areas where pollutants are concentrated	Change in regional vehicle emissions (e.g. Mobile Source Air Toxics (MSATs) emissions)	Air/Energy and Greenhouse Gases (GHG) Economics
Support multi-modal transportation choices	Support shifts to higher occupancy vehicles (including carpooling) and other modes of transportation (transit, walk, bike, telework)	Change in regional person trips by mode	Transportation
	Collaborate with transit providers to enhance availability and access to transit service in underserved and underrepresented areas along the tolled segment of the I-205 corridor	Adequacy of transit service on roadways adjacent to I-205 between Stafford Road and OR 213	Transportation (Transit/Multimodal)
		Change in transit ridership on roadways adjacent to I-205 between Stafford Road and OR 213	Transportation (Transit/Multimodal)
		Availability of bicycle infrastructure on roadways adjacent to I-205 between Stafford Road and OR 213	Transportation (Transit/Multimodal)
		Availability of pedestrian infrastructure on roadways adjacent to I-205 between Stafford Road and OR 213	Transportation Economics
		Change to transit travel time on roadways adjacent to I-205 between Stafford Road and OR 213	Transportation (Transit/Multimodal)
Support regional economic growth	Provide for reliable and efficient movement of goods and people through the I-205 corridor	Change in vehicle throughput on I-205 between Stafford Road and OR 213	Transportation

DRAFT Memo: Performance Measures for Reporting Impacts in the NEPA Analysis
July 15, 2020

Goal	Objective	Performance Measure(s)	Environmental Discipline(s)
		Change in person and freight truck throughput on I-205 between Stafford Road and OR 213	Transportation
		Value of travel time savings: overall and for environmental justice communities	Transportation Environmental Justice
Support travel demand management	Design toll system to improve efficient use of roadway infrastructure and improve travel reliability	Change in vehicle miles traveled (VMT) in the study area, for freeway and non-freeway travel	Transportation
		Change in regional person trips by mode	Transportation
		Change in peak period vehicle trips in the study area	Transportation
Maximize integration with future toll systems	Design a toll system that can be expanded in scale, integrated with tolling on other roadways, or adapted to future toll system applications	Potential to expand the toll system to other regional roadways based on expert judgement	Transportation
Maximize interoperability with other transportation systems	Design a toll system that is interoperable with other transportation systems (e.g. transit, parking, Road User Charge (RUC) OReGO Program, etc.) in the region	Potential to integrate the toll system with other transportation systems (transit, parking, RUC, etc.)	Transportation

Table 2. Other Performance Measures that Will Be Evaluated

Performance Measure(s)	Environmental Disciplines(s)
Impacts from (current or new) traffic diversion on identified business concentrations in the study area	Economics
Changes in economic conditions (employment, labor income, economic activity) from project construction	Economics
Changes in economic conditions (employment, labor income, economic activity) from collection and use of toll revenue	Economics
Change in reliability, travel times, and travel costs for freight users	Economics
Monetary value of changes in travel time, VMT, safety, emissions, noise	Economics
Number of contaminated sites (low, medium, and high risk) disturbed by project constructed	Hazardous Materials
Number, type, and location of historic properties (including archaeological sites) directly impacted by the project	Historic/Archeologic

DRAFT Memo: Performance Measures for Reporting Impacts in the NEPA Analysis
July 15, 2020

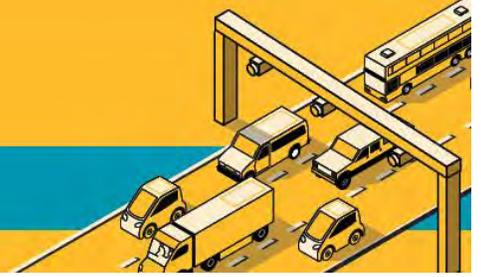
Number, type, and location of historic properties (including archaeological sites) indirectly impacted by the project	Historic/Archeologic
Land area by type (vacant, open space, right-of-way) converted (temporary and permanent) from non-transportation uses to transportation improvements	Land Use
Change in land use character and potential for changes to future development patterns as a result of the Project	Land Use Utilities
Change in access (temporary and permanent) as a result of the Project	Land Use
Number of sensitive noise receptors experiencing noise levels that reach the ODOT Noise Abatement Approach Criteria	Noise
Number of sensitive noise receptors experiencing noise levels that reach the ODOT Substantial Increase (10 dBA over existing noise levels)	Noise
Anticipated construction noise levels and duration of construction noise at sensitive noise receptors	Noise
Distance of noise impact contour from future project alignment to undeveloped properties	Noise
Change in quality of life and community cohesion	Social Resources & Communities
Area of ground disturbance for project construction	Soils & Geology
Physical changes to park and recreation resources	Parks/Recreation/ Section 4(f)/6(f)
Changes to access to park and recreation resources located near roadways affected by vehicle rerouting	Parks/Recreation/ Section 4(f)/6(f)
Change in average weekday daily traffic volume on selected major roadways	Transportation
Change in intersection volume-to-capacity (v/c) ratios, level of service (LOS), delay and queuing	Transportation
Changes in vehicle queuing and LOS on I-205 between Stafford Road and OR 213	Transportation
Change in travel time reliability and hours of congestion on I-205 between Stafford Road and OR 213	Transportation
Change in regional vehicle hours traveled (VHT) for freeway and non-freeway travel	Transportation
Gross toll revenue (less estimated revenue leakage in 2027)	Transportation
Relative effort associated with implementation	Transportation
Ability to react to differing traffic conditions in the Project vicinity	Transportation
Eligibility under current federal tolling authority	Transportation
Adjusted gross toll revenue collected less toll O&M costs and highway O&M costs	Transportation
Capital costs associated with implementing the physical toll infrastructure and procuring toll vendor services	Transportation
Costs associated with physical tolling infrastructure including (but not limited to): gantries, equipment cabinets, cameras, fixed signage, dynamic message signs, and telecommunications infrastructure as well as procurement of vendor services and vendor transition on a periodic basis	Transportation

DRAFT Memo: Performance Measures for Reporting Impacts in the NEPA Analysis
July 15, 2020

Cost associated with toll collections including (but not limited to): banking fees for credit card transactions, toll equipment maintenance, back-office systems support, customer service center operations, ODOT and consultant staffing, and administrative costs	Transportation
Simplified multimodal level of service (MMLOS) for bicyclists on select roadways within the study area	Transportation (Transit/ Multimodal)
Simplified MMLOS for pedestrians on select roadways within the study area	Transportation (Transit/ Multimodal)
Simplified MMLOS for transit users on select roadways within the study area	Transportation (Transit/ Multimodal)
Utility relocations required due to Project construction	Utilities
Temporary disruptions to existing electrical and communication services during construction when new utility connections for the tolling equipment are established	Utilities
New utility lines/connections (electrical and communications) required to operate tolling equipment	Utilities
Acres of vegetation (habitat) disturbed	Vegetation, Wildlife, and Aquatic Species
Change in visual quality resulting from installation of toll gantries	Visual
Acres of wetlands/waters disturbed	Wetlands and Water Resources

I-205 Toll Project

PURPOSE AND NEED STATEMENT



Draft 7/15/2020

INTRODUCTION

In 2016, the Governor's Transportation Vision Panel held a series of regional forums across the state to better understand how the transportation system affects local economies. The negative effect of congestion in the Portland metro area was consistently identified as one of three key themes across Oregon. Congestion in the Portland metropolitan region affects commuters and businesses, as well as producers who move their products across the state.

In response to the input from stakeholders across the state, House Bill (HB) 2017 Section 120 directed the Oregon Transportation Commission (OTC) to seek approval from the Federal Highway Administration (FHWA) to develop a congestion relief fund and implement tolling (also referred to as value pricing or congestion pricing) on the Interstate 5 (I-5) and Interstate 205 (I-205) corridors to reduce traffic congestion in the Portland metro area.

In 2018, the OTC and the Oregon Department of Transportation (ODOT) conducted the Portland Metro Area Value Pricing Feasibility Analysis to study how and where congestion pricing could be applied. Substantial public input and a Policy Advisory Committee informed the final recommendations. For I-205, the Policy Advisory Committee recommended implementing tolls on all lanes of I-205 on or near the Abernethy Bridge as a potential funding strategy and for congestion management. In December of 2018, the OTC submitted a proposal to the Federal Highway Administration outlining the findings of the feasibility analysis and seeking approval to continue the process of implementing tolls on I-5 and I-205 (ODOT 2018a). In January 2019, FHWA provided guidance to move into the next phase of evaluation and study (FHWA 2019).

PURPOSE

The purpose of the I-205 Toll Project is to manage congestion on I-205 between Stafford Road and Oregon Route 213 (OR 213) and raise revenue to fund congestion relief projects through the application of variable-rate tolls.¹

NEED FOR THE PROPOSED ACTION

Traffic congestion results in unreliable travel

A 3.3 percent population increase in the Portland metro area from 2015 to 2017 and strong economic growth during these years resulted in a 20.1 percent increase in vehicle hours of delay

¹ Variable-rate tolls are user fees that vary in amount based on certain conditions (e.g. time of day, day of the week, direction of travel). Variable-rate tolls can occur on a fixed schedule that is known to travelers.

and 13.4 percent increase in hours of congestion on the highway and regional corridor system. Daily vehicle hours of delay for I-205 increased by 25 percent in each direction from 2015 to 2017, indicating that the extent and duration of congestion in the corridor continues to increase and that travel continues to become less and less reliable (ODOT 2018b).

In 2018 more than 100,000 vehicles used the section of I-205 between Stafford Road and OR 213 each day (ODOT 2019). Northbound I-205 from I-5 to the Abernethy Bridge has been identified as one of the region's top recurring bottlenecks during the evening commute. In 2017 this section of I-205 experienced 3.5 hours of congestion in the evening, from 2:45 p.m. to 6:15 p.m. Southbound I-205 from OR 212 to the Abernethy Bridge experienced over 3 hours of congestion in the morning from 6:00 a.m. to 9:15 a.m. (ODOT 2018b). In total, the section of I-205 between Stafford Road and OR 213 experienced approximately 6.75 hours of congestion daily.²

The population of the Portland metro region is expected to grow from 2.5 million residents in 2018 to over 3 million in 2040 (23 percent) and over 3.5 million in 2060 (43 percent), further exacerbating existing congestion problems (Census Reporter 2018; Metro 2016b).

Traffic congestion impacts freight movement

Movement of people and goods is critical to support a growing economy. Freight tonnage in the Portland region is expected to double by 2040, with 75 percent of total freight tonnage moved by truck (Metro 2018). I-205 is a designated north-south interstate freight route in a roadway network that links Canada, Mexico and major ports along the Pacific Ocean. Trucks represent 6 to 9 percent of total traffic on I-205 (ODOT 2018b).

Congestion on I-205 affects the ability to deliver goods on time, which results in increased costs and uncertainty for businesses. The cost of congestion on I-205 increased by 24 percent between 2015 and 2017, increasing to nearly half a million dollars each day in 2017 (ODOT 2018b). Increasing congestion and demand for goods will result in more delay, costs, and uncertainty for all businesses that rely on I-205 for freight movement.

Traffic congestion contributes to climate change

Greenhouse gas emissions from cars and trucks have been rising since 2013 and represented 39 percent of total statewide emissions in 2016 (Oregon Global Warming Commission 2018). Idling vehicles sitting in congestion conditions contribute to these emissions. In March 2020, the Governor signed an executive order to reduce greenhouse gas emissions 45 percent below 1990 levels by 2035 and 80 percent below 1990 levels by 2050.

Critical congestion relief projects need construction funding

Available funding for transportation has not kept pace with the cost of maintaining our transportation system or the cost of construction of new transportation and congestion relief

² The coronavirus pandemic (COVID-19) has dramatically altered current traffic levels. Future traffic volumes on I-205 are unknown, but as the risks of COVID-19 are reduced, traffic congestion is expected to return.

Draft Purpose and Need Statement
7/15/2020

projects. ODOT revenue comes from a mix of federal and state sources, including fuels taxes, taxes on heavy vehicles, and driver and vehicle licensing and registration fees. The federal gas tax has not been adjusted since October of 1993 and the share of federal contributions to state transportation projects has greatly decreased. On the state level, escalating expenditures to maintain aging infrastructure, the need to perform seismic upgrades for state's bridges, and rising construction costs have greatly increased financial needs.

Compounding this problem is a substantial increase in travel demand as the state experiences strong population growth, particularly in the Portland metro area. ODOT must explore every possible method for getting the most out of its existing infrastructure, funding congestion relief projects to ease congestion, and planning for increased earthquake resiliency. ODOT has identified the I-205 Improvements Stafford Road to OR 213 Project as part of the strategy to improve mobility on I-205 and seismically upgrade the Abernethy Bridge. The project is included in the 2018 Region Transportation Plan and is expected to benefit the Portland metro region and the state. The I-205 Improvements Project and the I-205 Toll Project have independent utility, as either one could be implemented independent of the other project; both have logical termini; and neither restrict consideration of alternatives for future transportation improvements. The I-205 Improvements Project has already received NEPA clearance and is in the process of obtaining permits; however, there is currently no funding source identified for construction of this project. Tolls collected on I-205 are anticipated to be used to fund congestion relief projects in the corridor, including, but not limited to, the I-205 Improvements Project.^{3, 4}

GOALS AND OBJECTIVES

Project goals and objectives are desirable outcomes of the project beyond the purpose and need statement. The following goals and objectives reflect input collected from the Value Pricing Feasibility Analysis Policy Advisory Committee, partner agencies, the Project equity team, and other Project stakeholders; these goals and objectives will be considered when comparing alternatives.

- Goal: Provide equitable benefits for all users
 - Acknowledge and consider populations who use or live near the segment of I-205 between Stafford Road and OR 213 and have been historically underserved and underrepresented or negatively impacted by transportation projects
 - Engage people from historically underserved communities to participate throughout the project design, development, implementation, monitoring, and evaluation processes

³ Net toll revenue for capital projects represents the available cash flow from tolling after covering an allowance for revenue leakage, the costs of toll collection operations and maintenance (O&M), and the costs of roadway facility O&M. Net toll revenues may be used to pay for capital improvement directly and/or they may be used to pay the principal and interest on borrowed (financed) funds.

⁴ HB 2017 established a Congestion Relief Fund which would receive any net proceeds from tolling. The Oregon Constitution (Article IX, Section 3a) specifies that revenues collected from the use or operation of motor vehicles is spent on roadway projects, which could include construction or reconstruction of travel lanes, as well as bicycle and pedestrian facilities or transit improvements in or along the roadway.

Draft Purpose and Need Statement
7/15/2020

- Maximize benefits and minimize burdens to historically underserved and underrepresented communities
- Provide equitable and reliable access to job centers and other important community places, such as grocery stores, schools, and gathering places
- Support equitable and reliable access to health promoting activities (e.g. parks, trails, recreation areas) and health care facilities
- Goal: Limit additional traffic diversion from I-205 to adjacent roads and neighborhoods
 - Design toll system to limit rerouting from tolling
 - Design toll system to minimize additional noise impacts from traffic rerouting
- Goal: Support safe travel regardless of mode of transportation
 - Enhance vehicle safety on I-205 by reducing congested conditions
 - Ensure multi-modal travel (e.g. pedestrians, bicycles, and transit) does not become less safe on local roadways affected by tolling on I-205
- Goal: Improve air quality and reduce contributions to climate change effects
 - Reduce vehicle air pollutants and greenhouse gas emissions through improved travel efficiency
 - Reduce localized air pollutants through reduced congestion and improved travel efficiency, particularly in community areas where pollutants are concentrated
- Goal: Support multi-modal transportation choices
 - Support shifts to higher occupancy vehicles (including carpooling) and other modes of transportation (transit, walk, bike, telework)
 - Collaborate with transit providers to enhance availability and access to transit service in underserved and underrepresented areas along the tolled segment of the I-205 corridor
- Goal: Support regional economic growth
 - Provide for reliable and efficient movement of goods and people through the I-205 corridor
- Goal: Support travel demand management
 - Design toll system to improve efficient use of roadway infrastructure and improve travel reliability
- Goal: Maximize integration with future toll systems
 - Design a toll system that can be expanded in scale, integrated with tolling on other regional roadways, or adapted to future toll system applications
- Goal: Maximize interoperability with other transportation systems
 - Design a toll system that is interoperable with other transportation systems (e.g. transit, parking, etc.) in the region

REFERENCES

- Census Reporter. 2018. Portland-Vancouver-Hillsboro, OR-WA Metro Area. <https://censusreporter.org/profiles/31000US38900-portland-vancouver-hillsboro-or-wa-metro-area/>. Accessed February 4, 2020.
- Federal Highway Administration (FHWA). 2019. Letter to Oregon Transportation Commission and Oregon Department of Transportation from Phillip A. Ditzler, FHWA Division Administrator. January 8, 2019.
- Metro. 2018. Regional Freight Strategy. <https://www.oregonmetro.gov/sites/default/files/2019/09/20/Regional-Freight-Strategy-FINAL-091919.pdf>. Accessed February 3, 2020.
- Metro. 2016a. 2040 distributed population and household forecasts. <https://www.oregonmetro.gov/sites/default/files/2017/03/08/2040-regional-population-housing-forecast-by-city-county.pdf>. Accessed February 4, 2020.
- Metro. 2016b. Population Forecast to 2060. <https://www.oregonmetro.gov/2060-growth-forecast>. Accessed February 4, 2020.
- Oregon Department of Transportation (ODOT). 2019. 2018 Transportation Volume Tables. https://www.oregon.gov/ODOT/Data/Documents/TVT_complete_2018.pdf. Accessed February 3, 2020.
- Oregon Department of Transportation (ODOT). 2018a. Oregon Application to FHWA: Value Pricing Feasibility Analysis and Proposed Implementation. https://www.oregon.gov/odot/tolling/ResourcesHistory/VP%20Final_FHWAApplication_Draft.pdf. Accessed June 17, 2020.
- Oregon Department of Transportation (ODOT). 2018b. Portland Region 2018 Traffic Performance Report. <https://www.oregon.gov/ODOT/Projects/Project%20Documents/2018TrafficPerformanceReport.pdf>. Accessed February 3, 2020.
- Oregon Department of Transportation (ODOT). 2013. State Highway Freight System. https://www.oregon.gov/ODOT/Data/Documents/Freight_System.pdf. Accessed February 3, 2020.
- Oregon Department of Transportation (ODOT). 2012. Seismic Lifelines Evaluation, Vulnerability Synthesis, and Identification. <https://www.oregon.gov/ODOT/Planning/Documents/Seismic-Lifelines-Evaluation-Vulnerability-Synthese-Identification.pdf>. Accessed February 3, 2020.

Draft Purpose and Need Statement
7/15/2020

Oregon Global Warming Commission. 2018. 2018 Biennial Report to the Legislature for the 2019 Legislative Session. <https://www.keeporegoncool.org/reports/> Accessed May 14, 2020.

Oregon State Legislature. 2017. House Bill 2017.
<https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2017/Enrolled>
Accessed June 16, 2020.

DRAFT



Public Services Building
2051 Kaen Road
Oregon City, OR 97045
503-655-8581

August 13, 2020

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: I-205 NEPA Alternatives Comment Period, August 3 to September 16, 2020

Dear Director Broussard:

On behalf of the Clackamas County Coordinating Committee (C4), we respectfully submit our comments on the identified Purpose and Need of ODOT's I-205 Toll Project and the alternatives that will be advanced through the project's National Environmental Policy Act (NEPA) analysis.

To begin, thank you for your inclusive involvement with local stakeholders since the inception of the newly formed ODOT Toll Program office. As you have likely discerned from your numerous meetings with C4 and a variety of cities and stakeholders, our communities recognize the importance of I-205 for Clackamas County and all of northern Oregon and are passionately concerned about the impacts anticipated from the proposed tolling of I-205 through Clackamas County.

As ODOT begins the process of developing this toll project on I-205 we have three overarching concerns regarding this project.

First, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated. After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Clackamas County question why it is necessary that this project be tolled. The communities of Clackamas County request that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding.

Second, we request the OTC clarify its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to major highway improvements in the region, including this I-205 improvement as well as other proposed improvements on I-5, I-84, I-405, and OR 217. Our hope is for this analysis to either clarify or alleviate the growing concern that tolls will not be imposed to pay for other major highway improvements elsewhere in the Portland region and in Oregon, leaving Clackamas County businesses and residents to shoulder a major share of the cost of this improvement to the state highway system.

Promoting partnership among the County, its Cities and Special Districts

Third, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation, and urge that toll revenue generated in a project area should remain in that project area. Based on recent comments from ODOT tolling staff we understand that their intent at the August 13th OTC meeting is to seek policy direction to ensure that toll revenue collected in the corridor remains in the corridor. We strongly support ODOT staff's intention and the concept that the toll revenue collected in a corridor should remain in that corridor.

Despite our expressed concerns with tolling as a policy for funding major transportation improvements, we recognize that ODOT is mandated to advance this project. Therefore, it is our intention to provide comments that will reduce the impacts and result in maximum benefit for Clackamas County, the Portland region, and the State of Oregon. What follows is a list of comments that we believe will improve the alternatives ODOT advances for consideration under a NEPA analysis. As a coordinating committee, we are providing comments of concern to our membership, with an understanding that many within our committee will provide additional comments detailing the local impacts for their communities and businesses. Each member of C4 has their own story to tell with respect to this project. The comments included below apply broadly and are collective in nature.

1. The 2027 travel demand modeling used to select alternatives fails to adequately account for the long-term impacts of tolling on the surrounding communities. We request that ODOT use Metro's 2040 travel demand model to assess the long-term re-routing of traffic that will result from the implementation of tolling on this segment of I-205 and impact our communities.
2. We request that ODOT seek to understand both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be impacted by traffic re-routing from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213.
3. We request that ODOT analyze the following alternatives in the Environmental Assessment:
 - A. The No-Build alternative should be identified as the full 6-lane improvement to I-205 without tolling. This alternative provides the best baseline to determine the impacts of the tolling alternatives.
 - B. The following alternatives from the “I-205 Toll Project Comparison of Screening Alternatives”: Alternative #3, Alternative #4, and Alternative #5.
 - C. An alternative in which the OR 43 Arch Bridge is restricted to bike/ped modes only.
 - D. An alternative in which the existing OR 43 Arch Bridge is restricted to bike/ped modes only and a new vehicle bridge across the Willamette River between Oregon City and West Linn is added with sufficient capacity for forecasted 2050 traffic volumes.
 - E. An alternative in which the tolled area of I-205 extends from a location west of the Stafford Rd interchange to a location north of the OR 212 interchange.
 - F. For each of the above, we request that a version of the alternative be modeled in which equivalent tolls are implemented on I-5 in Portland and I-205 in Clackamas County as was

recommended in the 2018 Value Pricing Feasibility Study, and also a version in which only I-205 is modeled.

4. We also request that ODOT quantify the impacts of traffic re-routing on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. We believe that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.
5. We request more detailed analysis of how each alternative will meet project objectives by adding a peak hour performance measure analysis on all major roads. While an initial evaluation has been provided, we believe each alternative should receive a full analysis to allow a comparison of all the alternatives.
6. We request that ODOT assess the health and equity impacts of each alternative in the Environmental Assessment. We recognize the Equity and Mobility Advisory Committee (EMAC) will provide a more robust analysis of this need, but we highlight this as an opportunity to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.
7. We request ODOT use this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of discovery. If value pricing is to have a true impact in our region, ODOT and the region at large will benefit by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance.

Finally, we feel obliged to reinforce our concerns for the impacts of diversion to communities immediately surrounding this project, as well as those peripheral to the project. Diversion already exists on local roads due to bottleneck congestion on I-205. Increased diversion to roads already accommodating diversion is likely to eliminate community support. Hence why Comment 3-A is so important. The I-205 Widening and Seismic Improvements Project must be considered completed for any of this to resonate with our local communities.

We also expect the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus on shoulder access and connection routes around the project, improved pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion.

Thank you for considering our comments, and we look forward to your response as part of the NEPA process.

Sincerely,



Chair Jim Bernard
C4 Co-chair



Mayor Brian Hodson
C4 Co-chair

C4 Membership: Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen Port of Portland, Urban and Rural Transit



City of Tualatin

www.tualatinoregon.gov

August 25, 2020

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS11
Salem, Oregon 97301

RE: I-205 NEPA Alternatives Comment Period – City of Tualatin comments

Dear Director Broussard:

On behalf of the Tualatin City Council, I respectfully submit the following comments into the public record as a part of the National Environmental Protection Act (NEPA) comment period on the I-205 tolling alternatives:

1. Please clarify that revenues gained from I-205 tolling will be for investment in the I-205 corridor.
2. The NEPA analysis should fully account for the quality of life impacts from tolling and diversion, especially on businesses, neighborhoods, and schools that serve our equity populations. We are very concerned about the impacts to transportation reliability and access, public health, the environment, and economic impact to family and business budgets. With increased automobile traffic due to diversion on local roads, we are concerned about safety conflicts and air quality, as vehicles will spend more time in congestion emitting carbon.
3. The analysis should go beyond simple mitigation to propose and identify a funding plan for equity-informed improvements for increased transportation options and programs to serve lower income and historically marginalized communities, as is identified as a best practice in TransForm's "*Pricing Roads, Advancing Equity*" report and toolkit. The I-205 corridor has limited parallel transportation routes and many of those are severely lacking of basic safety infrastructure for pedestrians and cyclists.

Of specific importance is Borland Road, which has no transit service and is lacking safety infrastructure for pedestrians and cyclists, yet is home to a free clinic, food bank, day home serving people experiencing homelessness, and a warming/cooling center.

4. Before removing any I-205 alternatives for consideration, we would like to see the following actions, as they will better examine the reality of when I-205 tolling would be in place:
 - a. Run the model with I-5 tolling assumed

- b. Run the model with a 2040 horizon, which would be similar to other major projects in the area, such as the Southwest Corridor
 - c. Greater analysis needs to be completed on the impact to equity and health, specifically with emissions and worker commuting data
5. Clarify how the list of goals and objectives will be addressed and incorporated into the project. Traditionally, NEPA documents are guided by the purpose and need statement and federally required areas of analysis and disclosure. The proposed list of goals and objectives represents categories which are traditionally not studied through a NEPA process. Since these items address many of the equity-based concerns, they should be more than data point considerations in the process to get to a locally preferred alternative. How will solutions, such as new programs or transportation improvements, that derive from equity-based discussions be planned and funded?
6. In addition to alternatives 3 and 4, we recommend furthering analysis of alternative 5 into NEPA.
7. We recommend adding an alternative into the NEPA process where the tolled area extends from a location west of Stafford Road to a location north of the OR 212 interchange. We understand that this would include area located outside of the construction footprint of I-205, but we do not see this as a limiting factor. When I-5 tolling alternatives are selected, there will be no connection to a specific project's construction footprint.
8. With our understanding of the purpose and need statement's importance in NEPA decision-making, and dedication to equity on this project, we believe that it is imperative that equity be referenced in the project's purpose and needs statement.
9. We understand that this section of I-205 was selected from the 2018 Value Pricing Feasibility Study, but we would recommend that tolling be considered at a regional-scale to address the major chokepoints of the Boones Bridge and Columbia River Crossing. The current situation of spot tolling has unequal impacts on the region, as only certain communities will bear the greatest burden.
10. What is the cost of the multiple-year study of tolling I-205? What are the sources and who authorized the funding? In this time of economic uncertainty, why is delaying this project not being considered?
11. How will the project incorporate post-COVID-19 driving conditions and transportation patterns into the tolling study? For example, with the major economic and lifestyle shifts underway – such as a greater proportion of people working from home or needing access to a social safety net – this could have a major impact on future transportation patterns and needs.

We look forward to discussing your consideration and incorporation of our comments, questions, and requests into this project. We look forward to your response as a part of the NEPA process.

Sincerely,



Frank Bubenik, Mayor



**DRAFT LETTER
OF COMMENT**

September 10, 2020

*Submitted via email to
oregontolling@odot.state.or.us*

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: I-205 NEPA Alternatives Comment Period

Dear Ms. Broussard:

The City of Wilsonville appreciates the opportunity to provide comment on the identified Purpose and Need of various alternatives being considered by ODOT during the I-205 NEPA Alternatives comment period. We also appreciate the time that you took to visit with the Wilsonville City Council on August 17 to more fully explain this important project.

As a participating agency in the I-205 Toll Project Draft Agency Coordination Plan, the City of Wilsonville has significant interest in this project that could carry major ramifications for both highway traffic and local-area streets congestion. The City's South Metro Area Regional Transit (SMART) Director also participates on the Equity and Mobility Advisory Committee and the Tolling - Transit Work Group.

As a city with a residential population of 25,000 that hosts 21,000 jobs, thousands of workers commute daily to Wilsonville from every corner of the Portland metro region and North Willamette Valley. Approximately half of these jobs (10,000) are in manufacturing and wholesale distribution where both commuting workforce mobility and the timely movement of freight are crucial for the conduct of commerce and Oregon's continued economic health.

The "proposed project purpose" is stated as:

The purpose of the I-205 Toll Project is to manage congestion on I-205 between Stafford Road and OR 213 and raise revenue to fund congestion relief projects through the application of variable-rate tolls.

The project purpose, while led by legislative direction, appears too limiting to either raise sufficient revenue or provide congestion relief. That is, tolling one small segment of highway would appear to neither generate significant revenue to be meaningful nor provide region-wide congestion relief.

We agree with the key lead points of the comment letter submitted by the Clackamas County Coordinating Committee dated August 13:

“First, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated. After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Clackamas County question why it is necessary that this project be tolled. The communities of Clackamas County request that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding.

“Second, we request the OTC clarify its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to major highway improvements in the region, including this I-205 improvement as well as other proposed improvements on I-5, I-84, I-405, and OR 217. Our hope is for this analysis to either clarify or alleviate the growing concern that tolls will not be imposed to pay for other major highway improvements elsewhere in the Portland region and in Oregon, leaving Clackamas County businesses and residents to shoulder a major share of the cost of this improvement to the state highway system.

“Third, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation, and urge that toll revenue generated in a project area should remain in that project area. Based on recent comments from ODOT tolling staff we understand that their intent at the August 13th OTC meeting is to seek policy direction to ensure that toll revenue collected in the corridor remains in the corridor. We strongly support ODOT staff’s intention and the concept that the toll revenue collected in a corridor should remain in that corridor.”

Bold in original text.

The following comments included below apply broadly and are collective in nature.

1. **Long-term impacts of tolling on the surrounding communities:** The 2027 travel-demand modeling used to select alternatives does not appear to adequately account for the long-term impacts of tolling on the surrounding communities. The City requests that ODOT use Metro’s 2040 travel-demand model to assess the long-term re-routing of traffic that will result from the implementation of tolling on this segment of I-205 and impact our communities.
2. **Increases in diversion on local roads:** The City requests that ODOT study both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, ODOT could apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be impacted by traffic re-routing from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213.

3. **I-205 tolling location potential impacts:** The City is concerned about proposals to toll I-205 from a location *west of the Stafford Road interchange*, which modeling demonstrates leads to a substantial increase in traffic at the I-5 Elligsen Road interchange in Wilsonville. The I-5 Elligsen Road interchange is the last exit on northbound I-5 prior to reaching I-205, and therefore the potential location of tolling on I-205 appears to have a substantial impact on the interchange prior to tolling location.
4. **Analyzing traffic impacts beyond Clackamas County:** The City requests that ODOT quantify the impacts of traffic re-routing on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. As a city located in both Clackamas and Washington Counties, the City believes that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.
5. **Analyzing region-wide value-pricing:** The City requests that ODOT uses this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville or possibly south at the I-5 Boone Bridge. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of receiving additional freeway traffic congestion on local roads.

If value pricing is to have a true impact in our region, ODOT and the region at large benefits by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance. Therefore, tolling be considered at a regional-wide scale to address the major chokepoints of the I-5 Boone Bridge and I-5 Interstate Bridge/Columbia River Crossing. The current situation of spot tolling has unequal impacts on the region, as only certain communities will bear the greatest burden.

6. **Alternative transportation and public-transit options should be studied:** The I-205 corridor has limited parallel transportation routes and many of those are severely lacking of basic safety infrastructure for pedestrians and cyclists. The City expects the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus-on-shoulder access and connection routes around the project, improved bicycle-pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion.
7. **Health and Equity analysis of the alternatives:** The City requests that ODOT assess the health and equity impacts of each alternative in the Environmental Assessment. The City recognizes that the Equity and Mobility Advisory Committee (EMAC) is scheduled to provide a more robust analysis of this need; however, this is an

opportunity for ODOT to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.

The chief concern is that those persons least financially able to bear additional cost for their transportation for school, work, child care and family matters are those most impacted by tolls. They will have to find alternative routes, schedules and modes to try and reduce the financial impact of the tolls. Thus, the alternatives should provide specific information of how this inequitable impact is to be addressed.

Thank you for your efforts to create a more complete and resilient transportation system for the benefit of our region.

Sincerely,

Tim Knapp, Mayor
City of Wilsonville

cc: Oregon Transportation Commission (OTC)
Joint Policy Advisory Committee (JPACT), Metro
Clackamas County Coordinating Committee ("C4")
Washington County Coordinating Committee ("WCCC")

CITY COUNCIL ROLLING SCHEDULE Board and Commission Meetings 2020

Items known as of 08/25/20

September

DATE	DAY	TIME	EVENT	LOCATION
9/14	Monday	6:30 p.m.	DRB Panel A	Council Chambers
9/21	Monday	7:00 p.m.	City Council Meeting	Council Chambers
9/23	Wednesday	6:30 p.m.	Library Board	Library
9/28	Monday	6:30 p.m.	DRB Panel B	Council Chambers

October

DATE	DAY	TIME	EVENT	LOCATION
10/5	Monday	7:00 p.m.	City Council Meeting	Council Chambers
10/8	Thursday	6:00 p.m.	Parks and Recreation Advisory Board Meeting	Council Chambers
10/12	Monday	6:30 p.m.	DRB Panel A	Council Chambers
10/14	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
10/19	Monday	7:00 p.m.	City Council Meeting	Council Chambers
10/26	Monday	6:30 p.m.	DRB Panel B	Council Chambers
10/28	Wednesday	6:30 p.m.	Library Board	Library

Community Events:

- 9/16** Walk at Lunch meet at Community Center Bus Stop (7965 SW Wilsonville Rd, Wilsonville, OR 97070), noon.
- 9/16** Guided Meditation Meetup; 5:30 p.m. to 6:00 p.m. online at:
<https://www.facebook.com/WilsonvilleParksandRec/>
- 9/23** Walk at Lunch meet at Transit Center Clock Tower (9699 SW Barber Street, Wilsonville, OR 97070), noon.
- 9/23** Guided Meditation Meetup; 5:30 p.m. to 6:00 p.m. online at:
<https://www.facebook.com/WilsonvilleParksandRec/>
- 9/26** Paper Shredding Event at City Hall (29799 Town Center Loop E Wilsonville, OR 97070), 9:00 a.m. to 2:00 p.m.
- 9/30** Walk at Lunch meet at City Hall (29799 SW Town Center Loop W, Wilsonville, OR 97070), noon.
- 9/30** Guided Meditation Meetup; 5:30 p.m. to 6:00 p.m. online at:
<https://www.facebook.com/WilsonvilleParksandRec/>
- 10/7** Guided Meditation Meetup; 5:30 p.m. to 6:00 p.m. online at:
<https://www.facebook.com/WilsonvilleParksandRec/>
- 10/12** Library Closed All Day - Staff In-Service
- 10/29** Blood Drive at the Library, 11:00 a.m. to 4:00 p.m.

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: September 10, 2020		Subject: Resolution No. 2842 Minor Modification to the Development Agreement Template for Frog Pond West.	
		Staff Member: Chris Neamtzu AICP, Community Development Director	
		Department: Community Development Department	
Action Required		Advisory Board/Commission Recommendation	
<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 checked="" 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		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: Staff recommends that Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to approve the Consent Agenda.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond West Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Consideration of a minor modification to the Development Agreement template for Frog Pond West.

EXECUTIVE SUMMARY:

Subsection 4.177 (.02) C. 2. of the Development Code requires that a waiver of remonstrance against formation of a Local Improvement District (LID) be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of recordation of a final plat. The applicant/developer of Frog Pond Ridge, West Hills Development/Arbor Homes, requested that the template of the Development and Annexation Agreement ("DA") be revised to provide for release of the restrictive covenant waiving right of remonstrance in light of the developer's obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee in accordance with the DA.

The revised language will condition release of the LID Waiver for a specific parcel within the Frog Pond Ridge development upon payment of the supplemental infrastructure fee and will require the developer to pay all costs and fees associated with the City's release of the waiver and removal of the encumbrance from title at the County. These proposed changes are included in the Frog Pond Ridge land use application. City Council is considering this revision to the DA template prior to the public hearing considering the Frog Pond Ridge annexation and zone map amendment. If approved, similar language would be offered to all of the developer's in Frog Pond West, which as of today include West Hills/Arbor Homes and Pahlisch Homes.

WC Section 4.177 Street Improvement Standards (02.) C. states:

C. Rights-of-way.

2. *The City shall also require a waiver of remonstrance against formation of a local improvement district, and all non-remonstrances shall be recorded in the County Recorder's Office as well as the City's Lien Docket, prior to issuance of a Certificate of Occupancy Building Permit or as a part of the recordation of a final plat.*

New developments are required to record against each lot in a subdivision, a form that waives their right to remonstrate (protest or oppose) the formation of a Local Improvement District, in the event that one is formed to provide infrastructure in the future. For many years, as the City was building out its transportation grid and providing transportation connectivity to large un-built areas of the community that were not served by infrastructure, forming an LID was one way to fund the critical infrastructure services needed for development.

Over the years, this tool has become less popular as reliance on urban renewal and development agreements has increased. In Wilsonville's case, this specific tool has not been utilized since 1998, when Canyon Creek Road North (LID #12) was built between Elligsen Road and Boeckman Road. The appropriateness of this requirement today, in the case of Frog Pond West, is argued to be redundant to the requirement to pay the infrastructure finance fee, which represents each lot's proportionate share of the estimated cost for the fronting roads of Boeckman and Stafford.

West Hills has argued that this requirement is having a negative impact on some sales in Frog Pond West. The requirement results in an encumbrance on title. When a new buyer inquires of the Developer as to the timing of the LID, or the future costs associated with the project(s), the answer provided by West Hills is "unknown" which gives potential buyers pause due to uncertainty. City Legal staff, Community Development staff and West Hill's attorney

collaborated to come up with the proposed amended Development Agreement template language, to read:

Section 4.3 – Release of Restrictive Covenant Waiving Right of Remonstrance for Formation of Local Improvement District

Upon payment of the Infrastructure Supplemental Fee and the Boeckman Bridge Fee (if applicable) for a specific parcel, Developer may request the City release the Restrictive Covenant Waiving Right of Remonstrance for Formation of Local Improvement District (“Waiver of Remonstrance”) that has been recorded against the parcel. The City shall agree to the release of the Waiver of Remonstrance upon the City’s determination that Developer has complied with the requirements of this section for release. Developer is responsible for providing a legal description for the specific parcel and paying any and all costs and fees including recording fees, incurred by the City to release the Waiver of Remonstrance.

It should be noted some sales have already closed where a Waiver of Remonstrance was required to be recorded against the lot. Staff would propose that if the developer(s) of those already sold lots, where the fee has already been paid, does not request removal of the waiver, the property owner should be allowed to do so, provided that the property owner pays all of the associated costs, as required of the developer by the proposed language above. Such language will not be added to the DA in that current and future property owners are not parties to the DA but Council could give staff direction in the Resolution to allow for this accommodation.

EXPECTED RESULTS:

The revised language in the Frog Pond West Development Agreements will outline how the waiver of the right to remonstrate will be treated in the future, thus providing clarity to future buyers. It should also be noted that release of the waiver will preclude the City from using an LID mechanism to fund any shortfall in the estimated cost of the infrastructure, assumed at the time the fee was established. The fee does have a defined escalator.

TIMELINE:

Developers are required to enter into a DA for each phase of Frog Pond West. Recordation of these agreements is required prior to signing of the final subdivision plat by the City. This has been added as a condition of approval for the Frog Pond Ridge project and similarly will be offered to all applicants/developers in Frog Pond West, past and future.

CURRENT YEAR BUDGET IMPACTS:

None, as all supplemental infrastructure fees and recording fees are the obligation of the Developer.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 8/25/2020

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 8/26/2020

COMMUNITY INVOLVEMENT PROCESS:

None, these are development requirements.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The additional language in the Development Agreement template provides more clarity and certainty for homebuyers in Frog Pond West.

ALTERNATIVES:

Over the course of several months, staff and the Developer have discussed and proposed numerous solutions to this issue ultimately agreed to represent this proposal to City Council. Alternatively, Council could determine not to approve the amendment.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 2842
 - A. Revised Development and Annexation Agreement

RESOLUTION NO. 2842

A RESOLUTION OF THE CITY OF WILSONVILLE REVISING THE TEMPLATE FOR A DEVELOPMENT AND ANNEXATION AGREEMENT FOR FROG POND WEST DEVELOPMENT AND AMENDING RESOLUTION NO. 2649.

WHEREAS, the City adopted the Frog Pond West Master Plan (“Master Plan”) on July 17, 2017 through Ordinance No. 806; and

WHEREAS, consistent with the Infrastructure Funding Plan of the Master Plan, the City established a Frog Pond West Infrastructure Supplemental Fee (“Infrastructure Supplemental Fee”) and the Boeckman Bridge Transportation Mitigation Fee (“Boeckman Bridge Fee”) on August 7, 2017 through Resolution No. 2649; and

WHEREAS, the City also approved, in Resolution No. 2649, a general template for a Development and Annexation Agreement (“Development Agreement”) to obligate development within Frog Pond West to pay the Infrastructure Supplemental Fee and the Boeckman Bridge Fee, as applicable; and

WHEREAS, a developer that is constructing within Frog Pond West has requested the general template of the Development Agreement be revised to provide for release of the restrictive covenant waiving right of remonstrance for formation of local improvement district (“LID Waiver”), which LID Waiver is generally required for all development within the City; and

WHEREAS, the developer has requested the release of the LID Waiver in light of the developer’s obligation to pay the Infrastructure Supplemental Fee and Boeckman Bridge Fee in accordance with the Development Agreement; and

WHEREAS, the proposed revised Development Agreement, attached hereto as **Exhibit A**, will condition the release of the LID Waiver for a specific parcel upon the payment of the Infrastructure Supplemental Fee and Boeckman Bridge Fee and will require the developer or property owner to pay all costs and fees associated with the City’s release of the LID Waiver.

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

1. The City Council incorporates and adopts the above recitals as if fully set forth herein.
2. The City Council hereby amends Resolution No. 2649 and adopts the revised general template of the Development Agreement, which is in substantial form to **Exhibit A**

attached hereto and which may be further refined by the City Attorney prior to execution with a particular Frog Pond West developer.

3. The City Council authorizes the City Manager to execute amendments to existing Development Agreements governing development within Frog Pond West to allow for the release of any LID Waivers, consistent with the revisions to the general template of the Development Agreement (**Exhibit A**).
4. Additionally, if a developer does not elect to remove the LID from a lot for which the Infrastructure Supplemental Fee and the Boeckman Bridge Fee has been paid to the City, the lot owner may elect to do so at the lot owner's sole cost, in accordance to the terms as provided to the developer in the Development Agreement.
5. This Resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 10th day of September, 2020, and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Exhibit:

- A. Revised Development and Annexation Agreement

Exhibit A

**DEVELOPMENT AND ANNEXATION AGREEMENT BETWEEN
[DEVELOPER] AND
THE CITY OF WILSONVILLE, OREGON**

This Development and Annexation Agreement (“Agreement”) is entered into by and between the **City of Wilsonville**, an Oregon municipal corporation (“City”), and **[Developer]**, a(n) _____ [state] _____ [corporation/limited liability company, etc.] (“Developer”). The effective date of this Agreement is the _____ day of _____, 20__ (“Effective Date”). The City and Developer may be referred to herein individually as a “Party” or collectively as the “Parties.”

RECITALS

- A. Developer proposes to construct residential housing within the area commonly referred to as Frog Pond West, which residential housing to be constructed by Developer is depicted on the map attached hereto and incorporated herein as **Exhibit A** (“Developer Property”). A map of the entire area of Frog Pond West is depicted on the map attached hereto and incorporated herein as **Exhibit B** (“Frog Pond West”).
- B. Developer presented to the City a proposed site plan for development of the Developer Property, as depicted in **Exhibit C** (“Proposed Development”) attached hereto and incorporated herein. The Proposed Development includes, but is not limited to, the following improvements: *[state any key infrastructure improvements and oversizing to be done by Developer]*. Developer accepts all responsibility of the Proposed Development as amended and approved by the City.
- C. The Infrastructure Funding Plan (“Funding Plan”), a component of the Frog Pond West Master Plan (“Master Plan”), identifies four (4) off-site infrastructure projects: (1) Memorial Park pump station; (2) Boeckman Creek sanitary sewer trunk line; (3) west side water reservoir; and (4) Boeckman Bridge, which will be west of Frog Pond West over Boeckman Creek (“Boeckman Bridge”). These four (4) off-site infrastructure projects serve the broader City community, will be constructed by the City, and are funded through City system development charges (“SDC”), with possible contributions from other sources. In particular, Boeckman Bridge may be paid partially through a Boeckman Bridge transportation mitigation fee discussed herein in **Section IV** (“Boeckman Bridge Fee”). Developer will be responsible for paying the Boeckman Bridge Fee, to the extent required, at issuance of building permit.
- D. The Funding Plan also identifies four (4) on-site infrastructure projects: (1) local streets and sidewalks; (2) sanitary sewer lines; (3) water lines; and (4) stormwater management (“Developer Improvements”). Unless expressly identified otherwise herein, the construction and cost of these four (4) Developer Improvements are the responsibility of developers within Frog Pond West.
- E. The Funding Plan lists five (5) Master Plan infrastructure projects, which are the focus of the Funding Plan. These Master Plan infrastructure projects are: (1) the north side of SW Boeckman Road adjacent to Frog Pond West, including sanitary sewer (“Boeckman Road”); (2) the west side of SW Stafford Road adjacent to Frog Pond West, including sanitary sewer and water (“Stafford Road”); (3) the Neighborhood Park within Frog Pond West

(“Neighborhood Park”); (4) the Trailhead Park in the western area of Frog Pond West (“Trailhead Park”); and (5) the Boeckman Trail along the west edge of Frog Pond West (“Boeckman Trail”).

- F. Trailhead Park and Boeckman Trail are accounted for in the Parks SDCs and are included in the Parks and Recreation Master Plan. These regional park facilities will be constructed by the City unless otherwise stated herein.
- G. Under current City policy, the cost and construction of part of Boeckman Road, part of Stafford Road, and Neighborhood Park (“Unfunded Projects”) are the responsibility of developers within Frog Pond West. Attached hereto and incorporated herein as **Exhibit D** is a depiction of the “local portion” of Boeckman Road (which similarly applies for Stafford Road) that is the responsibility of the adjacent developer to construct under current City policy.
- H. Due to the size and expense of these three (3) Unfunded Projects and the multiple property ownerships within Frog Pond West, the City will take responsibility for constructing the Unfunded Projects and acquiring land as needed for the Neighborhood Park. Developer is responsible for paying system development charges (SDCs) and an additional infrastructure supplemental fee provided in **Section IV** (“Infrastructure Supplemental Fee”) at issuance of building permit in exchange for the City taking responsibility for constructing the Unfunded Projects.
- I. The City and Developer have agreed that this allocation for the work between the City and Developer is fair and equitable and is a proportional allocation between benefit to the public and benefit to Developer’s development.
- J. Developer will be solely responsible for all up-front costs associated with Developer’s particular Developer Improvements as described in **Section III** below.

AGREEMENT

In consideration of the foregoing Recitals, and incorporating all of the above Recitals by reference in this Agreement as if fully set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all of the above-named Parties agree as follows:

I. NEW DEVELOPMENT

Developer intends to construct residential development [*and other ancillary amenities*] within Frog Pond West. Developer’s Proposed Development has been approved by the City’s Development Review Board, and Developer is currently refining construction plans to be submitted in the permitting processes required by the City for residential development. Developer will pay all fees required by the City for such residential development, including the Infrastructure Supplemental Fee and the Boeckman Bridge Fee described herein (collectively referred to as “Frog Pond West Fees”), in order to obtain the appropriate permits to move forward with Developer’s Proposed Development (“Development Approval”).

II. CITY'S IMPROVEMENTS (City Obligations)

In consideration for Developer paying certain additional fees described in **Section IV**, the City agrees to construct the Unfunded Projects and to acquire certain real property necessary for development of the Neighborhood Park. The City retains sole and absolute discretion regarding the means, manner, timing, materials, phasing, and all other aspects of acquisition and construction of the Unfunded Projects. Developer agrees to cooperate with the City with regard to the City's construction of the Unfunded Projects, including, but not limited to, providing access to project sites, allowing tie-in to existing and future infrastructure, and coordinating Developer Improvements with construction of the Unfunded Projects. The City may also elect, in its sole and absolute discretion, to assign its responsibility to construct any of the Unfunded Projects.

III. DEVELOPER'S IMPROVEMENTS (Developer Obligations)

Section 3.1 – Description of Developer Improvements

Developer agrees to perform the Developer Improvements, as provided in the Proposed Development (**Exhibit C**), which Developer Improvements are generally described as follows:

[Describe specific improvements to be performed by Developer.]

Section 3.2 – Developer Improvement Costs

[The foregoing Developer Improvements shall be constructed by Developer at Developer's sole expense. The foregoing Developer Improvements must be completed, inspected by the City, and deemed complete by the City before the City will issue any temporary occupancy permits to Developer, assuming Development Approval.]

-OR-

The foregoing Developer Improvements shall be constructed by Developer at Developer's sole expense, except Developer will receive SDC credit or reimbursement relating to _____ [including some potential soft costs]. The foregoing Developer Improvements must be completed, inspected by the City, and deemed complete by the City before the City will issue any temporary occupancy permits to Developer, assuming Development Approval.]

Section 3.3 – Reimbursement of Expense

If Developer is entitled to SDC credit or reimbursement pursuant to **Section 3.2**, Developer must submit a request for SDC credit or reimbursement to the City within ninety (90) days of written acceptance of the improvements by the City. A cover page invoice with Developer's letterhead shall accompany the request for SDC credits or reimbursement. Developer must submit sufficient documentation for specific costs related to construction of such improvements and in a format acceptable by the City. Developer shall also submit a signed letter of completion certifying payment in full to all subcontractors and suppliers. If Developer fails to submit an acceptable request for SDC credit or reimbursement within ninety (90) days from

the City's letter of acceptance issuance date, Developer forfeits its right to receive the SDC credit or reimbursement unless the Parties agree in writing.

The City will pay the reimbursement within thirty (30) days of receiving the approved final construction costs request documents for reimbursement, provided there is mutual agreement on any true-up charges. If there is a disagreement on any or all of the true-up charges, that true-up sum(s) may be withheld until such time as any such disagreement is resolved, with that sum(s) being paid within seven (7) days of resolution.

Section 3.4 – Developer Bonds

Prior to commencement of construction of the infrastructure set forth in this Agreement, Developer must provide to the City performance and payment bonds, satisfactory to the City. Prior to commencement of construction, Developer shall also cause the City to be named as an additional insured on the applicable contractor's insurance policy for the construction of the respective infrastructure provided for in this Agreement, in amounts and coverages reasonably satisfactory to the City.

Section 3.5 – Developer Compliance with Frog Pond West Master Plan and City Code

Developer agrees to adhere to the purpose, terms, conditions, guidance, regulations, and requirements contained in the Frog Pond West Master Plan and related Wilsonville Code. Developer is further obligated to act in good faith and pursuant to the City of Wilsonville Public Works Standards in providing access to infrastructure for other development within Frog Pond West. Developer will not prohibit, block, or otherwise impede another developer's ability to access and tie into infrastructure within Frog Pond West. If the City determines, in its sole and absolute discretion, that Developer is engaging in conduct or behavior to prevent, inhibit, or otherwise deter other development from accessing or tying into infrastructure within Frog Pond West, the City may withhold occupancy permits, building permits that are in process, future building permits, and SDC credits or reimbursements unless and until Developer allows other development to access the infrastructure within Frog Pond West.

IV. ADDITIONAL FEES

Section 4.1 – Infrastructure Supplemental Fee

In addition to SDCs required to be paid, Developer will pay an Infrastructure Supplemental Fee of \$ _____ per single-family home, as adjusted pursuant to City Resolution No. _____, at issuance of each building permit. If Developer constructs duplexes, the Infrastructure Supplemental Fee is required for each of the two units within the duplex. Developer is not required to pay the Infrastructure Supplemental Fee for any accessory dwelling units, which are defined in Wilsonville Code 4.001.

Section 4.2 – Boeckman Bridge Fee

Developer will also pay the Boeckman Bridge Fee of \$ _____ per single-family home, as adjusted pursuant to City Resolution No. _____, for the construction of Boeckman Bridge, which costs are not funded through other sources such as urban renewal or SDCs. The

Boeckman Bridge Fee must be paid at issuance of each building permit. If Developer constructs duplexes, the Boeckman Bridge Fee is required for each of the two units within the duplex. Developer is not required to pay the Boeckman Bridge Fee for any accessory dwelling units, which are defined in Wilsonville Code 4.001.

Section 4.3 – Release of Restrictive Covenant Waiving Right of Remonstrance for Formation of Local Improvement District

Formatted: Font: Bold

Upon payment of the Infrastructure Supplemental Fee and the Boeckman Bridge Fee (if applicable) for a specific parcel, Developer may request the City release the Restrictive Covenant Waiving Right of Remonstrance for Formation of Local Improvement District (“Waiver of Remonstrance”) that has been recorded against the parcel. The City shall agree to the release of the Waiver of Remonstrance upon the City’s determination that Developer has complied with the requirements of this section for release. Developer is responsible for providing a legal description for the specific parcel and paying any and all costs and fees, including recording fees, incurred by the City to release the Waiver of Remonstrance.

V. DISPUTE RESOLUTION

Section 5.1 – Dispute of Frog Pond West Fees

5.1.1 If Developer disputes the City’s adjustment of either of the Frog Pond West Fees, Developer must submit a letter of appeal (“Appeal Letter”) no later than ten (10) calendar days after the date of issuance of each building permit addressed to the City’s Community Development Director and the City’s Finance Director. Developer cannot appeal the base Frog Pond West Fees of \$ _____ (Infrastructure Supplemental Fee) and \$ _____ (Boeckman Bridge Fee) listed in **Sections 4.1 and 4.2** above. The Appeal Letter contesting the adjusted amount must include the following information:

- 5.1.1.1 The name of the Developer;
- 5.1.1.2 The location of the parcel;
- 5.1.1.3 The amount of the adjustment that Developer disputes; and
- 5.1.1.4 Reasons why Developer disputes the adjustment.

If Developer fails to provide any of the above-listed information in the Appeal Letter within the allowed ten (10) day period, the Community Development Director will send a letter dismissing the appeal for failure to comply with this Section.

5.1.2 Upon receipt of an Appeal Letter submitted in compliance with **Section 5.1.1**, the Community Development Director and Finance Director will review the Appeal Letter, will obtain and review any City information regarding the disputed adjustment, and may ask for additional information from the Developer. No later than thirty (30) calendar days after the date of the Appeal Letter, the Community Development Director and Finance Director will issue an opinion of the Community Development Director and Finance Director (“Directors’ Opinion”) regarding whether Developer is entitled to a refund of any portion of the adjusted amount.

5.13 If Developer disputes the Directors' Opinion, then Developer may submit a notice of appeal ("Appeal Notice") no later than fourteen (14) calendar days after the date of the Directors' Opinion to the City Manager to have the matter reviewed by the City Council. The Appeal Notice must include the information listed in **Section 5.1.1.1 through 5.1.1.4** as well as following information:

5.1.3.1 Reasons why Developer disputes the findings in the Directors' Opinion.

If Developer fails to provide any of the above-listed information in the Appeal Notice within the fourteen (14) day period, the City Manager will send a letter dismissing the appeal for failure to comply with this Section.

5.14 Upon receipt of an Appeal Notice submitted in compliance with **Section 5.1.3**, the Community Development Director and Finance Director may supplement their Directors' Opinion with additional information ("Directors' Supplement") to be reviewed by the City Council, which Directors' Supplement must be submitted to the City Manager no later than fourteen (14) calendar days after the Appeal Notice. The City Council will review the entire record and may, in its sole discretion, request oral testimony. Such review must be held no later than thirty (30) calendar days after the Directors' Supplement or no later than forty-five (45) calendar days after the Appeal Notice if no Directors' Supplement is provided. City Council will issue a decision ("Council Decision") at the review meeting or at later meeting if the City Council decides to continue the review to obtain additional information from the Developer and/or the City.

5.15 If Developer disputes the Council Decision, Developer will have a statutory right to a writ of review to Clackamas County Circuit Court pursuant to Oregon Revised Statutes 34.010 through 34.100.

Section 5.2 – All Other Disputes

521 **Mediation.** All disputes arising out of this Agreement, other than disputes subject to **Section 5.1** above, shall first be submitted to mediation. Any Party desiring mediation shall provide the other Party with a written notice (the "Request to Mediate"), which shall set forth the nature of the dispute. The Parties shall in good faith cooperate in the selection of a mediator and may adopt any procedural format that seems appropriate for the particular dispute. In the event a written settlement agreement is not executed by the Parties, in the Parties' sole discretion, within twenty (20) days from the date of the Request to Mediate, or such longer time frame as may be agreed upon in writing by the Parties, any Party may make demand for arbitration pursuant to the following paragraph.

522 **Arbitration or Litigation.** Any dispute arising under **Section 5.2.1** of this Agreement which is not resolved through mediation, upon mutual agreement of the Parties may be submitted to arbitration, to be conducted in Wilsonville, Oregon before a single arbitrator selected by mutual agreement of the Parties. The arbitrator shall have substantial experience in commercial real estate and construction disputes. If the Parties are unable to mutually agree upon and select an arbitrator within twenty (20) days, then

any Party may file an action in Clackamas County Circuit Court in lieu of arbitration and there will be no obligation to arbitrate unless otherwise required by Oregon law. If arbitrated, judgment upon the arbitrator's award may be entered in any court having jurisdiction of the matter.

523 Equitable Remedies. Even if the parties undergo mediation or arbitration, the City may still request immediate equitable remedies of either specific performance or injunctive relief to occur while mediation or arbitration is pending or ongoing. The parties will otherwise agree to abate the court case pending completion of the mediation or arbitration.

VI. RECORDING

This Agreement runs with Developer's land that is subject to this Agreement as identified in Exhibit A. Either this Agreement or a memorandum of this Agreement will be recorded by the City with the Clackamas County Recorder's Office for all real property subject to this Agreement.

VII. MISCELLANEOUS PROVISIONS

Section 7.1 – Further Assurances

Each Party will cooperate and perform such acts and things reasonably necessary in connection with the performance of its obligations hereunder, in good faith to carry out the intent of the Parties hereto. Developer understands and agrees that no occupancy permit will be granted for the Proposed Development until the Developer Improvements have been completed and approved by the City as meeting the requirements set forth herein.

Section 7.2 – Modification or Amendment

No amendment, change, or modification of this Agreement will be valid unless in writing and signed by the Parties hereto.

Section 7.3 – Relationship

Nothing herein may be construed to create an agency relationship or a partnership or joint venture between the Parties.

Section 7.4 – Maintenance

Developer is responsible for maintenance of the Developer Improvements as provided in the 2015 City of Wilsonville Public Works Standards, Section 101.8.18 *Maintenance and Warranty*, and any amendments thereto. Developer remains responsible for submitting a maintenance bond, per Public Works Standards, to the City for all of its required Developer Improvements within the public right-of-way or public easements. If Developer fails to maintain the Developer Improvements during the applicable period, the City may do so and make a claim on the bond and directly against Developer. Any work required to be performed by the City will bear interest at a rate of twelve percent (12%) per annum.

Section 7.5 – Burden and Benefit

The covenants and agreements contained herein shall be binding upon and inure to the benefit of the Parties and their successors and assigns.

Section 7.6 – No Continuing Waiver

The waiver of any Party of any breach of this Agreement will not operate or be construed to be a waiver of any subsequent breach.

Section 7.7 – Applicable Law

This Agreement shall be governed by and construed under the laws of the State of Oregon. Jurisdiction is in Clackamas County, Oregon.

Section 7.8 – Legal Fees

If any Party commences legal proceedings, including arbitration or bankruptcy, for any relief against any other Party arising out of or related to this Agreement, or the breach thereof, the losing Party shall pay the prevailing Party’s legal costs and expenses, including, but not limited to, arbitration costs, reasonable attorney fees, and expert witness fees, as determined by the court or the arbitrator at the trial level or on any appeal.

Section 7.9 – Time of Essence

Time is expressly declared to be of the essence of this Agreement.

Section 7.10 – Notices

All notices, demands, consents, approvals, and other communications which are required or desired to be given by any Party to each other hereunder shall be in writing and shall be faxed, hand delivered, or sent by overnight courier or United States Mail at its address set forth below, or at such other address as such Party shall have last designated by notice to the other. Notices, demands, consents, approvals, and other communications shall be deemed given when delivered, three (3) days after mailing by United States Mail, or upon receipt if sent by courier; provided, however, that if any such notice or other communication shall also be sent by telecopy or fax machine, such notice shall be deemed given at the time and on the date of machine transmittal.

To City: City of Wilsonville
Attn: _____, City Attorney
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Developer: [Developer]
Attn: _____
[Street Address]
[City, State, Zip Code]

Section 7.11 – Rights Cumulative

All rights, remedies, powers, and privileges conferred under this Agreement on the Parties shall be cumulative of and in addition to, but not restrictive of or in lieu of, those conferred by law.

Section 7.12 – Counterparts

This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of such counterparts together shall constitute one and the same instrument.

Section 7.13 – No Third-Party Beneficiaries and No Assignment

None of the duties and obligations of any Party under this Agreement shall in any way or in any manner be deemed to create any rights in any person or entity other than the Parties hereto or their respective heirs, successors, and assigns. Developer may not assign its rights under this Developer Agreement without the prior express written consent of the City.

Section 7.14 – Representations and Warranties

Each Party signing on behalf of Developer and the City hereby warrants actual authority to bind their respective Party. The Parties signing below also hereby warrant that entry into this Agreement and the enforcement of its terms will not violate any loan covenants or other agreements pertaining to any of the land or improvements impacted hereby.

Section 7.15 – Legal Review

All of the Parties to this Agreement hereby affirm that they have been represented in the negotiation hereof by their own independent legal counsel who have reviewed this Agreement and advised their respective client concerning the same. Therefore, it shall be interpreted accordingly and shall not be construed against the drafter.

IN WITNESS WHEREOF, the Parties have hereunto set their hands as of the day and year first written above.

[DEVELOPER],
a[n] _____[LLC /corporation]

CITY OF WILSONVILLE,
a municipal corporation

By: _____
Print Name: _____
As Its: _____

By: _____
Bryan Cosgrove
As Its: City Manager

APPROVED AS TO FORM:

_____, City Attorney

EXHIBIT A
Map of Developer Property

[To be inserted]

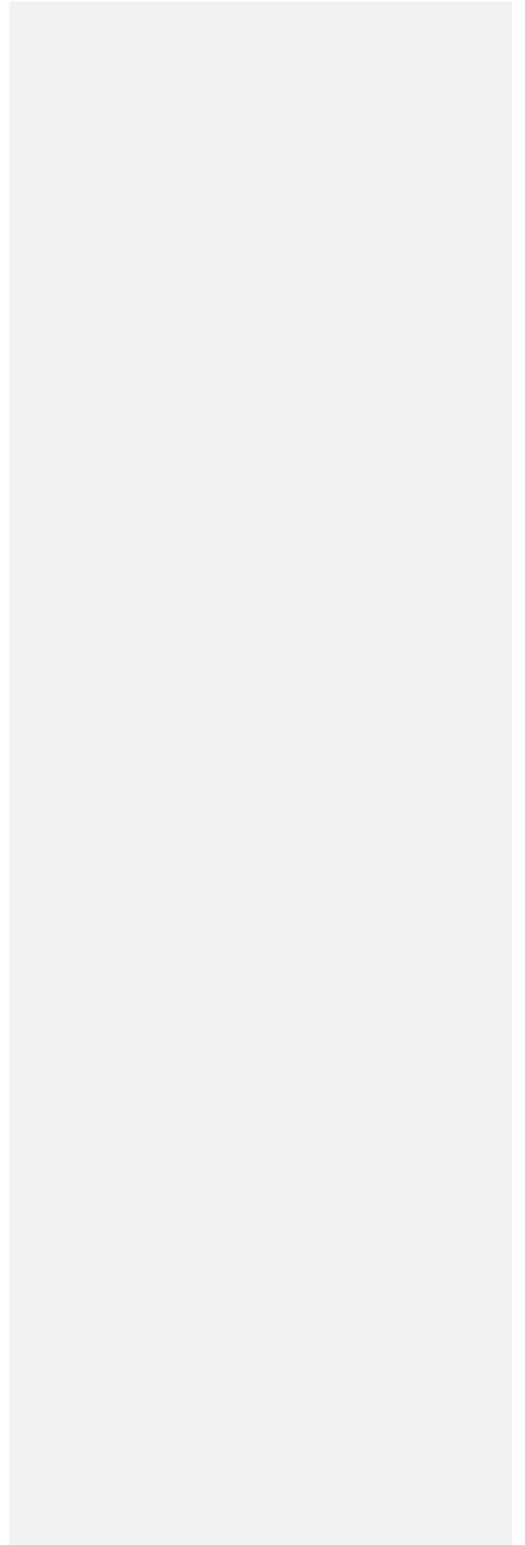


EXHIBIT C
Proposed Development

[To be inserted]

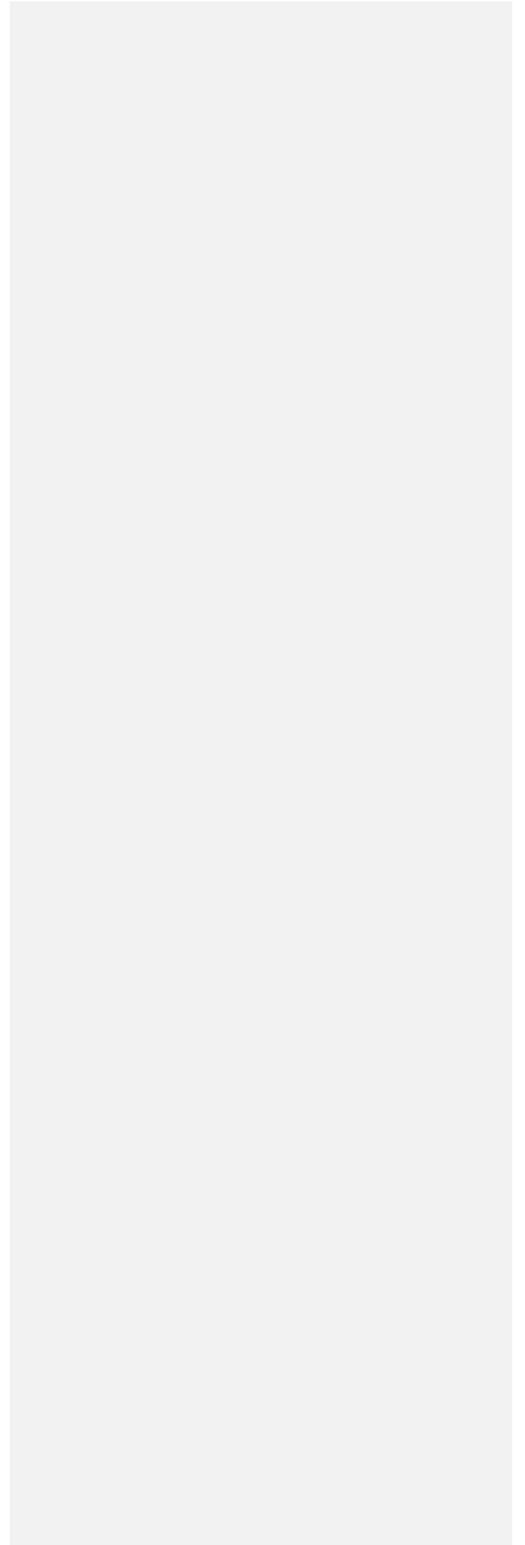


EXHIBIT D

Illustration of "Local Portion" of Boeckman Road (Applicable for Stafford Road)



CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:30 p.m. on Monday, April 1, 2019. Mayor Knapp called the meeting to order at 7:53 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Stevens
- Councilor Lehan
- Councilor West

Staff present included:

- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Kerry Rappold, Natural Resources Manager
- Mark Ottenad, Public/Government Affairs Director
- Kimberly Rybold, Associate Planner
- Mike McCarty, Parks and Recreation Director
- Patty Nelson, City Engineer
- Miranda Bateschell, Planning Director
- Bill Evans, Communications & Marketing Manager
- Zach Weigel, Capital Projects Engineering Manager
- Charlie Tso, Assistant Planner
- Andy Stone, IT Director
- Zoe Monahan, Assistant to the City Manager
- Dan Carlson, Building Official

Motion to approve the order of the agenda.

Motion: Councilor Akervall moved to approve the order of the agenda. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

COMMUNICATIONS

None.

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.

Courtney Neron, State Representative and Wilsonville resident, thanked the fire fighters and first responders from the various agencies that teamed up to put out the fire in Villebois. In addition, Ms. Neron appreciated the community members who assisted their neighbors and cleaned up debris. Ms. Neron also recognized the NW Natural Gas employee for turning off the natural gas. In closing, she urged the audience to connect with their families, roommates and neighbors to make an emergency plan.

Christy Thompson, candidate for position 4 on the West Linn-Wilsonville School Board introduced herself. Ms. Thompson detailed her background as a former high school biology teacher, and active parent volunteer for the district. Ms. Thompson stated as a school board member she intends to advocate for smaller classes, mental health support in each school and more career and technical opportunities. In closing, Ms. Thompson appreciated Council for the opportunity to speak and requested their support in the upcoming election.

Paul Rummell, Wilsonville resident, thanked Council for the response team efforts in regards to the Villebois fire. Mr. Rummell has spearheaded an effort to receive contributions such as blankets and toiletries that can be dropped off at Quench. He invited the community to attend the benefit tomorrow hosted by Lux Sucre or donating to the GoFundMe site. In closing, Mr. Rummell thanked Council for the sense of community in Wilsonville.

Tamara Lukes, Wilsonville resident, reported her home was a total loss due to the Villebois fire and she lost a pet in the fire. Ms. Lukes commented the sprinklers in her home did go off during the fire however, she is not sure they would have made a difference.

Ms. Lukes voiced her concerns on the size of the apartment structure being built across the street from her home. She felt it is negligent to have a four-story building across the street from a residential community setting. Ms. Lukes believed if there were a home across the street the same size as hers, her home would never have caught on fire. Moreover, she thinks there needs to be consideration of what is built in the Villebois community and the size of the structure. She reported on speculations fire trucks could not get through in a timely fashion and had difficulty accessing fire hydrants. She felt the size of the structures being built in the Villebois community needed to be reconsidered.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Michael Bell, Wilsonville resident, spoke to Council about the Villebois fire and on-street parking. Mr. Bell reported his house was very last to be destroyed by the fire. He then proceeded to thank the police and fire departments for putting out the fire. Mr. Bell explained he was the first person to see the fire start and he called 911 but could not get through. Mr. Bell described how he went through the neighborhood knocking on doors attempting to wake up the neighbors. He commented the fire trucks had a difficult time getting into the community because of the congestion and the cars impede the efforts of the police and fire department. Mr. Bell asked Council to consider the issue of parking congestion when developing large buildings in Wilsonville neighborhoods.

Jason Downs, Wilsonville resident, felt the fire in Villebois highlighted the lack of forethought being put into neighborhood development. The narrow side streets are full of vehicles at night limiting the passage of a large vehicle, let alone a fire truck. For buildings so close together, there needed to be better fire protection in the area. Station 52 is only 1.4 miles from the center of Villebois; however, the fire was spreading by the time the first fire truck arrived. Mr. Downs thought the lack of parking is a safety and security issue and that City Council must put a moratorium on new construction until safety issues in the neighborhood can be met.

Patrick Rectenwald addressed the issue of parking in Villebois. He and his wife love Villebois, its neighborhoods and people. At some point, however, Villebois must become a finished product. He has read proposals of large apartment complexes being built without adequate parking for those residents. Building a large complex without parking for each resident seems an irrational decision by the City. If the city is considering Vertical Housing Development Zone (VHDZ), it should consider a requirement of at least one parking space per unit, if that's not a possibility, then maybe it is not the right fit for the neighborhood.

Paul Soles, Wilsonville resident, desires Council to direct police officers conduct targeted patrol by the high school for speeders, children riding bicycles without helmets, and people riding bicycles the wrong direction in the bike lanes.

Cara Renfro, Wilsonville resident, addressed development in the Piazza area. She felt the high density and the unrealistic planning of the Villebois community has harmed residents. The best interest of those who live in Villebois is not been taken fully into consideration. There is a plan to add more apartments around the piazza area without appropriate parking accommodations or consideration of how it will severely congest an already over-developed community. There are major safety concerns, parking concerns, traffic and pedestrian concerns, and privacy concerns associated with the project that will make it a risk and not a reward for our community. Other options are available that will provide a higher quality of safety, and a higher quality of life for those who reside in Villebois. Residents feel the master plan should not be unyielding or stationary; and it can be adapted to fit the needs and the safety of the residents, rather than the needs and interests of developers. Ms. Renfro said their concerns are valid and deserve a response that insures the prosperity of the Villebois community, rather than the prosperity of the developers and other invested parties. There are many issues with this new proposal going forward and we ask that those issues be examined, and for the community to have input to something that satisfies us with that project.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Carrie Hanson expressed concern with the streets getting smaller and narrower. She did not know how emergency vehicles could pass on the narrow streets. We moved to Villebois for a walkable community, but there are no shops, and the apartment buildings block the views of Mt. Hood. The new developments affect the quality of life and make one question whether to stay in Villebois. She asked Council to consider safety and growth, and include community involvement.

Mayor Knapp asked the Fire Chief to address whether the fire equipment had difficulties moving through the streets in Villebois and if there was difficulty accessing fire hydrants.

Chief Weiss, TVF&R Fire Chief, acknowledged the pain and loss due to the fire. The Chief did not have any reports by any of the responders of issues with access or egress for any of the fire engines or trucks that responded to the fire in Villebois on March 31. Chief Weiss spoke with the incident commander to insure he was not missing a report, and they reiterated they did not have any issues with accessing hydrants, or setting up equipment exactly where they wanted to place it. The Chief was not sure where the reports were coming from; but he has heard none.

Ms. Troha expressed her appreciation for the Villebois residents who shared their concerns.

Mayor Knapp indicated a community meeting would be held April 2, and invited the Villebois residents to attend.

MAYOR'S BUSINESS

A. Volunteer Appreciation Proclamation

Zoe Monahan introduced the Volunteer Appreciation Proclamation and invited Council to attend the Volunteer Appreciation dinner to be held on April 16, 2019.

Mayor Knapp read the proclamation into the record.

B. 21st Consecutive Tree City USA Designation, Sterling Tree City USA Designation (10th Growth Award), and Arbor Day Proclamation

Assistant Planner Charlie Tso presented the staff report.

Mayor Knapp read the proclamation into the record.

C. Upcoming Meetings

Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

COUNCILOR COMMENTS

A. Council President Akervall

Indicated she attended the Clackamas Cities Association Dinner. Councilor Akervall stated how grateful she was to be a part of the Villebois community, and to see the efforts made by the community the night of the fire to assist in whatever way they could, as well as the outpouring of support.

B. Councilor Stevens

Expanded upon the Clackamas Cities Association (CCA) Dinner, where the focus was on affordable housing and the Metro bond. She attended the Library board meeting and Movies on Friday night.

C. Councilor Lehan

Ms. Lehan knew how devastating the loss of a home due to a fire was since her family home burned down in 1944, and how it impacted her family's life all of their lives. The Councilor described the evolution of a fire department in Wilsonville moving from no fire department, to an all-volunteer fire department, and through to the TVF&R services. She mentioned the tremendous job the Public Works crews did.

D. Councilor West

Mr. West described how he came to purchase a home in Villebois. He acknowledged how traumatic the fire is for the whole Villebois community. The Councilor was overwhelmed with the responses from the neighbors, the fire fighters, and City staff. Councilor West reported he has been at the Capitol working on behalf of foster kids. He noted Senate Bill 1021 has passed out of committee. The bill will be looking to expand auxiliary lanes and deal with seismic structure for the Boone Bridge.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2743**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement With Tualatin Valley Water District And The City Of Hillsboro To Jointly Design And Construct The Garden Acres Road Project (CIP #4201) And Willamette Water Supply PLM_1.2 Garden Acres To 124th Pipeline Project.

B. Minutes of the November 19, 2018 Council Meeting.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

PUBLIC HEARING

A. **Ordinance No. 834** – 1st Reading

An Ordinance Of The City Of Wilsonville Approving Comprehensive Plan Text And Map Amendments And Transportation System Plan Amendments Related To The Basalt Creek Concept Plan And Approving A Comprehensive Plan Map Amendment Related To The Coffee Creek Master Plan.

Ms. Jacobson read the title of Ordinance No. 834 into the record on first reading.

Mayor Knapp provided the public hearing format and opened the public hearing at 9:04 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No Councilor’s participation was challenged by any member of the audience.

Kimberly Rybold, Associate Planner, provided the staff report. She introduced Scott Mansur of DKS Associates, the City’s transportation consultant. Ms. Rybold identified the location of the Basalt Creek planning area and the future Basalt Creek Parkway which will serve as the future boundary line between the City of Tualatin and the City of Wilsonville.

The concept plan was adopted by the City of Wilsonville in August 2018 and represented years of work between the cities of Wilsonville and Tualatin in establishing a future vision for this area. The area was brought into the UGB in the early 2000’s for future employment uses.

As part of an IGA between the two cities as well as Metro and Washington County, Wilsonville must adopt these comprehensive plan amendments related to the concept plan by May 3, 2019.

The proposed Comprehensive Plan Amendments consist of the following:

- The creation of two new areas of special concern within the Comprehensive Plan text. “Area M” is the Basalt Creek planning area, and language has been added to the Comprehensive Plan to bring forward information about the land use category from the Concept Plan and discuss them in more detail, and explain where they would be applied within the Basalt Creek planning area.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

- There is text linking to the transportation improvements identified in the Basalt Creek Transportation and Refinement Plan, which are being carried forward to the Transportation System Plan as well.
- Language defining the future objectives important for the area such as preservation of natural resources, and providing multi-modal links to the area including trails, and bicycle connections as well as transit access.
- Implementation measures such as a form-based code similar to what was adopted in Coffee Creek will be considered for this area.
- “Area N” is the West Railroad planning area. The Concept Plan did not have robust land use recommendations for this area as there are many environmental constraints and the cost of potentially serving this area from an infrastructure perspective is high. The thought is to add language identifying these constraints and stating that future study will be needed once development begins to occur in the area to determine what the appropriate land uses might be within “Area N”.

The next piece is an amendment to the Comprehensive Plan Map, which would add the Industrial designation in two areas, the Basalt Creek Planning Area as well as the Coffee Creek Industrial Area. Both of these mapping actions would be consistent with the Concept Plan in Basalt Creek and with the previously adopted Coffee Creek Master Plan.

The Industrial Implementation Measures will also be amended within the Comprehensive Plan text to carry forward some of the basic concepts from the Concept Plan in terms of the creation of a high tech employment district within the area, and an implementation measure that would recognize one of the land use recommendations for craft development industrial type. There is no guidance in the Comprehensive Plan currently; staff wanted to carry forward a characterization of how those uses could include things like smaller scale craft manufacturing. Also included is an industrial implementation measure to insure active green spaces are provided throughout these industrial areas.

Scott Mansur described the TSP amendments that would be required as part of the Basalt Creek amendment. The TSP is the City’s long-term policy and planning document; as land uses change throughout the City, urban growth areas are increased, there is a need to identify transportation infrastructure needed in the future to provide adequate service and operations for all modes of travel in the City. Keeping the City’s Transportation Systems Plan up-to-date allows the City to compete for regional, state, and federal grant funding, as well as keeping current with changes in state and regional transportation policies.

Changes in local conditions include:

- Adoption of the Basalt Creek Concept Plan
- Adoption of the Boones Ferry to 5th Street to Brown Road connection
- Jurisdictional road transfers of Garden Acres, Clutter Road and Advance Road (to 60th Ave) from county to City.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mr. Mansur identified the transportation infrastructure projects as part of the Basalt Creek Concept Plan:

- Basalt Creek Parkway Extension from Grahams Ferry Road to Boones Ferry Road
- Basalt Creek Trail Projects north of Day Road midway between Boones Ferry and Grahams Ferry Road; and along I-5 north of Boones Ferry Road to the general vicinity of the Basalt Creek Parkway.
- Widening Boones Ferry Road to 5 travel lanes
- Widen Grahams Ferry Road to 3 travel lanes
- Boones Ferry Road/95th Avenue
- Basalt Creek Parkway Overcrossing
- Day Road Overcrossing
- Dual Southbound Right Turn Lanes from I-5
- Update the Brown Road Extension Alignment to 5th Street
- Pioneer Court Extension to Day Road to Boones Ferry Road
- Update the jurisdiction of three roadways
- Update the functional classification of Garden Acres Road and Ridder Road from collectors to minor arterials.
- Update the map to show roadways built since the last TSP adoption
- Update the map to identify bicycle facilities that been built

Ms. Rybold indicated the next step is to amend the UPAA with Washington County. Staff is recommending incorporating the Comprehensive Plan Amendments for Basalt Creek, along with the TSP plan amendments and the Comprehensive Plan Map Amendments for Basalt Creek and Coffee Creek.

Councilor Stevens referred to the trails planned for Basalt Creek and asked if they were part of the official Tonquin Trail.

Mr. Mansur responded the proposed trails are not part of the Regional Tonquin Trail.

The Mayor invited public testimony.

Paul Soles wanted to know if there were plans to repave or repair Day Road.

Zach Weigel, Capital Projects Engineering Manager, indicated improvements are planned for Day Road for 2020.

Ms. Troha indicated the City's Public Works crews are aware of the road condition and try to stay on top of the potholes.

Mayor Knapp closed the public hearing at 9:23 p.m.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor West moved to adopt Ordinance No. 834 on first reading. Councilor Stevens seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

NEW BUSINESS

A. Resolution No. 2730

A Resolution Of The City Of Wilsonville Authorizing The City Parks And Recreation Department To Assume Ownership Of And All Maintenance Responsibilities For The Following Neighborhood Parks: Hathaway Court, Landover And Willow Creek Park.

Ms. Jacobson read the title of Resolution No. 2730 into the record.

Parks and Recreation Director Mike McCarty provided the staff report. Staff is recommending the City accept ownership, maintenance responsibility and future upgrade responsibilities for Willow Creek Park, Landover Park, and Hathaway Park. These parks were dedicated in 1999 and were to be cared for by the Homeowner’s Association (HOA). However, staff feels the citizens in these areas would benefit from the City’s park maintenance expertise, which includes Certified Playground Safety Inspectors, understanding of ADA compliance, and a high level of general park care. With the approval of Resolution No. 2730, the City will assume ownership and all park maintenance responsibility and released the HOAs from such responsibility.

Motion: Councilor Lehan moved to approve Resolution No. 2730. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

B. Resolution No. 2742

A Resolution Of The City Of Wilsonville Authorizing A Change Order With Paul Brothers, Inc. For The Memorial Park Dog Park And Community Garden Parking Lot Project (Capital Improvement Project #9132).

Ms. Jacobson read the title of Resolution No. 2742 into the record.

Natural Resources Manager Kerry Rappold provided the staff report and a PowerPoint presentation. The parking lot project improvements include parking lot pavement, stormwater management facilities, utilities, lighting, landscaping, restroom pad, access roadway, bridge guardrails, and offsite transportation improvements.

Due to issues related to soft spots that needed over-excavation and additional gravel, and increase in the size of a water pipe, adding pavement and curb, installing a rock wall, rerouting the electrical connection, adding an electrical panel, and including bridge approaches, change orders were necessary to complete the project. These change orders exceed the 15% limit set by Wilsonville Code, and require Council approval.

Motion: Councilor Akervall moved to approve Resolution No. 2742. Councilor Stevens seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor West	Yes

CITY MANAGER'S BUSINESS

Ms. Troha, Assistant City Manager, thanked Council for their leadership, commitment and compassion in dealing with the Villebois fire. Additionally, Ms. Troha expressed her appreciation and thanked staff for their help on this effort.

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 9:36 p.m.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

DRAFT

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, September 5, 2019. Mayor Knapp called the meeting to order at 7:08 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Delora Kerber, Public Works Director
Bill Evans, Communications & Marketing Manager
Mark Ottenad, Public/Government Affairs Director
Zoe Monahan, Assistant to the City Manager

Motion to approve the order of the agenda.

Motion: Councilor Lehan moved to approve the order of the agenda. Councilor Akervall seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes

COMMUNICATIONS

A. West Linn – Wilsonville School District Bond Dr. Kathy Ludwig Superintendent

West Linn – Wilsonville School District employees Dr. Ludwig, Superintendent along with Andrew Kilstrom, Director of Communications presented on the following ballot measures:

- West Linn-Wilsonville School District Capital Bond, Ballot 3-554
- West Linn-Wilsonville School District Local Option Levy, Ballot 3-555

Council heard details of the \$206.8 million capital bond measures on the November 2019 ballot.

Clarifying questions of School District staff ensued.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

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.

Jami Arbon, Wilsonville resident, spoke in support of lifting the ban on the sale of cannabis in Wilsonville.

Doris Wehler, Wilsonville resident, encouraged residents to vote in favor of the West Linn-Wilsonville School District bond. Ms. Wehler advocated the appointment of John Budiao to City Council.

Debi Laue, Wilsonville resident, echoed the importance the vote for the West Linn-Wilsonville School District bonds. Ms. Laue advocated for the appointment of John Budiao to City Council.

Laura La Joie, Wilsonville resident, advocated for the appointment of John Budiao to Council.

Kate Johnson, Wilsonville resident, read a letter from former City Council President Scott Starr. In Mr. Starr's letter, he requested that Council interview Eric Postma as a potential Council candidate. Ms. Johnson echoed the statements of support provided by the previous speakers regarding John Budiao.

MAYOR'S BUSINESS

A. Council Appointment

Mayor Knapp reported prior to the interview process Council identified different considerations to assist in the City Councilor appointment process.

Mayor Knapp listed the below requirements and evaluation considerations for Council candidates:

Councilor Applicants Requirements (per City Charter)

1. A US Citizen.
2. A qualified elector (citizen registered to vote) who has been a Wilsonville resident during the 12 months immediately preceding the appointment to the office.

Council's Applicant Evaluation Considerations

3. Has demonstrated commitment to the community through prior service, such as participation on City boards and commissions, government task force or board of directors for a non-profit organization.
4. Understands and is committed to fulfilling the workload of being a Councilor, and will commit to fulfilling the term, and intends to run for the position after that.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

5. Understands and is committed to principles of Good Government, and all that means.
6. Willingness to listen and learn before forming policy opinions and positions.
7. Values diversity in geographic experiences, gender, ethnicity, and age in planning and providing for the present and future in our community, including in our schools.
8. Contributes to geographic distribution of Council member representation.
9. Understands and is knowledgeable with Council goals, policies, and legislative agenda.
10. Commitment to uphold Oregon Government Ethics Laws, as well as the Wilsonville charter, laws and Council decisions; and understands Oregon’s statutory financial disclosure requirements contained in a Statement of Economic Interest.
11. Understands that all presented materials and representations will be subject to independent review and verification and that this appointment is an open and transparent public process.
12. Understands that if selected, any false statements, omissions or misrepresentations may result in immediate disqualification or dismissal.

Mayor Knapp thanked all 10 applicants. He shared each candidate had very different personal stories, strengths, and diversity. He announced the five finalist in no particular order:

1. William (Bill) Amadon
2. John Budiao
3. Olive Gallagher
4. Katherine (Katie) Hamm
5. Joann Linville

Motion: Councilor Akervall moved that Council write down their top two selections for the position. Pass that information to the City Recorder to review and tally to see where Council is and to see if Council in the review of the material and careful consideration and the interviews can coalesce around a candidate. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes

Council proceeded to fill out their polls. The City Recorder collected the polls and read them aloud. The poll results are as follows:

- Mayor Knapp
1. Joann Linville
 2. William Amadon

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Council President Akervall

1. Joann Linville
2. William Amadon

Councilor Lehan

1. Joann Linville
2. Katherine Hamm

Councilor West

1. John Budiao
2. Joann Linville

Motion: Councilor Lehan moved to ratify the appointment of Joan Linville to the City Council for a term beginning 9/16/2019 to 12/31/2020. Councilor Akervall seconded the motion.

Council discussion ensued.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes

- B. Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

COUNCILOR COMMENTS

- A. Council President Akervall

Reminded that September is emergency preparedness month.

- B. Councilor Lehan

Broadcasted to report graffiti do not call 911. Instead, call the graffiti reporting hotline at (503) 682-4092.

Announced September 24, 2019 she along with Greg Leo will present at the Mcmenamins History Pub. She reminded the History Pub takes place the last Tuesday of each month.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

C. Councilor West

Broadcasted that Friday, September 6, 2019 at 7:00 p.m. is the opening night for Wilsonville High School football. Furthermore, on Saturday the Wilsonville 8th grade boys' football team plays in St. Helen's. Mr. West welcomed all students back to school and thanked all educators. He announced support for the West Linn- Wilsonville School District bond and levy.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2763**

A Resolution Of The City Of Wilsonville Approving Amendment #1 To The Charging Station License Agreement With Portland General Electric For Installation Of Electric Vehicle Charging Stations On City Property.

B. **Resolution No. 2764**

A Resolution Of The City Of Wilsonville Authorizing An Utility Easement Agreement Between The City Of Wilsonville And Portland General Electric.

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes

CITY MANAGER'S BUSINESS

A. Citizens Academy

City Manager Cosgrove announced that applications are now being accepted for the 2020 Wilsonville Citizens Academy and passed out flyers.

Mr. Cosgrove reminded if Councilors have questions regarding the League of Oregon Cities (LOC) conference packets to contact Zoe Monahan, Assistant to the City Manager.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

LEGAL BUSINESS

The City Attorney provided a few recent materials received regarding the Aurora Airport. Informed Council that at the next Work Session the topic of the Aurora Airport will be placed on the agenda for discussion.

ADJOURN

Mayor Knapp adjourned the meeting at 8:39 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, November 4, 2019. Mayor Knapp called the meeting to order at 7:15 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Amanda Guile-Hinman, Assistant City Attorney
Kimberly Veliz, City Recorder
Chris Neamtzu, Community Development Director
Cathy Rodocker, Finance Director
Bill Evans, Communications & Marketing Manager
Mark Ottenad, Public/Government Affairs Director
Miranda Bateschell, Planning Director
Jordan Vance, Economic Development Manager
Dan Pauly, Planning Manager
Zach Weigel, Capital Projects Engineering Manager

Motion to approve the order of the agenda.

Motion: Councilor Lehan moved to approve the order of the agenda as presented.
Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

COMMUNICATIONS

- A. 2019 State Legislative Update by Rep. Christine Drazan, House Minority Leader (House Dist. 39, Charbonneau/Canby)

Representative Drazan provided an overview of the 2019 legislative session and informed Council of what to expect during the 2020 session.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

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.

Jami Arbon, twenty-five year Wilsonville resident, advocated allowing cannabis businesses and the sale of cannabis in Wilsonville. Ms. Arbon believes cannabis saves lives and helps fight climate change.

MAYOR'S BUSINESS

A. Upcoming Meetings

Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

COUNCILOR COMMENTS

A. Council President Akervall

Spoke about the Kitakata student delegation and thanked the many Wilsonville businesses and community volunteers whom welcomed the students. She mentioned the students participated in tours and various activities throughout the week.

Ms. Akervall reminded the audience to drop off their ballots tomorrow by 8:00 p.m., as it is the last day to vote. She mentioned there is no longer a ballot drop box at the Library. However, there is now a drop box located in front of City Hall.

B. Councilor Lehan

Reported she attended the Charbonneau Arts Festival and was impressed by all of the local talent. Ms. Lehan shared last week she presented on Wilsonville history, civics, and general geography for about 94 second graders. She then thanked the residents of Charbonneau whom testified at the ODA Board's October 31, 2019 meeting regarding the Aurora Airport Master Plan update.

Ms. Lehan mentioned on Friday she hosted the State Heritage Tree Committee at the Stein-Boozier Barn. During the State Heritage Tree Committee meeting, the walnut grove located in Murase Park was chosen as the next State Heritage Tree. She anticipates that the grove dedication will take place on Friday, April 10, 2020 for Arbor Day. More information about the dedication will be shared, as it is available. In closing, Ms. Lehan provided a brief history of walnut trees in Oregon.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

C. Councilor West

Encouraged the audience to vote yes along with him on the two school bond measures. In addition, he reminded all of the importance of voting.

Mr. West recalled that Veterans Day is on November 11, 2019. He expressed gratitude for the sacrifice and courage of veterans and the men and women who continue to represent our country. Mr. West reminded there is a memorial on Veteran's Day where Mayor Knapp will be speaking and remembering the veterans of the Korean War.

Mr. West shared the Wilsonville eighth grade boys football team made it to the playoffs however, were eliminated by West Linn. He also announced the Wilsonville high school football team qualified for the state playoffs. Furthermore, he encouraged all to attend and support the team.

Mentioned he was able to make an appearance at the potluck in the barn along with Councilor Akervall.

Noted the upcoming Library fundraiser and wine tasting event occurring on November 9, 2019, which starts at 7:00 p.m.

D. Councilor Linville

Gave a shout out to Republic Services for a very successful Bulky Waste Day. Revealed Republic Services will host another Bulky Waste Day in the spring.

On November 1, she attended the *Energy Environment Future Summit* hosted by Oregon Tech along with City staff members and Oregon Tech students. Topics included solar energy, production of electricity by solar means and storage of energy. Furthermore, Ms. Linville reported she had discussions with Dwight Brashear, Transit Director on the City's plan to run electric buses if a power outage were to occur. Ms. Linville was impressed to learn the City of Wilsonville and the Chamber of Commerce had collaborated for the conference.

Noted she was not able to attend the ODA Board meeting as she was touring the Willamette Valley Locks along with Representative Barbara Smith Warner, Representative Ron Noble and Representative Mark Meek. Ms. Linville further mentioned she looks forward to the Governor confirming her to the Willamette Falls Locks Commission.

On November 12, Ms. Linville will attend the Metro Community Enhancement Committee meeting.

Ms. Linville shared she was unable to participate in the gala for the Charbonneau Arts Festival; however she was a docent for the Saturday event.

Lastly, reminded SMART buses are free to ride.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CONSENT AGENDA

Ms. Guile-Hinman read the title of the Consent Agenda items into the record.

A. **Resolution No. 2772**

A Resolution Of The City Of Wilsonville Consenting To The Transfer Of Control Of The Cable Franchise From Frontier Communications Corporation To Northwest Fiber, LLC, With Conditions.

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

A. **Resolution No. 2771**

A Resolution Of The City Of Wilsonville Supporting The 2019 Technical Assistance Grant Application To The Oregon Department Of Land Conservation And Development For The Wilsonville Housing Variety Implementation Project.

Ms. Guile-Hinman read the title of Resolution No. 2771 into the record.

Dan Pauly, Planning Manager provided the presentation.

Mr. Pauly updated Council on the background and reasoning for Resolution No. 2771. He reminded Council of their briefing on House Bill (HB) 2001 that took place during work session. Mr. Pauly noted that Resolution No. 2771 is in regards with HB 2001 however, is even more than the House Bill.

Mr. Pauly informed the legislature has put together one-time State funding to support local governments' implementation and/or compliance. Mr. Pauly recalled that the funding bucket Council heard about in work session is specific to the House Bill. Furthermore, every session the legislature puts money towards the technical assistance grants, which Department of Land Conservation and Development (DLCD) administers.

Staff explained the proposed project builds on City's recent housing-related work. It supports the Equitable Housing Strategic Plan and lays foundation for the work that will happen from 2021 to 2023 in master planning for Frog Pond East and South.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

It was shared that staff is applying for different programs to see what funds can be obtained to support the City's efforts.

Mr. Pauly explained the proposed project would require the code and policies to be audited and then build upon the Equitable Housing Strategic plan.

Staff explained in order to tackle the proposed project they laid out five barriers to address and the corresponding project actions, found below:

Barriers to Address

1. Public opinion and perceptions.
2. Design compatibility with detached single-family.
3. Outdated city policies.
4. Providing adequate infrastructure.
5. Funding infrastructure.

Project Actions

1. Public outreach and education.
2. Develop architectural and site design standards.
3. Update plans and codes.
4. Review and update infrastructure plans.
5. Explore infrastructure-funding options.

Mr. Pauly informed Resolution No. 2771 asks for Council support for covering project cost. Staff shared the breakdown of the finances associated with the grant request.

\$181,500 Grant request (consultant services)
\$123,500 City match (\$94,500 City staff time, \$29,000 cash for consultant services)
<hr/>
\$305,000 total project costs

Mr. Pauly shared the below timeline of next steps:

- Grant award decisions anticipated this month.
- Additional grant applications if not fully funded.
- Kick-off funded portion in early 2020.
- Complete project by 2021.

Mr. Pauly clarified that generally, a match is not required for grants however, a match is strongly suggested.

Motion: Councilor West moved to approve Resolution No. 2771. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. None.

CITY MANAGER'S BUSINESS

A. Leaves

Provided a public service announcement reminding businesses and residents not to rake leaves in the street, as it creates issues with the storm drains. Mr. Cosgrove confirmed citizens could bring their leaves to City Hall on November 9, 2019 from 9:00 a.m. to 2:00 p.m. for the Leaf Drop-Off event.

B. Day Road

Announced staff is in the process of looking for solutions for fixing Day Road.

C. Street Sweeping

Street sweeping contract may have some issues; staff will keep Council notified of any changes.

D. Citizens Academy

Reported that about 30 applications were received for the 2020 Citizens Academy.

E. Beauty and the Bridge

Shared the Beauty and the Bridge interpretive panels are in the permitting process with Oregon Department of Transportation (ODOT) and will be installed once the permits are approved.

LEGAL BUSINESS

A. Subaru Appeal

Ms. Guile-Hinman informed that the Legal department filed a response brief on October 8, 2019 for the Subaru Appeal. The reply brief from Subaru is due to the court of appeals on November 19, 2019.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

B. Friends of French Prairie vs. the Oregon Department of Aviation

Council heard an update on the Friends of French Prairie vs. the Oregon Department of Aviation Land Use Board of Appeal (LUBA) case.

Ms. Guile-Hinman publicized that since the last Council meeting staff received the record from the Oregon Department of Aviation (ODA), though they have moved to amend that record. Furthermore, the intervener respondents, which includes the Aurora Airport Improvement Association and others, filed a motion to deny the City's intervention in the LUBA case. The Legal Department filed an opposition to that motion. A hearing date has yet to be scheduled on all pending motions that are before LUBA.

Ms. Guile-Hinman then recalled there is another LUBA case regarding the C & L Lang property that is off Garden Acres Road that is currently stayed while the parties finalize a settlement. Legal anticipates that that should be happening within the next several days.

Ms. Guile-Hinman spoke to Council about the ODA Board's hearing held on October 31 2019. Specifically, the agenda item and action taken by the ODA Board to adopt the Aurora Airport Master Plan, layout findings of compatibility, and findings of compliance. Ms. Guile-Hinman described that the ODA Board heard testimony from several different parties and accepted written testimony. She further, detailed the City of Wilsonville provided written and oral testimony for that action item. However, ultimately the ODA Board adopted the item. She raised the question about what if anything the Council wants to elect to do moving forward. Ms. Guile-Hinman then provided the following options:

1. Take no action.
2. Look at a LUBA appeal.
3. Look at the option of a Circuit Court action under the Administrative Procedures Act.
4. Look at a LUBA appeal and at the option of a Circuit Court action under the Administrative Procedures Act.

Motion: Councilor Lehan moved that Council direct legal to proceed on as was explained earlier on a two-front track to both challenge the land use decision and the administrative procedures. Councilor Linville seconded the motion.

Councilor Linville stated she agrees with and supports the position of Councilor Lehan. She believes this issue remains both a procedural and a land use issue. Ms. Linville further shared she believes the position of the City of Wilsonville needs to continue to be strong by making sure rules and laws that govern land use are followed. Furthermore, Ms. Linville stated she does not believe rules and land use laws have been followed even though it appears that there has been a decision that the master plan is approved.

Councilor Akervall stated she agrees process is very important. She believes good process serves all facets of the community. She shared the theme of good process has been discussed and found important by this Council. Furthermore, good process is very important to the issue at hand. Therefore, Ms. Akervall concurred with the comments of the previous Councilors.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councilor West stated he takes a different stance on the position. Mr. West thinks there is evidence that the land use has been approved through ODA meeting minutes. Moreover, he does not think Council has a clear mandate from the citizens of Wilsonville to go down this path. Mr. West believes there are many in the business community and residents that would think differently about going through this process, the expensive resources, as it is not necessarily a mandate that the City would possess. Mr. West believes much of the land use process has been followed. Mr. West does not agree with the decision to move forward in either case.

Mayor Knapp reiterate a perspective that he previously stated to Council. His perspective is Wilsonville has developed a certain significant level of respect within the regional community by being an advocate for fair and consistent application of the rules. In addition, the Council has successfully moved the City forward in many ways working within the legal authority that exists. Mayor Knapp feels it is problematic to circumvent that legal process. He does not believe the process should only apply if someone opposes a certain outcome and if you favor the certain outcome then that should not release you from following the process to get there. Mayor Knapp thinks it becomes problematic if the process and rules that are in place are circumvented in one case as it raises doubts that there is substance and a requirement for following those in future cases. He thinks that becomes problematic. He explained rules are how we all get along together and function efficiently within our community. The Mayor thinks in this case, there is strong evidence that rules have been sidestepped, which does not serve the community of Wilsonville. Furthermore, if the advocates for airport expansion believe it stands on its own merits then the process should be allowed to proceed. Advocates can then make their case within the process not by circumventing the process. Therefore, the Mayor thinks it is consistent with the City's past positions and important the City maintain consistency going forward with those positions. He shared that the history of Council makes the argument to maintain the City's standing. Mayor Knapp is in favor of the motion that has been made to proceed on both fronts.

Councilor Lehan feels encouraged by the position the City of Aurora has taken. Moreover, she feels it is right to have Wilsonville and Aurora on the same side of this issue in terms of the principles on land use goals and procedural issues. As, the cities are closely aligned, even though they perhaps have different outcomes in mind. However, on the principles of the issue both cities are closely aligned which speaks to the point that both cities are being driven by principle and not by any other desired outcome.

Vote: Motion carried 4-1.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	No
Councilor Linville	Yes

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

ADJOURN

Mayor Knapp adjourned the meeting at 8:36 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

DRAFT

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

A special meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, February 20, 2020. Mayor Knapp called the meeting to order at 7:12 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Chris Neamtzu, Community Development Director
Cathy Rodocker, Finance Director
Keith Katko, Finance Director

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR'S BUSINESS

- A. Upcoming Meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City. He would be presenting his State of the City address on March 2, 2020.

COMMUNICATIONS

None.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

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.

There was none.

COUNCILOR COMMENTS

A. Council President Akervall

Reported she appreciated the GPI annual economic summit and the discussion on collaboration. The Councilor would be meeting with members of the School Board.

B. Councilor Lehan

Councilor Lehan has been working on Willamette Falls Landings. She noted the city of West Linn has committed money to restore the historic city hall/police station for a regional heritage center. The Councilor indicated the City might be asked to contribute funds to get the national heritage area established.

C. Councilor West

Stated he would be attending a Parks Bond measure task force meeting. He pointed out that February was Black History month and the events taking place in the Portland metro area.

D. Councilor Linville

Attended the leadership meeting with Representative Curt Schrader who is aware of the Willamette Falls Landing and Heritage legislation moving through Congress. The Councilor attended the French Prairie Forum, as well as the following meetings, the I-5 Pedestrian Bridge, Charbonneau Country Club Civics Affairs meeting, the West Linn State of the City, and she will attend the Rotary Heart of Gold Dinner set for February 29, 2020.

CONSENT AGENDA

Ms. Jacobson read the title of the Consent Agenda item into the record.

E. **Resolution No. 2777**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With K&E Excavating, Inc. For The French Prairie Road Phase II Project (Capital Improvement Project #2500/4500/7500).

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor Akervall moved to approve the Consent Agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

None.

CONTINUING BUSINESS

None.

PUBLIC HEARING

A. **Resolution No. 2788** (*Legislative Hearing*)

A Resolution Of The City Of Wilsonville Establishing And Imposing Just And Equitable User Fees For The City Water System; Amending Resolution Nos. 1624 And 2447; And Repealing Resolution Nos. 1713, 1829, 1957, And 2204.

Ms. Jacobson read the title of Resolution No. 2788 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 7:42 p.m.

Cathy Rodocker, Finance Director, along with consultant Doug Gabbard of FCS, provided the presentation.

The City of Wilsonville last reviewed the water rates in December 2013. A four-year rate path was approved with Resolution 2447, with the last rate increase effective in January 2017. The City has not increased water rates since that time. Council began reviewing water rates in July 2019 and have discussed various rate structures over four different meetings.

The consultants Doug Gabbard and Wyatt Zimbelman from the FCS Group performed a Cost of Service Analysis (COSA). The COSA involved analyzing historical expenses and projecting future cash flow needs to arrive at an annual revenue requirement. The components of this revenue requirement were then classified and allocated to the customer types to arrive at the proposed rates.

One of the primary points of conversation throughout the discussions with Council was how should the allocation of peak charges be reflected in the rates. After reviewing three rate structures, the

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

rate structure, which allocated the peak charges to the consumption fee, was favored. Following Council's direction, the rate structure proposed will have an increase in the consumption fee (as compared to existing rates) that reflects the inclusion of the peak charges.

The proposed water rates also includes a new residential rate structure. The City is in the process of implementing a new enterprise resource planning solution, which will include a module specifically for utility billing. In January of next year, the implementation phase will begin with an anticipated go live date of September 1, 2021. It has been noted that the new system would not be able to implement the existing residential rate structures without extra time and cost added to the project. Staff has recommended changing the current structure to a more standard tier structure, one that will not require extra time and cost to build and maintain.

The current residential rate structure actually has two different rate structures. Residential water charges are billed a base fee plus Tier I Rates for the months of November through March. A second rate structure is in effect for the months of April through October. With the second rate structure, Tier I Rates include the units up to the customer's winter average, plus an additional three units. All additional units are billed at the Tier II rates.

Current residential tiered rate structure:

SUMMER RATES		WINTER RATES	
Base Fee, includes first two units	\$20.45	Base Fee, includes first two units	\$20.45
Tier I: Winter Average + 3 Units	3.44/unit	Tier 1: Usage over 2 Units	3.44/unit
Tier II: Additional usage	5.76/unit		

Only one residential rate structure is included in the proposed monthly rate structure effective 5/1/2020 and is as follows:

Base Fee, includes first two units	\$16.59
Tier I: (3-8 units)	4.23/unit
Tier II: Over 8 units	6.13 /unit

Many of Wilsonville's neighboring cities and water districts use this common tiered structure.

Staff recommends Council adopt a four-year rate path with the increase effective each May 1, 2020. The rate schedule below represents the COSA rate structure over the next four years. Overall, the annual increases will result in a system wide increase in revenues of 3%. The following Table II will also be included in the resolution.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

TABLE II CITY OF WILSONVILLE WATER USER FEES EFFECTIVE MAY 1, 2020						
Date Effective		1/1/2017	5/1/2020	5/1/2021	5/1/2022	5/1/2023
MINIMUM CHARGES FOR ALL CUSTOMERS						
Meter Size	Monthly Quantity Allowance (ccf)	MONTHLY MINIMUM CHARGE				
5/8" x 3/4"	2	\$ 20.45	\$ 16.59	\$ 17.09	\$ 17.61	\$ 18.13
1"	2	\$ 22.58	\$ 19.18	\$ 19.76	\$ 20.34	\$ 20.96
1-1/2"	2	\$ 25.40	\$ 23.50	\$ 24.21	\$ 24.93	\$ 25.68
2"	2	\$ 33.18	\$ 28.68	\$ 29.54	\$ 30.43	\$ 31.34
3"	2	\$ 67.14	\$ 42.49	\$ 43.77	\$ 45.08	\$ 46.43
4"	2	\$ 111.70	\$ 58.03	\$ 59.77	\$ 61.56	\$ 63.41
6"	2	\$ 161.21	\$ 101.19	\$ 104.22	\$ 107.35	\$ 110.57
8"	2	\$ 217.80	\$ 152.98	\$ 157.57	\$ 162.30	\$ 167.17
10"	2	\$ 269.09	\$ 213.40	\$ 219.81	\$ 226.40	\$ 233.19
Bulk water		\$ 33.18	\$ 28.68	\$ 29.54	\$ 30.43	\$ 31.34
VOLUME CHARGES						
Customer Class		Volume Rate (\$/HCF)				
S-F Residential Tier 1		\$ 3.44	\$ 4.23	\$ 4.23	\$ 4.23	\$ 4.23
S-F Residential Tier 2		\$ 5.76	\$ 6.13	\$ 6.13	\$ 6.13	\$ 6.13
Multifamily		\$ 3.70	\$ 3.89	\$ 3.99	\$ 4.08	\$ 4.18
Commercial		\$ 3.59	\$ 3.90	\$ 4.07	\$ 4.25	\$ 4.45
Industrial		\$ 3.65	\$ 3.89	\$ 4.10	\$ 4.32	\$ 4.55
Irrigation		\$ 5.76	\$ 6.13	\$ 6.46	\$ 6.80	\$ 7.17
Public		\$ 3.59	\$ 3.86	\$ 4.06	\$ 4.27	\$ 4.49
Bulk water (Rate as of 1/1/20)		\$ 4.52	\$ 4.91	\$ 5.12	\$ 5.35	\$ 5.60
FIRE SERVICE CHARGES						
All Customers per inch diameter of pipe		\$ 8.21	\$ 8.33	\$ 8.45	\$ 8.58	\$ 8.71
Notes:	S-F Residential Tier 1 bills each ccf consumed between 3-8 ccf					
	S-F Residential Tier 2 bills each ccf consumed over 8 ccf					
All rates include 4% Franchise Fees						

Two specific items included in Table II above were not directly addressed in the COSA. FCS Group did not review bulk water and fire charges. Being as Bulk Water fixed charges are based on a 2" commercial meter, -the Bulk Water volume charges are set to increase at the same per unit percentage increase as the commercial rate. Fire service charges are set to increase 1.5% each year.

In addition to the rate increases, several changes are also recommended to the prior resolutions. The major item is to correct the residential rate changes but other items are being updated as well.

The adoption of the 2020 Water Rate Structure, along with the addition three year rate path, will provide the estimated funding required to meet the operations and capital needs, as noted.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Staff is targeting an effective date of May 1, 2020 as the first year of rate increases and new residential rate structure. Each of the three additional proposed rate increases will go into effect May 1 of each following year.

The new rate structure will increase the revenues collected for the last two months of the current fiscal year. The increase was not originally included in the revenue projections and will result in slightly higher revenues than anticipated.

Mayor Knapp asked if Councilors had questions. Councilors asked clarifying questions regarding the delinquent fee, maintaining contact with high volume customers, and the effective date of the rate increase.

Mayor Knapp invited public testimony.

Tom Vaughn, Arbor homeowners association (HOA) President, was concerned with the way Arbor HOA is billed for their irrigation system that runs five months a year. Mr. Vaughn asked Council to look at the base rate and make an exception for Arbor HOA due to their size and the amount of water bills paid to the City. The HOA has sixteen irrigation meters that run five months out of the year and Mr. Vaughn requested not being billed for the base rate on those meters when the irrigation system was dormant.

Councilor West reported he belongs to Arbor HOA and therefore would be recusing himself from discussion.

Mayor Knapp invited additional speakers, seeing none he closed the public hearing at 8:13 p.m.

Motion: Councilor Akervall moved to approve Resolution No. 2788. Councilor Lehan seconded the motion.

Councilor West announced he received approval from the City Attorney to vote on Resolution No. 2788.

Councilor Akervall remarked there were many benefits to the new structure in that the rate structure has been simplified, it contains more equity, and supports water conservation goals.

Councilor Linville thought the homeowners in the HOA might have their bills reduced since they were paying less for the base.

Councilor West indicated all residents of the City would be impacted by the rate increases. The Council had many discussions about rate equity and the concern with how this would affect the less prosperous.

Councilor Lehan wanted to know who determined how the irrigation meter costs were billed and whether the meter costs would go to the individual homeowners, or to the HOA.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mr. Cosgrove said staff would research how other HOAs are set up and report to Council. He suggested the Arbor HOA complete an analysis to see if there is a need for all of the meters.

Mayor Knapp called for the vote.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. Resolution No. 2789 (*Legislative Hearing*)

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20.

Ms. Jacobson read the title of Resolution No. 2789 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:31 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor’s participation.

Keith Katko, Assistant Finance Director provided the staff report.

Oregon’s Local Budget Law (ORS 294.471 & 294.473) allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the budget was adopted. The supplemental budget adjustment and noticed hearing process followed herein can recognize expenditures that exceed 10% of the adopted budget expenditures or 15% of the adopted contingency in a fund, although the actual adjustment may be less.

These budget supplemental requests the adjustments under the following categories:

- Materials & Services (MS) requests including amounts for as indicated:
 - Bank Fees (customer credit card use increase) - \$154,000
 - Street Sweeping Contract: - \$100,000
 - Sidewalk Repair Reimbursement Program: - \$5,000

- Capital Outlay requests include amounts as indicated:
 - Community Center Kitchen Steamer Replacement- \$20,000

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

- Capital Improvement Project (CIP) requests include as indicated:
 - CIP#4214 Day Road Emergency Repair - \$85,000
 - CIP#4014 Road Maintenance Projects - \$73,000
 - CIP#1123 Water SDC Rate Study - \$8,800

- Net Zero Dollar transfers between projects:
 - Reclass of \$5,000 from CIP#8128 (Phone Replacement) to CIP#8122 (Copier Replacement)

- Beginning Fund Balance to actual prior year Ending Fund Balance, restatement adjustments:
 - Stormwater Operating Fund - \$624,958
 - Roads Maintenance Fund - \$2,406,053
 - Building Capital Projects Fund - \$201,146

As stated in the Fiscal Management Policies, the City shall amend its annual budget in accordance with Oregon local budget law. The Council at a regularly scheduled meeting adopts the supplemental budget adjustment. Convening the budget committee is not required.

Local Budget Law requires a notice for the public hearing to be published not less than 5 days prior to the regular meeting. The notice was published in the Wilsonville Spokesman on Wednesday, February 12, 2020. Adoption of the Supplemental Budget Adjustment is required prior to the end of the fiscal year, June 30, 2020.

In response to Councilor’s questions staff:

- Will contact the Community Center to find out more information on the steamer and will report findings to Council.
- Described in more depth the Sidewalk grant program.
- Explained the budgeting of the beginning fund balance.

The Mayor invited public testimony, seeing none he closed the public hearing at 8:42 p.m.

Motion: Councilor Linville moved to approve Resolution No. 2789. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CITY MANAGER’S BUSINESS

Mr. Cosgrove reported ODOT signed a contract for the Boone Bridge retrofit study.

The City is working with the West-Linn/Wilsonville School District on the possibility of the two agencies co-sponsoring and hosting the World Outdoor Track and Field events.

The City Manager has been talking with staff about additional and more frequent communication to the public on the major City projects.

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, March 2, 2020. Mayor Knapp called the meeting to order at 7:08 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Rob Wurpes, Chief of Police
Bill Evans, Communications & Marketing Manager
Mark Ottenad, Public/Government Affairs Director
Zoe Monahan, Assistant to the City Manager

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR'S BUSINESS

A. State of the City Address

Mayor Knapp presented the 2020 State of the City Address.

Mayor Knapp's 2020 State of the City Address is appended to the minutes in its entirety.

There was a break for refreshments. The meeting recommenced at 8:05 p.m.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

B. League of Women Voters Month Proclamation

Hilly Alexander, member of the League of Women Voters shared the year 2020 marks, the 100th anniversary of the ratification of the 19th amendment on women's suffrage. It also marks the 100th anniversary of the League of Women Voters. Ms. Alexander then played a short video.

The Mayor read a proclamation declaring the month of March as League of Women Voters Month.

C. Appointment of Rohit Sharma to the Tourism Promotion Committee

Tourism Promotion Committee – Appointment

Appointment of Rohit Sharma to the Tourism Promotion Committee, Position 1 for a term beginning 3/2/20 to 6/30/22.

Motion: Councilor Lehan moved to ratify the appointment of Rohit Sharma to the Tourism Promotion Committee, Position 1 for a term beginning 3/2/20 to 6/30/22. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

COMMUNICATIONS

Boys Scouts Troop leader, Miko Rosal introduce himself. He shared troop members were attending the meeting to earn their citizenship in the community badge.

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.

There was no public input.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

COUNCILOR COMMENTS

A. Council President Akervall

Announced earlier today she met with the library strategic planning group. She encouraged all to visit www.letstalkwilsonville.com/library to participate in a survey to gather feedback for the strategic plan. Ms. Akervall noted last Monday she met with a few representatives from the school district and school board for continued discussions on diversity, equity, and inclusion in the community.

B. Councilor Lehan

Mentioned the City is undergoing preparations to deal with the Coronavirus pandemic.

City Manager Cosgrove stated staff is putting out information across all City platforms about the Coronavirus. He recommends trusted sources such as Centers for Disease Control and Prevention (CDC) and the Oregon Health Authority (OHA) for up to date information on the virus. Mr. Cosgrove shared staff is updating continuity of operations plans for all programs and services delivered by the City. Furthermore, staff is providing extra cleaning of surfaces in the Senior Center and other areas where public gathers. He reminded if you are not feeling well, do not go to public gatherings, be cautious about engaging in the public, and wash your hands often.

C. Councilor West

Announced he chaired the last Parks Bond Task Force. Councilor West reiterated the importance of washing hands in order to reduce the spread of the Coronavirus and other viruses.

D. Councilor Linville

Welcomed the Boy Scouts. Ms. Linville then shared she attended the Rotary Heart of Gold event and congratulated Dianne and Jake McMichael who were selected as the first citizens for 2020. She also attended the Civic Affairs Committee for the Charbonneau Country Club.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2793**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

B. Resolution No. 2794

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

C. Resolution No. 2795

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods LP, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

D. Resolution No. 2796

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation.

E. Resolution No. 2797

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc.

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

A. None.

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. None.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CITY MANAGER’S BUSINESS

Reported that a joint meeting between the West Linn-Wilsonville School District and City Council is scheduled for April.

LEGAL BUSINESS

Announced that Kinder Morgan is close to completing the automatic shut off valve installation.

ADJOURN

Mayor Knapp adjourned the meeting at 8:29 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

2020 State of the City Address

Good evening, everyone and welcome to Wilsonville. Thank you for coming. And I hope that you enjoy some of the presentation. There are a lot of things we want to talk about if we're kind of looking back at the last decade or so. Let's proceed.

I am Tim Knapp and I have the pleasure of serving as the mayor of Wilsonville for these past 11 years. We also want to acknowledge and thank our City Council members who each bring their own perspective. And those perspectives enable us to, to reach better outcomes by having a diverse set of backgrounds. So Councilor Kristin Akervall, would you stand or, or wave or something? So people see you. Kristin is our City Council President. Councilor Charlotte Lehan who is a former Clackamas County commissioner and chair, and former mayor of Wilsonville. Councilor Ben West disappeared. There he is over there. And our newest Councilor Joanne Linville. So, we thank all of them for their work.

I'd also like to recognize a few other elected officials. The mayor of Hillsboro, Steve Callaway is here. Mr. Steve Callaway, thank you for coming. County Commissioner, Ken Humberston from Clackamas County is here. Thank you. State Representative Courtney Neron is here. Courtney, thank you for coming. And Tigard Councilor John Goodhouse has joined us. Thank you, John, for coming. Are there any other electives that I'm not seeing and did we catch everybody? Okay, well, let's go ahead.

12 years ago, I stood at this very podium and took my oath as mayor. The great recession had recently started and jobs were being lost. Wilsonville industrial buildings were 45% vacant. Our future was in question. Your Council and City staff focused on building on our unique assets. We recommitted to growing our neighborhoods, our job base, and our commercial sector to become a complete community. Carefully considered, but bold decisions were made to advanced next steps in major infrastructure projects to keep our City moving. Such require consistent, clear policies over long periods of time to accomplish. Let's consider a few of the major projects that have provided means to advance a successful thriving community.

One of the major things that we do is concerned with water, water infrastructure. This is a primary vehicle that we have to have for our community to work. So, first of all, on the domestic or freshwater supply question in 1998, the Council proposed to use the Willamette as the source for our domestic raw water. And in 1999, a voter advisory measure approved of that partnering with the Tualatin Valley Water District. We opened a plant in 2002, which was built here in Wilsonville, on the river at a cost of some \$50 million. It can produce 15 million gallons a day and utilize this top of the line technologies in redundant steps, including ozonation for purification. In 2008, Coca Cola executives declared Wilsonville water is some of the best in the U.S. and announced plans to expand operations here. In 2010, Coca Cola opened a \$35 million 160,000 square foot expansion. They consolidated Western, Oregon and Washington jobs into Wilsonville and went from 60 employees here to some 400, now almost 500 employees in Wilsonville.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

In 2011, the City and Tualatin Valley Water District (TVWDS) agreed to sell 5 million gallons a day of TVWDS water rights to the City of Sherwood and a 3.6-mile long, \$11.7 million pipeline, four feet in diameter was built in 2012 through 2014.

Also in 2014, Wilsonville, Tualatin Valley Water District, the City of Hillsboro met together to form the Willamette Water Supply Program. This group proposed a \$1 billion, 26-mile long, five and a half foot diameter pipeline that would carry 45 million gallons of day to supply Western Washington County. After extensive research debate and negotiation by staff and elected officials an agreement was reached. There would be a 99 yearlong ground lease for the Willamette Water Supply Program to accommodate the intake at the river and the pipeline. \$30 million in compensation will be paid to Wilsonville for the, repair and restoration of City property, staff time, and inconvenience to the public. Including \$17 million in ground lease payments over 10 years, \$7 million in roadway and sidewalk improvements, \$3 million in seismic upgrades and additional capacity modifications at the Willamette River Treatment Plant, new park amenities, including a river overlook and walking paths at the Water Treatment Plant Park. And finally Wilsonville was agreed to be the controlling operator of the Wilsonville joint plant in perpetuity.

Now in 2020, construction on the pipeline and improvements has been undertaken and are underway. Not too many years after that, we had to start thinking about our wastewater system. In 2011, we were still working with a 1970s treatment plant that was plagued with capacity and odor issues. In 2011, staff consultants and Council studied the best way to remedy it. Initial estimates to build a new facility were high, something in the \$80 million range just to build it not operate it. In 2012, Council was finally able to award a contract to design build and operate a new plant that was innovative. It was the first wastewater plant design build operate contract in the state of Oregon. The contract called for \$44 million to design and build the plant and about \$2 million a year to operate it for 15 years, the capacity increase was from 2.4 million gallons a day to 4 million gallons a day. And there is available a protocol to do a further upgrade to 7 million gallons a day when we need to. The plant produces dry class A biosolids, which means they are less than 10% moisture, they can be spread on fields. And we finally have reliable odor control and less expensive disposal of those biosolids. Wilsonville has a reliable wastewater capacity, which enables both residential and business growth.

Speaking of residential growth, we've had quite a bit of that. Our biggest project over the last decade has been the Villebois project on the hill overlooking the City. In the 2000s years of planning were spent to figure out how to do the conversion of the former Dammasch State Hospital grounds into other uses. Dammasch was originally proposed by the state in 1998, to be the site of the Coffee Creek Correctional Institution. Your elected officials led by then Mayor Charlotte Lehan worked tirelessly to oppose the state and the governor through much controversy. Villebois only became possible when the City offered the current prison site as an alternative in Wilsonville.

Finally, the Wilsonville Villebois concept plan was hammered out and adopted. That plan looked forward to 2,500 total residential units composed of single-family homes, duplexes and multifamily communities. Construction started on the first homes in 2005. By 2013, it was about 40% built, even though we had been dealing with the problems of the great recession. Construction

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

was started on the central neighborhood, central piazza commercial area at about that time. We expect completion of construction in Villebois over the next couple of years. Today, Villebois is a high quality neighborhood full of parks and wonderful green spaces, much loved by its residents and families.

Our upcoming next big project is the Frog Pond area. In 2002, the Frog Pond West land was brought into the UGB about 180 acres. In 2011, the City applied to include Frog Pond East and South in the UGB and did not succeed. We applied again in 2014 and did not make it. We applied again in 2018 and finally Metro approved addition of this area to the urban growth boundary that year.

Back stepping a little bit. In 2015, the City staff and electeds collaborated with our school district to convince Metro, to allow the Meridian Creek School site into the UGB on a special exception process. Also in that year, the Frog Pond West master plan was adopted and school construction was started. School construction was a \$40 million project. That school opened in 2017 and is now a robust part of our community and very strongly moving forward.

We were pleased to host the Northwest Natural Street of Dreams showcase in our Frog Pond West neighborhood in 2019. They had about six homes built at that point. And many, many visitors came to visit. Construction continues, there's now something, and I didn't double check this, but I think we have about 15 or 20 homes completed in that area. The master plan provides that Frog Pond West can host somewhere between 450 and 570 total homes in the West neighborhood.

Going forward, the City will be engaging the public on designing a vision and master plan for Frog Pond East and South. We intend it to become another unique desirable and loved Wilsonville neighborhood. There are a variety of other residential developments that have occurred. Some of those are listed on the screen here (Jory Trail, Terrene, Porterra, Boat Club on the Willamette, Brenchley Estates and Ash Park). These are residential developments over the past 10 years and are just a little bit of the indication of the infill that has been going on.

Along with housing, our citizens need parks and recreational opportunities. In 20 [inaudible] don't give up on my voice now, I've practiced this too many times. In 2018, the City adopted a new and updated parks and recreation master plan, which included specific plans for Memorial Park and Boones Ferry Park. The theme of increased access to the Willamette River applies in both of those locations. In 2017, the Council had purchased a suddenly available five-acre riverfront parcel to be joined and become part of Boones Ferry Park. Proposed in the plans, are new sports fields for Memorial Park and Frog Pond Community Park, near Meridian Creek Middle School. The plans include more outdoor recreation options such as an improved dog park, now underway, with new amenities, including restrooms and a dog wash, better access to an expansion of our community gardens complex, a new disc golf course, new mountain bike course, more sports fields and multiple locations. All nice amenities that the community will use in an energetic way, I'm sure. We introduced new health and exercise as well as recreational programming in the past year for both youth and seniors. And we recognize recreation continues to be a major contributor to our

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

concepts of healthy living for people at all stages of their lives in our City. Incidentally, we now have the Parks and Rec Task Force looking at projects for a potential ballot measure in November 2020 to bond for park improvements. We would ask citizens whether they wish to back a small tax to enable moving forward on our parks master plan more quickly.

Another major component of the infrastructure that we supply to the public is our public transportation. Motivation for Wilsonville is to provide better quality local transit service. Transit removes single occupant vehicles from the freeway, reduces pollution of greenhouse gases, reduces vehicle miles traveled, provides free local transit service for everyone in the area equitably.

What started out as WART, Wilsonville Area Rapid Transit with one route and two buses, 31 years ago is now SMART. A highly professional operation with a fleet of 36 buses, running six regular fixed routes and two out of town express routes, one to the Portland TriMet connection and one to Salem. SMART solves the last mile connection problem for transit commuters coming on West. We promised to take everyone within 10 minutes from their arrival at West commuter station to their employers workplace door in Wilsonville. Many of our employers just love SMART.

Over time, your Council has also taken action on energy use and emissions. The City participates in the United States Environmental Protection Agency (EPA), green power communities program. We also participate in PGE's clean wind, and in the new green tariffs solar energy facility being built in Eastern Oregon. We host a new PGE electric avenue charging station at our own library. The Council is supporting SMART and moving our bus fleet away from diesel fuel to alternative fuels, including hybrid electric and diesel buses, compressed natural gas buses and more recently now, EV full electric buses.

SMART has won a series of very competitive state and federal grants to enable modernization and conversion. The Federal Transit Administration and ODOT grants seen here have helped us move forward with some \$4 million in grants to enable the purchase of better vehicles. In 2017, our SMART system was one of only 51 public transit agencies nationwide from 200 applicants we were the only one in Oregon to successfully compete for a \$1.45 million grant award under the federal low and no emissions program. Our own SMART staff has devised innovative methods for onsite CNG and electric power fueling infrastructure. SMART was recognized last October by the Oregon Transit Association with the public transportation system innovation award. SMART's transit master plan was amended by the Council last, two years ago, I guess, 2018. After Oregon House Bill 2017 provided a new statewide revenue source to support public transit. SMART will expand with new services, new routes and frequency more all-day service to Tualatin, and mid-day trips to Salem, extended hours for cross-town service into the late night and weekend within town.

So the piece of public infrastructure, many people want to ask about is what about traffic? Transportation infrastructure is critical, connectivity and mobility. The City is methodically constructing the missing street grid network needed by our growing community. We have taken step-by-step progress like this in 2008, Boeckman Street Bridge across Coffee Lake was opened.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

It's a 425-foot pile supported bridge with about 400 feet of approaches on each end and wildlife passages underneath the approaches. In 2012 and 13, the City had to reconstruct the approaches, which were settling unexpectedly into the soft ground, I guess. A nearly \$1 million settlement from the contractor, mostly covered the reconstruction cost.

In 2013, we built Canyon Creek Road extension from Boeckman South to Town Center Loop. It has become a North, South arterial, which leads directly to our Post Office. In 2014 and 15, we built the Barber Street extension and bridge project, which connects Villebois area with SMART and West at the Wilsonville Transfer Center. It opens an East, West route option for many uses and provides easy access to transit services. That project was \$6.4 million. \$3.8 million in federal funds earmarked nine years earlier in 2005 were applied to the project and \$2.6 million local dollars coming from our urban renewal system and our systems development charges.

We've continued in 2017 and 18. We've made many strategic spot improvements at and near the Wilsonville Road interchange to improve mobility. First of all, we improved the Boones Ferry South left turn onto Wilsonville Road. We added a third stacking lane on the I- 5 southbound freeway ramp. We made alterations to the Fred Meyer driveway for flow improvements in that area. And we added a no turn on red protocol during rush hour on Boones Ferry North to Wilsonville Road.

In 2018, we also did the Kinsman Road extension improvements, which are from Boeckman Road to Barber Street on the North South basis, lying to the West side of the, of the community. That is the first area where we also added pipe for the big water project along that road, as it was built. The combined road, a sewer water pipeline project was \$13.7 million, \$7.6 million of that or 56% was paid by sources, other than the City.

There are multiple upcoming major projects yet to be done, which we are working on. First of all, the old town escape project, which will connect Fifth Street in Old Town to the Kinsman Road piece, South of Wilsonville Road. We're building Garden Acres Road to open up the Coffee Creek Industrial Area in Northwest Wilsonville. We're planning on how to do a bridge for the difficult Boeckman Dip for the Frog Pond future school site. We are contemplating an I-5 pedestrian bridge to connect to SMART and West Central across the to a much enhanced Town Center area, vision to be activity and residential as well as many commercial uses that have yet to be built. We also are planning for the French Prairie Bike Pedestrian Emergency Bridge as part of the same conductivity strategy. It would bring these benefits to our community if we can proceed and make that happen.

Wilsonville works actively with Metro, ODOT and state and federal legislators to seek solutions for improving I-5 traffic congestion, also. Even though I-5 is not our responsibility. In 2017 and 18, we participated with ODOT to do the southbound I-5 congestion study. Out of that came a proposed I-5 Wilsonville Facility Plan, which would add an auxiliary lane from Wilsonville Road southward past Charbonneau to the Canby, Hubbard, 551 Highway. Wilsonville State Representative, here tonight, Courtney Neron helped to secure a budget note in our 2019 legislative

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

session, directing ODOT to undertake a cost to complete study for this project. The study looks at that auxiliary lane and also at seismic retrofitting of the Boone Bridge itself on I-5. The big question to be answered is will the entire Boone Bridge span have to be replaced in order to achieve seismic stability? The uncertainty has caused ODOT to carry a wide range of estimates somewhere from \$80 million to perhaps \$400 million as yet undetermined. ODOT's cost to complete study is now underway and due back to the legislature in February of 2021. It's likely we will need all of your help to lobby the legislature, Metro and Congress to fund these needed improvements on I-5 and the Boone Bridge. Funding for major highway projects is very competitive. Currently there's many projects proposed, including these listed above. All are significant, would add big benefits for the people that use those areas, and all are very, very expensive.

We also work on employment infrastructure trying to set the stage for good jobs. Wilsonville focus is on providing the infrastructure that cultivates high wage jobs that can support a family. Half of Wilsonville jobs are in the high wage sectors, such as manufacturing, engineering, computer programming, and even wholesale distribution. In 2010, there were 15,000 jobs in Wilsonville with an annual payroll of some \$800 million collectively. In 2019, we had grown to 21,900 full time jobs. And have seen an annual payroll that has reached \$1.4 billion within Wilsonville. In 10 years, we added 5,900 jobs and increased local payroll, \$600 million, a 39% increase in jobs and a 75% increase in payroll dollars paid. Fairly remarkable for a community of 25,000 people.

In 2012. Council adopted its first formal economic development strategy, we'd never had had one. In 2016, we hired our first economic development manager, Mr. Jordan Vance, who still works with us and is doing great work reaching out to all the different elements that make decisions on where economic development happens.

The City is working on several new opportunities where we might attract high wage jobs. First of all, the Coffee Creek employment area. Some 200 acres, which Metro designated as regionally significant industrial area (RSIA) when it was brought into the urban growth boundary. Study on this area projects that we might host 1,800 jobs there, which might add \$98 million to our annual payroll. Following a positive public vote in 2015, the Council created an Urban Renewal Area, Coffee Creek in 2016. We hope to attract new businesses that will help to pay for needed pipes, roads, water, sewer, those sorts of improvements. We're working on major infrastructure improvements, such as the Garden Acres Road project, which is intended to stage it for private sector investment as an employment area. We expect to attract high quality companies that offer desirable well-paid employment that pays, and that pays the taxes that support the kinds of City services and amenities our citizens expect.

Beyond Coffee Creek, both in distance and time probably is the Basalt Creek employment area just to the North of Coffee Creek. Basalt was brought into the UGB by Metro in 2004 and designated as employment land. From the period of 2011 through 2018 Wilsonville and Tualatin worked in conjunction to complete a concept plan for how to jointly utilize this area. That plan was adopted in 2018. The plan shows about 131 buildable acres coming to Wilsonville jurisdiction eventually. All of it planned to be employment area. We see a potential for some 2,500 jobs in this area though. This will likely not develop till after Coffee Creek is somewhat built out.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

From the private sector, as well as our school district we have also seen significant business growth and development. So the slide lists some of our major projects that have occurred over the last decade in this area. Certainly not an exhaustive list, but represent some of the very significant private sector investment that has come to our community.

So what are our metrics for success? Well, we have to look at a variety of different things. As with Wilsonville's impressive job count and wages earned by our workers. Other metrics demonstrate that success in 2010, the real market value of Wilsonville real estate was about \$3.6 billion. by 2019 the real market value of Wilsonville real estate was some \$5.6 billion about a \$2 billion increase within the decade, something like 58%. That's a pretty good metric to measure success by my book.

We also have looked at the grants the City has received over the past decade, those grants total something like \$16 million. And I think we've got a slide somewhere, missing. Okay, well, we have a slide. If you look at all those years, we have over \$16 million in grant year by year. And that is something that is very remarkable considering that prior to 10 years ago, we got very few grants brought to the City. Transit related capital improvements and operations have won the lion's share of such grants, primarily federal funds channeled via ODOT or Metro totaling something like \$12 million in various ways for transit related capital improvements. Our City staff has learned to work very diligently to win grants, work even harder to deliver projects on time and under budget. And I'd have to say they have demonstrated it, great success.

So what is our conclusion about our City? Can we be a community that really works for all ages and people at all stages of their lives? Metro projections are that another 500,000 people will call the region home by 2040, another half a million people. Where are they going to be? Council will continue to set long-term direction for Wilsonville in the most positive way we can. We plan to be a complete community well designed for physical and social connections, with access to the natural realm throughout our area. We intend for environmental stewardship to be valued and incorporated in everything that we do. We plan to use thoughtful land, use planning, maintaining a quality community, strong high quality amenity, rich interconnected neighborhoods, commercial centers, and employment areas. We look for responsible economic development for economic stability, good jobs, diverse sectors, a variety of skills and skill levels. We need goods and services to be available locally so that we don't have to travel to find them. We need good choices for living, working, and playing at all stages of our lives. We plan for healthy, active living. We want attractive public spaces and recreation opportunities where people want to be.

We intend to be an inclusive, welcoming community where we can demonstrate our commitment to all persons through all of our policies and actions. We encourage diverse housing types and price levels that meet the needs of all in Wilsonville and of people again, throughout the different stages of their lives.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

We have to develop transportation systems and connections to enable multiple options on how we can move through our City, our region, and beyond. And we will continue to build an employment environment that attracts quality family wage jobs both now and into the future as unknown as what that future looks like 20 or 30 years, hence.

Your City government works well. We have a high level of community engagement. Numerous volunteers are key to making our City work and we thank each and every one of you, our volunteers provide thousands of hours of service each year on City boards and commissions, work at the library, the community center, and many other venues.

We have a very professional, capable City staff with a service orientation. Our City regularly meets the highest standards for government budgeting with conservative projections and tight fiscal controls. For 22 consecutive years; the Government Finance Officers Association has recognized the City of Wilsonville finance department with their distinguished budget presentation award. In 2018, Standard and Poor's Global ratings recognized our ongoing efforts in this City by increasing the City's financial rating from AA plus to AAA. Those are pretty good metrics in my book.

We have taken surveys, public surveys of our community every two years for the past six years; these are scientifically valid and conducted by the National Research Center. Those results show that of some 500 communities that they survey across the U. S., Wilsonville residents rate the overall quality of life and quality of City services as some of the best in the country. Of those 500 communities, surveyed Wilsonville has consistently ranked in the ranked in the top 10 nationally for citizen satisfaction. Not the top 10% Wilsonville is rated in the top 10 communities nationally that are surveyed of that group for citizen satisfaction. To produce this level of satisfaction requires long-term committed community leadership on a steady responsible path. It requires that we participate not just locally, but also regionally and across the state and your elected leaders work to do that.

So I think I should tell you a little bit about how I engage that regional connection, and across the state in the work that I do. Over time, I've had the pleasure to serve not only as the representative for the City of Wilsonville, but also have been elected to serve as the representative of many nearby cities to various regional leadership boards. I am certain; it is how to best represent the residents and businesses of this community. Service on these regional public and private organizations increases widespread awareness of Wilsonville issues. It positions Wilsonville and SMART transit to positively influence policy development and to take competitive advantage of potential funding opportunities.

Since 2008, I have served as the City's primary representative to both the Clackamas County Coordinating Committee and the Washington County Coordinating Committee. These committees seek to advance land use planning, infrastructure and transportation projects in a coordinated fashion. And we have the pleasure of being in two counties, so we get to do both counties, not just one. I was elected in 2008 by the Smaller Cities of Clackamas County to represent smaller community's interest in regional land use planning. First to Metro's limited duration, Urban Rural

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Reserves Steering Committee, and subsequently to the impact the Metro Policy Advisory Committee on land use. Later, I was elected in 2011 by the Metro Area Cities of Clackamas County to represent all of those communities' joint interests in regional transportation planning and project funding as a member of Metro's JPACT committee, the Joint Policy Advisory Committee on Transportation.

In 2012, seeing a need for a greater unified voice for Portland Metro area cities to the Metro regional government and to state government. I helped to form the Metropolitan Mayor's Consortium along with Mayor Lou Ogden and several other of the area mayors. That organization is robust today and doing good work. In 2016, I was elected by the smaller cities and the greater Portland region to serve as the Small Cities Consortium representative to the regional economic development organization called Greater Portland, Inc. In 2018, the Clackamas County Business Alliance asked that I serve on the CCBA board of directors to represent Clackamas cities' interests. And in 2019, I was appointed by Metro Council, President Lynn Peterson, to serve as one of three Clackamas County government representatives to the Metro Transportation 2020 Funding Major Task Force. Lots and lots of regional connection to look out for Wilsonville interests that is hugely critical to our future. So, we jointly have made very significant progress for our community. That progress owes a great deal to the skill, dedication, detailed knowledge and capabilities of many people. But it did not just happen. It was not routine. It was not by chance. To succeed into the future we must continue the consistent principal work that we have committed to thus far. We must work within our community and we must work effectively with the broader region state, federal agencies and governments to make that happen. The experience deep perspective at dedication of your elected officials will continue to be a significant factor.

So here we are, again at the start of a new decade, what is our ongoing goal? The ongoing goal and the overarching arching challenge as I see it is to create a safe, desirable, aesthetically pleasing community, which nurtures and, and connects us all. We need all Wilsonville citizens to join in this work. If our combined efforts are to yield the future that we envision, will you join me? I hope so. Thank you.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, March 16, 2020. Mayor Knapp called the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

Staff present included:

- Bryan Cosgrove, City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Beth Wolf, Information Systems Analyst
- Andy Stone, IT Director
- Dan Carlson, Building Official
- Dan Pauly, Planning Manager
- Mike Nacrelli, Civil Engineer
- Martin Montalvo, Public Works Operations Manager
- Zach Weigel, Capital Projects Engineering Manager

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda as amended. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

- Mayor Knapp Yes
- Council President Akervall Yes
- Councilor Lehan Yes
- Councilor West Yes
- Councilor Linville Yes

MAYOR’S BUSINESS

- A. **Resolution No. 2803**
A Resolution And Order Declaring A Local State Of Emergency And Authorizing Emergency Measures.

Mayor Knapp commented the Council felt it was important to move forward on the Emergency Declaration resolution since the last meeting. The Mayor has spoken with the City Manager several times. He asked staff to outline what the declaration accomplished for the City.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mr. Cosgrove outlined Section 2 of the Emergency Declaration Resolution allowed the City to:

- Redirect funds and credit card allocations for emergency use. This was done at the emergency management meeting held this morning.
- Commit to and implement Mutual Aid Agreements.
- Suspend standard procurement procedures. (Note: price gouging is prohibited. No person or business may sell or attempt to sell any goods or services for a price in excess of the “normal market price,” which shall mean that person’s or business’s average of the regular price of the goods or services.)
- Close City facilities, as needed, for the protection of the health and safety of City employees and citizens. This has been done.
- Curtail, modify, or postpone City services as deemed necessary. This has been done.
- Evacuate or restrict persons, as needed, for medical care and assistance, or for the health and welfare of the citizenry.
- Prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or public or any outdoor place within Wilsonville.
- Work with Clackamas County and Washington County law enforcement to enforce police powers, as deemed necessary for the health and safety of the general public.
- Follow state and federal recommendation and requirements related to COVID-19.
- Order such other measures as are found to be necessary for the protection of life, property, the environment, or for recovery from the emergency.

Councilor Akervall confirmed the declaration of emergency could be extended if it was necessary.

Ms. Jacobson indicated the declaration could be suspended earlier or extended similar to how the state and counties declarations have been written. The expiration date in the Resolution is an arbitrary date and may be changed.

Mayor Knapp suggested extending the date to the next Council meeting to avoid scheduling an emergency meeting.

Motion: Councilor Linville moved to amend the draft to have the declaration expire on May 5, 2020 as opposed to May 1, 2020. Councilor Akervall seconded the motion.

Councilor West asked how SMART was handling the bus cleaning and social distancing in light of the virus.

Mr. Cosgrove stated that would occur under “curtail, modify, or postpone City services as deemed necessary”. There are many parts to SMART’s operation in terms of Federal funding; and curtailing services would put the City at risk for being sued for not treating people equitably. Staff is recommending riders on SMART to practice good social distancing protocols. In reality, there has been a steep decline in ridership. SMART is communicating that the buses are being thoroughly cleaned every night when the buses come off line. Shutting down transit is not a good option since the current users depend on transit for transportation.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

The Mayor called for the vote

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Motion: Councilor Linville moved to approve Resolution No. 2803 as amended. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. Elect Council President

The Mayor had asked Councilor Akervall if she would be interested in serving as City Council President for another term ending at the end of 2020, and the Councilor was willing.

Motion: Councilor Lehan moved to ratify the selection of Council President Kristin Akervall to serve another term as Council President thru the end of 2020. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

C. Upcoming Meetings

Mayor Knapp announced many meetings are being postponed or cancelled due to social distancing.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

COMMUNICATIONS

A. Get Moving 2020 Transportation Measure Briefing.

Metro Councilor Dirksen used a PowerPoint to report on the proposed regional transportation measure Metro intends to put on the November 2020 ballot.

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.

There was no public input.

COUNCILOR COMMENTS

A. Council President Akervall

Councilor Akervall attended the Budget Committee Mid-Year Review and participated in a League of Oregon Cities (LOC) conference call. She thanked staff and Council for being adaptable in setting up this remote Council meeting.

B. Councilor Lehan

Councilor Lehan noted most meetings are being cancelled. She expressed her appreciation to staff for being flexible due to the quickly changing rules. The Councilor commented on the closures of restaurants and bars and encouraged the audience to purchase takeout.

C. Councilor West

Councilor West urged people to call others in the community who may be isolated due to COVID-19 and check in on them, use FaceTime, find a way to use technology and other means to take care of each other. Using Grubhub or Uber Eats is a way to support local business for a small delivery fee.

D. Councilor Linville

Councilor Linville mentioned she attended her first Budget Meeting last week. She felt the City was fortunate to have the level and expertise of the citizens who participate in the budget process as well as those who are serving on boards/commissions and advisory committees. She said it was unfortunate the Volunteer Appreciation Dinner had been canceled. The Councilor also expressed her appreciation to staff for how quickly they responded to the COVID-19 disruption.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CONSENT AGENDA

Ms. Jacobson read the title of the Consent Agenda item into the record.

A. Resolution No. 2799

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With McClure And Sons, Inc. For The Memorial Park Lift Station Project (Capital Improvement Project #2065).

Motion: Councilor Linville moved to approve the Consent Agenda. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

A. Resolution No. 2782

A Resolution Of The City Of Wilsonville Supporting A 2040 Planning And Development Grant Application To Metro For Frog Pond East And South Master Planning And Related Work.

Ms. Jacobson read the title of Resolution No. 2782 into the record.

Dan Pauly, Planning Manager presented the staff report. As stated by Metro, the Planning and Development grant program intends to “help remove barriers to private investment in development, promote planning activity that makes land ready for development, and helps to implement the Portland region’s long term plan for livability.” Grant funds come from a regional excise tax on construction permits, and are now awarded annually. This year, one category of Metro’s Planning and Development Grants makes funds available for comprehensive planning efforts for areas added to the Urban Growth Boundary (UGB) in 2018, which includes Wilsonville’s Frog Pond East and South neighborhoods.

Metro’s 2018 UGB decision included a Condition of Approval on Land Added to the UGB requiring each City to complete master planning and comprehensive plan updates by the end of 2022. Thus, the City of Wilsonville needs to move forward with the master planning for the Frog Pond East and South neighborhoods beginning in 2021 in order to meet this obligation. This Metro grant cycle will allow the project to begin in time to meet the deadline. In addition, this is the last grant cycle City staff anticipates this category of grant funds to be available. Future funding for comprehensive planning for areas added to the UGB is expected to be allocated as part of future

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

UGB decisions. Two (Beaverton and King City) of the four areas added to the UGB in 2018 already received a Planning and Development Grant during last year's grant cycle for their required planning efforts, leaving Hillsboro and Wilsonville for this round.

City staff are preparing a grant proposal requesting \$351,000 in grant funds. The grant funds will cover consultant costs and related expenses, but the City is required to cover the cost of city staff working on the project. Other Wilsonville projects, which have received funds from the Metro Planning and Development Grants program, include the Frog Pond Area Plan, Frog Pond West Master Plan, and Wilsonville Town Center Plan.

As the amount of the potential grant awards could be substantial, Metro wants to ensure requesting cities are committed to providing adequate city staff and resources to successfully manage and complete the funded master planning. The grant application requires City Councils indicate this commitment by resolution. Resolution No. 2782 satisfies this requirement for the City of Wilsonville's grant application for master planning the Frog Pond East and South neighborhoods.

Staff will submit the grant in early April. Metro will announce grant awards in May. The City expects grant funds to become available by September, which will allow City staff to get a consultant team on board to begin master planning work in 2021 continuing through the fall of 2022, meeting the City's obligation with Metro's Conditions of Approval for the UGB decision.

Staff is utilizing approved funds for Frog Pond (CIP #3001) to cover the cost of preparing the grant application. Project expenditures and grant reimbursement will occur in future budget years.

This project contains many of the Frog Pond West components, but it goes beyond those requirements because of the number of conditions of approval placed on the project by the UGB expansion approval. There are also specific requirements in the area plan that directed further study as part of the project. From the area plan, there is further direction to study the middle housing component that is shown in the area plan for a portion of the east neighborhood, as well as study the neighborhood commercial hub shown in the east neighborhood.

For the conditions of approval there were some specific items: work on affordable housing particularly around encouraging accessory dwelling units; a requirement to look at SDC methodologies as well as requirements for extensive public involvement as would be expected, particularly targeted to historically marginalized groups. All of that work is included in this funding that is anticipated.

Mayor Knapp invited questions of Council.

Councilor Linville thought the City was fortunate to have a grant to help with the planning.

Motion: Councilor Lehan moved to approve Resolution No. 2782. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

PUBLIC HEARING

A. **Resolution No. 2801** - (*Legislative/Land Use*)

A Resolution Of The City Of Wilsonville Authorizing The Use Of A Construction Manager / General Contractor (CMGC) Alternative Contracting Method For The Water Treatment Plant (WTP) Expansion Project (Capital Improvement Project #1144).

Ms. Jacobson read the title of Resolution No. 2801 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:21 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Mike Nacrelli, Civil Engineer provided a brief summary of the CMGC contracting method.

Under the CMGC procurement method, the City would select an engineering design team based on qualified proposals similar to a typical design project with the addition the design team be experienced with CMGC contracting. At 30% design, the City, with the aid of the design team, would select a general contractor on a qualifications basis to join the design team and collaborate throughout the design process. Prior to final project design, the Contractor will provide the City with a Guaranteed Maximum Price (GMP) to construct the project. The City can agree to the GMP or decide to competitively bid the project, if the GMP is not acceptable.

The CMGC procurement is advantageous to this Project because it allows the City to select a contractor based on qualifications, ensuring a collaborative working relationship with the design team and demonstration of specific experience in the successful completion of similarly complex projects.

CMGC also allows the contractor to be involved early in the design process, providing an opportunity for identification of cost and schedule savings, identification of solutions that best address the complexities of the project (i.e. constructing extensive capacity improvements while keeping the WTP operational) and helping to identify project risks and develop plans to help mitigate those risks. In addition, CMGC allows the opportunity to utilize the contractor's expertise to tailor the scheduling and phasing of construction to best meet the needs of stakeholders and the public.

The Mayor invited public testimony, seeing none he closed the public hearing at 8:25 p.m.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor West moved to approve Resolution No. 2801. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. Resolution No. 2802 (*Legislative/Land Use*)

A Resolution Of The City Of Wilsonville Approving Building Permit Fee Schedule, Mechanical Permit Fee Schedule, And Plumbing Permit Fee Schedule, And Repealing Resolution No. 2780.

Ms. Jacobson read the title of Resolution No. 2802 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:29 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor’s participation.

Dan Carlson, Building Official provided a presentation geared towards the public explaining the Building Division issues construction permits, conducts plan reviews, performs building safety and other inspections by implementing the State’s specialty codes.

The staff report included here to provide background on the building permit fees.

Mr. Carlson’s Staff Report begins here.

Background

Building Department services are supported primarily by building permit and plan review fees. These fees were last increased 14 years ago in 2006. Expenditures have risen since the last fee increase and revenues no longer positively support operations. The last two fiscal years have ended in deficit with expenditures exceeding revenues. The need for a permit fee review was noted in last year’s Budget Commission meetings.

At the January 23, 2020 Council work session, staff provided an overview of fee options and fee examples from comparator jurisdictions for Council consideration. Wilsonville has fallen well below the majority of its comparators, which includes Tualatin, West Linn, Tigard, Sherwood, Oregon City, Milwaukie, Lake Oswego, and Forest Grove. Direction was provided for staff to proceed with a fee adjustment equating to an approximate 30% overall increase, with smaller annual adjustments tied to the Western CPI-U index. In addition, staff were given direction to conduct outreach with stakeholders.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Discussion

In the course of revising fee schedules staff ensured all proposed fee changes were in alignment with OAR 918-050 which requires all jurisdictions in Oregon to utilize the same consistent fee methodologies. In using consistent fee methods jurisdictions can then set their own fee rates.

Attachment 5 to Resolution 2802, reflects the revised fee schedule. The fee rates previously discussed with Council were to make the following general adjustments:

- Building Permit Fees – Adjust 8.5%
- Plan Review Fees – Make equal to the Building Permit Fees
- Other Inspection, Plan Review, Plumbing and Mechanical Fees – Adjust approximately 30%

Because of the long duration of not raising fees, staff needed to align some of the fees listed in the previous schedule, with the newer methodologies of OAR 918-050. For example, previously the Wilsonville fee schedule called for a “Partial Permit Fee” of \$250. This is more accurately described as a “Phased Development Fee”, and the OAR’s have a required methodology for this fee. Additionally, staff worked to simplify fee charts by rounding where it made sense, and shortening previously long lists of fixtures into a few recognized categories.

Staff anticipates the adoption of the fee adjustments in Resolution 2802 will, based on continued average levels of permit activity; enable the Building Fund to recover costs after a two-year period.

Staff is targeting an effective date of July 1, 2020 for the new rate structure. This will allow ample time for outreach to contractors and developers to adjust bids for projects. Annually after the first year, staff anticipates evaluating a cost of living adjustment during the budget adoption cycle, which if approved, would be effective July 1 each year.

There are no budget impacts to the current fiscal year except the fund will continue to experience a revenue gap until the fee adjustment is effective.

Staff conducted outreach and provided required 45-day notice to the State Building Codes Division (BCD). The State BCD in turn has noticed all of their statewide stakeholders. Staff provided notice to approximately 90 local contractors, developers, and interested parties. Staff hosted an open house and reached out directly to the Portland Metro Home Builders Association. Correspondence from HBA and the School District was received. While no one voiced support for paying more fees, staff received no comments in opposition, and many comments understanding the need, particularly with a long time since the last increase and the proposal to align with the average fees of our comparators.

The community benefits from having a Building Department that is adequately funded to provide the expertise and level of service needed to ensure safe, accessible, and energy efficient structures.

The only alternatives available are to significantly alter services and reduce staffing to makeup the revenue gap, or to seek other revenue sources.

End of Staff Report

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mr. Carlson said Council should have received a notice from the Home Builders Association that arrived during the work session discussing their perspective on the fee increases.

Councilor West questioned the low fees in the city of Tualatin. Mr. Cosgrove indicated the level of growth between the two cities is not comparable.

Councilor Lehan stated there is always a range of fees between cities, largely dependent on when the city last re-evaluated and raised their fees.

Mr. Cosgrove added the level of service also drives the fees, and the City of Wilsonville has a very high level of service compared to other cities, which the Home Builders acknowledged in their letter.

The Mayor invited public testimony, seeing none he closed the public hearing at 8:47 p.m.

Motion: Councilor Lehan moved to approve Resolution No. 2802. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY MANAGER’S BUSINESS

Bryan Cosgrove, City Manager provided information on Governor Brown’s Social Distancing Orders, effective March 17, 2020 and remain effective for the next four weeks. They include:

- Statewide cancellation of all events and gatherings larger than 25 people; exemptions to this order include work places, grocery stores, pharmacies, and retail stores.
- Restaurants, bars and other establishments that offer food or beverages for sale are restricted to carry out and delivery only, with no on-site consumption permitted.
- Food service at health care facilities, work places and other essential facilities will continue.
- All other businesses are urged to assess their practices, implement strong social distancing measures, and close their doors temporarily if they cannot put the new guidance in place.
- Two emergency command groups have been created, one to manage the health care systems resources, and the other to manage state resources generally.
- The state’s unified command emergency response organizational structure, and incident command structure, similar to what Oregon would activate during a major Cascadia earthquake event, has also been activated to integrate public health response efforts with emergency management’s response efforts in Oregon.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

- New restrictions and guidelines may be announced at any time.

Mr. Cosgrove noted the City’s website has an emergency management page with the links to resources and mandates.

The City Manager provided information on the Neighborhood Tree Planting event run by the Friends of Trees. The tree plantings scheduled for March have been cancelled. However, the public can go to “friends of trees.org” to participate in the April 18, 2020 event.

LEGAL BUSINESS

No report.

ADJOURN

Mayor Knapp adjourned the meeting at 8:57 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, April 20, 2020. Mayor Knapp called the meeting to order at 7:17 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Cathy Rodocker, Finance Director
- Bill Evans, Communications & Marketing Manager
- Zoe Monahan, Assistant to the City Manager
- Andy Stone, IT Director
- Beth Wolf, Senior Systems Analyst
- Jordan Vance, Economic Development Director
- Dan Pauly, Planning Manager

Motion to approve the order of the agenda.

Mayor Knapp reminded Council of their Work Session discussion regarding moving Consent Agenda Item Resolution No. 2810 to the New Business Section and moving all of New Business forward to follow Communications.

Motion: Councilor Linville moved to approve the agenda with the following change to move Resolution No. 2810 from the Consent Agenda to New Business, with Resolution No. 2811, and move New Business up under Communications. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

- | | |
|----------------------------|-----|
| Mayor Knapp | Yes |
| Council President Akervall | Yes |
| Councilor Lehan | Yes |
| Councilor West | Yes |
| Councilor Linville | Yes |

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

MAYOR'S BUSINESS

A. Upcoming Meetings

Mayor Knapp noted the next virtual Council meeting would occur on Monday, May 4, 2020.

COMMUNICATIONS

A. Measure 26-210 for Supportive Housing Services

Metro Councilor Dirksen provided a presentation entitled "We Are Here Together" which spoke to the ballot measure on the May election dealing with addressing the homeless services measure. The presentation has been made a part of the record.

NEW BUSINESS

Mayor Knapp restated Resolutions No. 2810 and 2811 were moved to be taken together as New Business.

A. **Resolution No. 2812** (*Transient Lodging Tax Funds*)

A Resolution Of The City Of Wilsonville Authorizing A City Of Wilsonville Small Business COVID-19 Grant Program.

Ms. Jacobson read the title of Resolution No. 2812 into the record.

Jordan Vance, Economic Development Director provided the staff report.

Mr. Vance's Staff Report has been appended to these minutes to provide background for the Program outlined in Resolutions No. 2812 and 2811.

B. **Resolution No. 2811** (*Urban Renewal Program Income Funds*)

A Resolution Of The City Of Wilsonville Authorizing A City Of Wilsonville Small Business COVID-19 Grant Program.

Ms. Jacobson read the title of Resolution No. 2811 into the record.

Jordan Vance, Economic Development Director, provided the staff report.

Mr. Vance's Staff Report has been appended to these minutes to provide background for the Program.

Mr. Cosgrove indicated Mr. Vance would have an abbreviated presentation due to the elaborate presentation in Work Session.

The following portion of the Council meeting is a transcript.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Jordan Vance	<p>Alright. So abbreviated version of the COVID-19 Business Relief Grant Proposal. I'll keep this quick. So we went through this during Work Session, just to preface, we understand that businesses are hurting right now and the City is here to help. We know this is a devastating impact on our local community. Since March 8th we've seen a staggering 296,000 unemployment claims in Oregon and we know the situation is dire which is why we crafted and proposed the Small Business Relief Grants Program.</p> <p>This is really one lever in a series I think of many tactics and strategies that we'll be discussing in the coming months. This current phase we are in is "Shut Down" and following this, we'll have to look at reopening and recovery. So just to put this in context it's going to be an ongoing conversation on economic response due to COVID.</p> <p>Just a quick look at holistic city assistance programs and response programs in response to COVID-19. So over \$480,000 have been put towards resources related to COVID assistance. City utilities relief, shop small gift card program, and then \$400,000 proposed for small business grants.</p> <p>Just a quick chart emphasizing the employee count in Wilsonville. It's a small business city, over 88% of our businesses have less than 20 employees and 63% of our businesses have less than 5 employees. So we felt this category of micro and small enterprises is where we could have the most impact with this program.</p> <p>We discussed the overarching policy decision around impact and whether it's more beneficial to give a little to a lot or a lot to a little, and we designed a two tiered program to sort of maximize impact. And so around that if we have a tier of grants at the 2000 level for micro-businesses and 5,000 for small businesses, we think we can reach both scale and impact as best we can with a \$400,000 budget.</p> <p>A quick look at some of the other Portland area, relief programs, in relation to other small cities. The other small cities had an average fund size of around \$260,000 in average maximum grant size of \$3,500. So our budget of 400,000 is higher than the average for small cities and proposed grant size as well within range. I think our city, our program most closely models Portland's program, which had a two tiered grant program for micro-business at two and a half thousand dollars and then, five to 10,000 for small business. And then some cities are also coupling this with a lending program. So they're partnering with community development financial institutions and referring businesses over to those nonprofit lenders for loans up to \$50,000.</p> <p>So a summary of the program, there's a three person task force that came up with a recommendation that was appointed by the city manager two weeks ago. A it consisted of myself, a Councilor Linville and the Wilsonville area</p>
--------------	---

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

chamber of commerce, CEO Kevin O'Malley. We met about three times and discussed a framework to propose to Council. The budget we were given is \$400,000, \$200,000 coming from Urban Renewal income, and \$200,000 coming from Transient Lodging Tax revenue.

The Urban Renewal income would fund general business assistance, and then TLT revenue would fund hospitality businesses such as restaurants, entertainment, and lodging.

Like I mentioned we proposed a two-tiered program. So 2000 grants for micro-businesses defined by employee counts. So anywhere from zero to 5 full time employees including sole proprietorships. And then a fixed amount of \$5,000 grants for small businesses defined by employee counts ranging from 6 to 20 full time employees.

So the mandatory criteria that we established: businesses must have a current city of Wilsonville business license, that's important, we will be verifying that. Our business licenses renew on July first and are good until June 30th of the following year.

The owner or the managing entity must be based within 25 miles of Wilsonville and within the State of Oregon. This applies to both local independent businesses and franchises. The business must have a brick and mortar physical facility located in the City of Wilsonville. If selected they'll need to submit some paperwork, W-9, tax ID number, and their business license number. And then the employee count at this point the committee was comfortable with this range of zero to 20 and there is talk of increasing this cap to 80 employees, and that is a recommendation from the Chamber of Commerce, to capture some of our larger employee count restaurants and tourist destinations in town.

So the idea is that right off the bat we'd have eligible and ineligible businesses and then we would score them with added criteria from this additional considerations sheet. This is really for tiebreaker consideration so we can rank all of the applicants and then prioritize folks at the top of that list. So there is equity and inclusion considerations. You'd get a point if you were certified as a minority or women owned enterprise, disadvantaged business enterprise, or a service to disabled veteran. And these are all certifications so we're asking if you have these obtain these certifications then you would receive that added point.

We think that legacy Wilsonville businesses could be an indicator of stability. If you've been in Wilsonville for a longer period of time we think that could be an indicator of weathering the storm and continuing to thrive and employ folks here in our community. So there's three tiers, if you've been here for

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

less than one year one point, four to eight years two points, and then longer than nine years 3 points.

And then lastly we wanted to prioritize businesses who have not received federal, state, county or other relief funding yet. So including non-profit funding from groups like the Washington Visitor's Association.

So excluded from the list the recommendation was to exclude non-profits and also virtual and home based businesses. As of this morning I got a spread sheet from our accounting, so we have about 102 home based businesses in Wilsonville. The logic behind this was that everyone is feeling the pain right now, and we understand that, brick and mortar facilities and folks that have a visible structure are burdened with commercial rent payments and we know that's what many of the recipients will be using grant money for at this point, is for mortgage, commercial rent payments or payroll.

Earlier I walked folks through the grant application experience, I don't know if we have to do that again, but it is a two-page pretty straightforward application. We're trying to make it very quantitative and very easy to score on the back end. So right off the bat we can delineate between eligible and ineligible and then apply the scoring from the weighted considerations area.

So this is a topic that will require some discussion with Council is how we want to approach hotels and lodging. It's not an easy decision and it's hard to define what fair looks like. We know that three of the six hotels in Wilsonville did receive a relief payment from Washington Visitor's Administration for \$10,000. So one idea was to make whole the other hotels in the Clackamas portion of the City that did not receive that payment. But that's up for discussion, so do we want to provide grants of \$10,000 to those three hotels or do we want to have a strategy that addresses all six Wilsonville hotels in the City. So that is a discussion item for Council.

We talked about two different timelines scenarios. It would be very aggressive and challenging to go with the first which is aiming to disburse funds on April 30th. I think we think it's important to have enough time for marketing campaign to make sure our businesses in the community hear about this opportunity and they have time to fill out the application. So from what we heard earlier that could be anywhere from 3-5 days, perhaps including a weekend. We'll need a couple days to evaluate the application and then our finance team needs three days to write the checks.

So the bottom timeline is most likely realistic.

So that concludes the presentation. I'll turn it back to Council. These are the three focus questions that we have come up with:

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<ul style="list-style-type: none"> • So for the travel tourism category do we increase the cap to 80 full time employees to include larger employee count restaurants and tourism attractions? And I mentioned this earlier but I counted about 77 hospitality businesses in town. So that includes restaurants, entertainment, recreation and lodging, and about one-third of those had above 20 employees. • Second question is how do we incorporate lodging and hotel establishments • And then last is there other weight or criteria that we should consider for tie breakers, so randomized approval, date of submission, or do we put more weight on other factors like revenue. <p>So this concludes the presentation, I'll turn it back to Council for discussion.</p>
Mayor Knapp	<p>Okay, thank you very much Mr. Vance.</p> <p>This is a maybe exceptionally complex question we're trying to answer in a Council deliberation setting and our Council deliberation setting is even made more complex by the fact that we're meeting virtually.</p> <p>I would like to use Roberts Rules in order to try to have as organized a way to address this as possible. And I would like to take chair's prerogative and make a couple of comments here first of all.</p> <p>The process that the three-person committee went through yielded what to me is a very solid kind of a framework or structure on which to try to answer these many questions. I very much appreciate that work and I think it gives us a direction forward that is appropriate.</p> <p>That said, I would like to see some refinements to some of the specifics in that framework and under Robert's we would normally need to have a motion in order to have discussion. So I will take the prerogative to make that motion at this point and we'll see if we are ready to move forward with that discussion.</p>
Mr. Cosgrove	Do we need to read the resolutions first?
Mayor Knapp	Yeah, we should probably do that, this is not a formal public hearing on the agenda, that's correct.
Mr. Cosgrove	So we'll just read the Resolution numbers.
Ms. Jacobson	One clarification, Mayor if I might. So we had one resolution that covered both pots of money for the business aid, and there's a possibility that or more Councilors could be eligible for those funds, and so just to be prudent I think it makes sense to divide the resolution effectively, you'd have the same resolution twice, but one resolution would be for this expenditure of the

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>Transient Tax and the other would be for the expenditure of the program income.</p> <p>And then of course the third related resolution is for expenditure of funds to help individuals and people in need through Community Sharing amendment so. Maybe I could read the title too that would cause us to have a third resolution title so we'd have two identical resolutions, one for one fund, another for the second fund, and then the amendment for community sharing. Does that make sense?</p> <p>And that would allow anybody that feels like they need to recuse to recuse on one but not the other two.</p>
Mayor Knapp	Yes, it makes sense except for the details of the structure that we have talked about would not be specific to one or the other, they would kind of apply to both, right.
Ms. Jacobson	And that would be fine. You could have the same program attached to both resolutions, but if a councilor had a conflict then the councilor wouldn't vote on the one funding source. But I think you can have the same program attached to both. Yeah, I think Kim did do a different resolution number.
Mr. Cosgrove	So we have three resolution numbers possibly, yes. So we do have three different resolution numbers, it just doesn't show on your agenda, it's on the amended one.
Ms. Jacobson	And you can approve the same program for both, but it gives people the opportunity if they agree with one to vote for the one and not for the other, or if they have a potential conflict of interest, recuse on one but not to recuse on the other.
Mayor Knapp	Alright. So would you please read the one pertaining to the hospitality first.
Ms. Jacobson	<p>Yes, I can do that. All right, so that would be Resolution No. 2812 Transient Lodging Tax Funds. A Resolution Of The City Of Wilsonville Authorizing A City Of Wilsonville Small Business COVID 19 Grant Program Using The Transient Lodging Tax Funds.</p> <p>Do you want me to read the other two so we just get them done, or at least the other one?</p>
Mayor Knapp	Yeah, go ahead.
Ms. Jacobson	<p>All right, so the other one is 2811, which is The Urban Renewal Program Income Funds. A Resolution Of The City Of Wilsonville Authorizing A City Of Wilsonville Small Business COVID 19 Grant Program Using Urban Renewal Program Income Funds.</p> <p>And I can wait on the other one until you have this discussion.</p>
Mayor Knapp	Yeah, let's do that. This is going to be complicated enough as it is. So in order to move us forward under the process rules, I will make a MOTION that we approve Resolution 2812 with some modifications which I will read into the record.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

I don't know if Council, Staff would like to keep track of these in order to be able to move forward.

We would have the \$400,000 as has been previously discussed for the two programs, but I would like to use that to fund grants to 165 businesses instead of 133 businesses. 165 businesses would consist of the three Clackamas County hotels located in the City of Wilsonville who have not received a Washington County Visitor's grant and we would award \$10,000 to each of those three for a total of \$30,000.

We would fund grants for small businesses with 6-20 full time employees in the number of 40 grants, which is a different number, its more than the committee proposed, but each of those grants would be for \$4,000 instead of for \$5,000.

In addition to the 6-20 FTE qualify for these grants, I would place a upper gross annual revenue amount of \$2,000,000 that would be needed to be not more than \$2 million dollars to be met in order for a business to qualify for this.

The next smaller category would be what I would call the micro businesses, which is 0-5 full time equivalent. I propose 85 of those, which is slightly reduced from the 93 in the committee proposal. Each of these would be for \$2,000 so that would be a total sum of \$170,000. The qualifier for this category would be 0-5 FTE and annual gross revenues not exceeding \$750,000.

I would create a third tier instead of just the two tiers in the original proposal and would allow homebased businesses that are not just virtual businesses, but actual home-based businesses to receive 40 grants of \$1,000 each for a total spent of \$40,000. The qualifiers for this category would be that the employee count could be the proprietor plus no more than one FTE employee. No more than \$250,000 in gross annual revenue and in this category the brick and mortar site requirement would not apply other than the personal residence from which the business is conducted be in Wilsonville and must be the residence of the owner that applies for the grant.

The change essentially is that we would create a three tier instead of just two tiers and we would redistribute the money slightly, total expenditure would still be the same.

Those 40 home based, 85 micro businesses and 40 small businesses, plus the three hotels means that we would give grants to 165 businesses in Wilsonville.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Now in doing that there's a couple of things that seem to be fuzzy to me and I would like to clarify under this proposal. That if a business exceeded the number of full time employees or exceed the gross annual revenue, that would elevate them to the next higher category. In the top category if they exceeded full time employees of 20 or exceeded \$2 million dollars they would no longer be eligible to participate in this program.

I like the point system that was conducted or proposed and I would include that point system with a couple small changes.

The category of time in business needs to be defined in my mind as time in business in Wilsonville during which you have a Wilsonville Business license. And the 0-3 year category seems to me if you meet the other qualifiers you are automatically have been there for more than zero years, so I would not assign an extra point for 0-3 years. I would say no points there. But say if you are 4-8 years I would award one point, if you're 9 plus years I would award two points. I would maintain the certified woman or minority owned business for one point. Certified disadvantaged business enterprise for one point. Certified service disabled veteran owned for one point.

And I would add a couple of other categories and those other categories are this that would help us break this down as to who we would award. The first is that if you have a business in which your operations have been restricted by executive order of the Governor that you would receive one point. And I'm thinking primarily but not exclusively about restaurants that can be doing takeout and delivery but can't be doing onsite, so I would award one point to a business restricted by order of the Governor.

And then we have businesses that are actually closed by the order of the Governor, that there's specific categories that she said would not be allowed to stay open and I don't have all of those right at the tip of my tongue but they include barber shops and nail salons and hair salons and many of those personal service kinds of things. And I think that that should qualify for two points of consideration.

So in that whole structure we would take the highest number of points within the category and people would with the highest number of points would receive the first award and with the next highest number of points receive the next award. And go down the list. And if you run out of money then when you get to the bottom you're going to have to determine who gets the last of the money and that would need to be done by a lottery drawing.

And then you may well get to the point that you get through all of the businesses that have points and everybody left has the same point value and therefore we would have to use a lottery drawing to award those also.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

	<p>So I hope that detail is reasonably clear. I'll be happy to answer questions and discuss if there is a second. But that is my motion. Is there a second? Councilor West.</p>
Councilor West	Your Honor I move to approve Resolution No. 2812 with the amendment to include non-profits that are associated with tourism,
Mayor Knapp	You can't do that because we have a motion on the floor right now that has to be dealt with first.
Councilor Lehan	<p>I would be happy to second this.</p> <p>And to put to rest the concerns of the attorney because I think I am the one that's under consideration here. I don't know of anyone else who is considered applying for this. I have a vacation rental; I have a VRBO that I have that I've been operating for six years.</p> <p>And so understand what you have laid out here falls into the two programs into the, this covers both the Urban Renewal and the Transient Lodging Tax.</p>
Mayor Knapp	That's correct and I would have to have the same.
Councilor Lehan	I'm ready to say I will not recuse myself because I will commit to not applying even though it's pretty clear I qualify. My business has already refunded cash money of \$2,000 to cancellations in the Spring and we may end up cancelling much of our summer. But I think this is important enough and under discussion I would like to discuss a little bit more about my perspective as a tourism, as a hospitality person.
Mayor Knapp	<p>Okay. So we have a motion and a second then which opens us up under Roberts for discussion.</p> <p>I will be happy to answer anybody's questions or anybody's clarification or hear any alternative view. But it's my feeling that the package kind of hangs all together and moves toward a, what I perceive is a goal of helping the most fragile small businesses in our community. Which are at a scale that our limited funds can actually make a difference to their potential outcome. And I think that is the wisest use of these funds.</p> <p>So, discussion, anyone like to go ahead. Councilor Lehan.</p>
Councilor Lehan	Well what I was going to say is I will address for one thing the idea of adding non-profits under tourism. One of the problems with that is I don't know how far anyone has thought that goes but it goes pretty far. That would include the historic society, any arts organizations, the theater groups; these are all tourism related things. People come to our community for those things, to partake of those kinds of things. I haven't really looked into how many non-profits we have out there that might be, might fall under that, but one of the things about most non-profits, (cough) excuse me I don't think I have COVID, but is that they often have other sources for grants also. That small businesses, for profit businesses don't have.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>So even though I'm a member of the Historic Society and support the arts and theater and that, I don't really think this is the appropriate place, which is for small for-profit businesses.</p> <p>With regards to tourism, my concern with this is that as a hospitality person, I know that people do not come to my, to stay in my VRBO and they don't for the most part come to stay in our hotels because they really like my house or they really like the hotel. They come for the attractions, the events, the things we have going on here. And most of those are outside the City of Wilsonville. If you look at our tourism website you will see that. They are the wineries, they are wine tours, they're the golf courses, they're the weddings at Langdon Farms, that's a huge one for me. The hops farm, I don't know, the Country Classic, the County fairs, the dahlia festival, the tulip festival, all of those are the things that people come here for.</p> <p>And it concerns me as a mini-hotelier that if we eat all our seed corn, if we use it all up and we don't think about these other little businesses, festivals, whatever, then, I'm afraid we have a whole lost year here. It's not just a couple of bad months. Many of these events like the City of Wilsonville's are already cancelled till Labor Day. So the ability for us to reschedule rooms is really difficult, and it might be better to put a little bit of money, or to reserve a little bit of money to get some of these things going again, which originally was the TLT money. As you remember it was for, and I pay significant amounts in TLT. It was to market and promote tourism in the area. Not in Wilsonville necessarily, but at the for the dahlia festival, for the Aurora Colony days, we were promoting all of those things on our website and other places.</p> <p>Now if we're just going to abandon them and say we're just going to use up I also mention it, refer to it it's like the water to prime the pump, we're going to drink it all now and what's going to get these little things going again? Because the TLT has stopped, you know there is no body traveling.</p> <p>And so, I just want to keep that in mind that you can't just start up these things. And that's why people come. The rodeos are cancelled, I don't see how the fairs will continue through this season, and the State Fair they think they're still going to have the State Fair, I don't see it.</p> <p>But anyway that's my concern about us dumping money on the hotel business including mine. Because the hotels need all of these little things that the TLT used to be part of supporting.</p> <p>And so that's my long speech concern, and I would support this program and write myself out of it on that basis. I might have forgot something I was going to say, but there it is.</p>
<p>Mayor Knapp</p>	<p>Thank you. Councilor Linville.</p>

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councillor Linville	Thank you Mr. Mayor. One of the things I just want to consider to have the Council consider in the motion as it is presented is that it's been recommended that there be 40 grants in the home based business even though the dollar figures are different, there's 40 grants in the home base business category and 40 grants in the 6-20 employees. And the two numbers are very different. According to what Jordan gave us in information, there is probable 102 home based businesses out of which we would fund 40 grants. And in the category of 6-20 FTE there are 257, about 257 according to our chart, businesses and still only be awarding 40 grants. I think there is a little bit of inequity there in terms of the numbers of businesses that get funded under the proposal, and would suggest that maybe we rethink those two numbers.
Mayor Knapp	Councillor West.
Councillor West	<p>I would agree with what Linville, Councillor Linville just said regarding reconsidering those two numbers. As the motion is read, I would debate that including non-profits that are tourism related a small but important part of the tourism industry. And would like to see that included in being funded. There's a likelihood that maybe we won't have anybody ask for those dollars, but and there's more dollars available for other people.</p> <p>And then my argument for including the Holiday Inn, LaQuinta, and Motel 6 is they have participated in collecting those TLT dollars, we don't know from one region to the next or what government entity is actually give to business owners, we don't even know if those funds from the federal government are going to get to businesses that need them.</p> <p>We should be only be considering, I think, within our scope which is the Wilsonville city, I think it shows some inequity to just say one county did something and the other one didn't. We could be in a bind if Clackamas County just decides to jump in and give our hotels some dollars down the road or some other businesses. I don't think we should necessarily consider what other counties are doing. But we should just treat all of our businesses equitably within the city limits of Wilsonville. Holiday Inn and LaQuinta are some of the largest gatherers, will be the largest gatherers moving forward of TLT dollars for helping them bring more stability back to the fund in the future. And continuing to have that paid in those are, I believe, our largest hoteliers.</p> <p>And so I don't know, that's my perspective on that to bring date, maybe tweak the motion with maybe adding both of those in or one of them to include the non-profits associated to tourism, or all hotels within city limits. Are my thoughts, and I also would like to echo what Councillor Linville suggested.</p>
Mayor Knapp	Thank you. Other discussion?
Councillor Akervall	I really struggle with the hotel allocation because I know there is need for hotels, every hotel; hotels that are not in Wilsonville that are not getting any funds also have needs.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>I do know though, however, also that we've heard so much from very, very small businesses and it seems what we've learned the last few weeks too is some of the larger national programs, PPE money, CARES Act, that that money is not finding its way to the very smallest businesses that don't maybe have an accountant or more robust finance staff or more developed relationships with banks. That money is not finding its way to the very small businesses. And it's difficult, so difficult because we, there's, money is a finite thing. We have funds to work with.</p> <p>But I can't help but think that 30,000 dollars is 30,000 dollars less for 0-5 FTE, you know, business, or even at six, these truly very small businesses. It's less funds for those groups within our city and those, I mean, you know, I know all of Council has heard from many small businesses in our city and I know that we all recognize the character that they bring to our city, the uniqueness that they bring.</p> <p>I know that this program, and Council wanting to, you know, tackle this difficult quest of trying to figure out what we can do and how we can best do it. We're doing this because we want to try to help those very entities in our city.</p> <p>So I really struggle, I want to give as much as possible to those those very small businesses. That they just don't have resources, they don't have staff, their margins are small in the human capital and financial capital.</p>
<p>Mayor Knapp</p>	<p>Thank you.</p>
<p>Councilor Lehan</p>	<p>Yes, in addressing a couple concerns here. I just want to say I don't, I don't have an objection to Councilor Wests suggestion on the non-profits, I mean I've always been a big supporter of these non-profits. But, so I wouldn't object to including them, but if we're including them, I don't quite know how to include them. Because I'm trying to figure out a way to include them. They don't really have a gross income to work with, and most of them have no employees. So it's kind of tricky to even say "well, which pot would they be in"? Would they also be taking or competing with the home based businesses? And my problem with that is that the home based businesses, if we have too many there let's say we take, we reduce it by, I mean right now it's at \$40,000, we reduce it to \$35,000 or even \$30,000, then we have freed up \$10,000 to go up to the top which would pick up two more people at the top. Because that's the \$4,000 one, I mean that's so the return isn't quite there.</p> <p>But I understand what Councilor Linville was trying to say, maybe we want to put a couple more in the 6-20 up there at the \$4,000 level, and reduce the home base by 5 or 10. That would seem like a reasonable thing to do.</p> <p>I'm not convinced in any way that we should cover the Washington County hotels. Clackamas County is very clear from my conversations with</p>

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>individuals in Clackamas County that nothings coming from Clackamas County. Their tourism department has all but shut down and closed shop and laid everyone off. And I don't see any indication of anything coming out of Clackamas County. So I don't think anybody's going to hold their breath for that one.</p> <p>And those hotels are so big that if they got an extra \$4,000 or even \$10,000 it's not enough to make the difference. The difference on some of these home based businesses and here's the thing, I understand we don't want to cover just anybody. The business license cuts out a lot of what I would describe as people making money on eBay. You know they're buying and selling on eBay, but they probably, and maybe they're making good some money but they probably don't have a business license.</p> <p>But the ones I'm concerned about are like my hair dresser in Old Town who built an addition onto her house so that she could have two chairs, one of which she lets out, leases out to another operator. And so she's taken on more debt to have that. It's attached to her house, but it looks like a beauty shop. It looks like a salon I guess that's what you're supposed to call them now. But I don't know how long she can hold on either. And I don't know if this is putting her house at risk because she has a mortgage to pay that has this home based business. I don't know, I guess she'd have to sell her house to someone who also wanted a hair salon on the side. But I'm sure there are homebased businesses like that.</p> <p>The other ones that have been hit hard are the house cleaning services. Those are almost always home based and it's usually a couple of women who are going house to house doing house cleaning. And they have pretty much all been cancelled because people don't want people in their house. And those people are at the bottom rung of our income people, who when they are not cleaning a house just like the person when they are not cutting hair, they are not making money. They have to cut hair to make money, they have to clean a house, they have to do nails, or they don't make any money. They are not salaried people. And right now they are precluded from doing those things.</p> <p>So those are the kind of people I'm most concerned about, their survival in the community and their survival.</p> <p>But I think we are very close to a workable thing. I think we can make some adjustments, minor adjustments here that I think sound really good. I don't know where we are with regards to other input.</p>
<p>Mayor Knapp</p>	<p>We've heard from everybody at least once. So far the motion I put forward has not been adjusted in any way. Councilor Linville.</p>
<p>Councilor Linville</p>	<p>So if we were to make an adjustment and have the dollar figures come out it would look like funding the three hotels as was proposed, 43 grants to the 6-20 FTE for \$160,000, 85 grants for the 0-5 at the \$2,000 dollar level, and then</p>

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	28 home based businesses at \$1,000. No, I don't think that comes out right. I think I would have to add that again.
Councilor Lehan	Don't we have staff who are good at math.
Councilor Linville	Probably a whole lot better than I am. Whole lot better than I am. It doesn't make a huge difference but I think it's more equitable.
Mayor Knapp	All right so I think I heard you say you wanted to consider increasing the \$4,000 dollar grants by 3 which would be \$12,000; and you are proposing to take \$12,000 out of the home based ones that is now 40 total?
Councilor Linville	Yeah, that would be 12 less grants in that area, right.
Mayor Knapp	Yeah, so you'd take that down to \$28,000?
Councilor Linville	Yes. \$28,000.
Mayor Knapp	Twenty-eight grants instead of 40 at that level?
Councilor Linville	That's correct.
Mayor Knapp	Are you making that as a motion to amend ?
Councilor Linville	I would make that motion to amend.
Mayor Knapp	We have a motion to amend as has just been enumerated. Is there a second to the motion to amend?
Councilor West	I'll second.
Councilor Akervall	I'll second.
Mayor Knapp	Councilor West seconded. So we have a motion to amend to increase the expenditures on the \$4,000 level by 3; and to decrease the home based business grants at the \$1,000 level by 12. Discussion.
Councilor Lehan	I think that's a reasonable compromise, and still keeps us right in there trying to best by small businesses. Understanding that \$1,000 is not going to do much to save someone and neither is \$4,000 for those larger businesses. This is band-aid level work at best. At every one of these levels.
Mayor Knapp	Other comments?
Councilor Akervall	I would just say I agree. I was kind of trying to do the math as well and pencil out the 43-85-23 split. I looked at what if we did 45-85 but that would bump the home base down to 20, which that's a pretty big bite out of that group. Because it's a smaller grant you know so we have a disproportionate level of reduction I guess. But I just want to say the task force thank you to for giving us a terrific material to work with, because this is a very hard problem for us to approach and try to crack. So thank you to all of the members of the task force for working on this.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>And I also want to say, you know, we've heard from so many people in the community and we recognize that the need is very real on all levels and in all types of businesses.</p> <p>And I'm sorry that this is our reality of what we're facing right now. But I do believe what Councilor Linville has suggested with the 43-85-28 we're trying to reach out to different types of groups and we're not going to hit every one on all the levels. We're not hitting everyone and that hurts. But there is no silver bullet for this, there's no solution that's going to work for everyone. And so this is I think what we're looking at now, is a varied approach that's trying to look at different pockets that exist within our city. And I appreciate the value of that.</p>
Mayor Knapp	Thank you. Councilor West.
Councilor West	Yeah another I guess I'll give my shot at this, I would like to move to amend the motion to include non-profits.
Mayor Knapp	That's out of order. You cannot amend an amendment motion. We have to take action on the motion that's on the floor before anything else can be done.
Councilor West	Okay. So I fully support Councilor Linville's motion. I think it does show some equity and it's well thought out and I would echo the other councilors in that.
Mayor Knapp	Okay. Thank you. Other comments on the motion to amend? We've lost Councilor Linville, I don't know if she's still there or not.
Councilor West	We've lost Councilor Lehan too.
Mayor Knapp	I've got her, now we got them back. Okay.
Councilor Linville	I don't know what happened to my video, lost it.
Mayor Knapp	<p>You're still looking good. That's fine.</p> <p>So if we've had the discussion on the motion to amend I think that we need to vote on the motion to amend, which would change the counts as we have enumerated. Just so, everyone is clear there would be 28 \$1,000 home based awards; there would be 85 \$2,000 micro-business awards; and there would be 43 \$4,000 small business awards; and 3 Clackamas County hotels in the City of Wilsonville awards of \$10,000.</p> <p>All in favor please say Aye, or please raise your hands so I can see because it's really hard to listen.</p> <p>All in favor I have 5 votes in favor, no opposed. Is that correct? So the motion to amend passes.</p> <p>So we now have the main motion in front of us and the question is any further discussion with regard to the main motion? Councilor Linville.</p>
Councilor Linville	I'm wondering if we should not hear any citizen input if there is any before we vote?

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mayor Knapp	Well, that's a thought. We were going to do that earlier and it kind of got sidetracked. Yes, I think we should ask for that. Is there any other discussion that should be had before we ask for input outside. Councilor West.
Councilor West	Okay, as I get used to this very complicated Roberts Rules, this is a complicated night, thank you for bearing with me. I would like to make a motion to amend to include non-profits that are associated with tourism such as the ones that were listed by Councilor Lehan earlier, and other non-profits like the Chamber that are heavily associated with tourism.
Mayor Knapp	Is there, point of clarification if I could, sir? Would that be within one particular category or how would you
Councilor West	Yeah, they would be to be included in the disbursement of TLT funds, the applicants that could receive TLT funds.
Mayor Knapp	So regardless of size, they would fit into one of the three size categories and compete with the other businesses in that size category?
Councilor West	No, I don't think they need to be, yes 6, I'd say 20 employees or less in that category.
Mayor Knapp	If they have no employees, which category do they fit in?
Councilor West	I said if they have like 20 employees or less then they should be
Mayor Knapp	You understand what I'm asking you? I know you're saying that they're competing in the big category no matter how many employees they have, so a whole different set of rules surrounding those?
Councilor West	Yeah, I understand what you're saying. Am I correct in understanding that, well most of these non-profits aren't going to have that many employees. So they could be competing in the smaller category.
Mayor Knapp	What I was trying to clarify is if you were going to let the employee count determine which of the three categories they compete in.
Councilor West	Yes.
Mayor Knapp	Yes?
Councilor West	Yes in the micro category.
Mayor Knapp	Well, maybe they got 4 employees.
Councilor West	Right. So they would be competing more in the micro category. I don't think many of them have many employees, but that's yeah, that's fine.
Mayor Knapp	So your motion is to let the employee count determine which of the three categories they would compete in. Is that, do I understand?
Councilor West	Yeah, but it is my understanding that the employee variance is 0-20.
Mr. Cosgrove	Threshold for small business.
Mayor Knapp	Employee is 6-20 small category.
Mr. Cosgrove	Micro is 0-5. Small business is 6-20.
Councilor West	Okay. Then the micro category for non-profits, small non-profits related to tourism. Zero.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mayor Knapp	Zero to 5?
Councilor West	Yeah.
Mayor Knapp	Without regard to revenues, correct?
Councilor West	Correct.
Mayor Knapp	Okay. So can you state your motion succinctly then what you.
Councilor West	Yes. Let's do this again, thank you. My motion is to amend to include non-profits that are associated with tourism within the micro category of 0-5 employees for TLT dollars.
Mayor Knapp	Okay is there a second? Is there a second to the motion to amend? The motion dies for lack of a second. We're back to the prime motion. Is there discussion on the prime motion? If there is no more discussion on the prime motion I'm going to ask for vote on the to create the
Mr. Cosgrove	Do you want to take the testimony, Mayor, do you want to take the testimony first.
Mayor Knapp	Yeah, we wanted to do that don't we? I'm sorry I'm focusing. Councilor Linville was waiving for the same reason. So how do we do this testimony?
Mr. Cosgrove	We have three people in the queue.
Mayor Knapp	Okay, can they be introduced? And we get them their 3 minutes on the timer.
Mr. Cosgrove	Yes, we sent you a chat message so you should have all the names.
Mr. Vance	Mayor while we're waiting can I ask you a quick question. Does your amendment include the revenue proposals that you mentioned? The revenue ceilings?
Mr. Cosgrove	Yeah, everything that he included in his main motion is still as he stated. I wrote it down, and we have the tape as well.
Mayor Knapp	I don't have any chat information that indicates who is, here we go, here we go. Beth Price, Beth Price is wanting to speak. Please go ahead.
Beth Price	Hi there. My name is Beth Price. I am currently the director of sales at the Holiday Inn Portland South in Wilsonville. I'm also the co-chair of the tourism committee for the City of Wilsonville. Thank you your Honor and the rest of the Council members for letting me speak. I just wanted have an opportunity to share with you how many people from my hotel and I'm hoping everyone can hear me ok. Have been devastated and impacted by the events of the pandemic. And this has actually impacted the hotel from as early on as February. We've lost thousands of dollars in loss of business and the tourism dollars that we lost were business tourism from companies like Mentor Graphics and Avemir which are located [inaudible]

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>And as your trusted partner who has tried to support the city, has been an anchor for the city employs so many people within the city, we've actually had to lay off over 90% of our staff. We are down to five managers running the hotel for the past month.</p> <p>People want their jobs back. I urge you to reconsider this proposal because, you know what, money is so desperately needed and as your trusted partner for literally decades, I ask that you take into consideration the fact that Holiday Inn has been your largest contributor to this TLT fund and the intent of the TLT fund was for tourism. For tourism we need infrastructure without the hotel that's over 70 jobs. We wouldn't qualify for any funding from Wilsonville. We directly participate with Wilsonville and support Wilsonville. I urge you to reconsider this vote because it's leaving key hotels that employ people in Wilsonville out of the mix. And it's leaving us in a place where we are literally not able to get any additional help. And it just doesn't seem fair.</p> <p>And so I thank you for your consideration and hope that you'll reconsider.</p>
<p>Mayor Knapp</p>	<p>Thank you Ms. Price, I appreciate your comments. Second person is Sunghi Park. Are you available to speak?</p>
<p>Sunghi Park</p>	<p>Yes. Hi. I'm one of the co-owners of the Holiday Inn. My brother and I own the Holiday Inn, we have been owners since 2008.</p> <p>A lot of you have talked about, okay there I started the video. A lot of you have talked small business owners. We own a big hotel but we are a family owned business. We're not a huge corporation. This impacts us directly in terms of what kinds of salaries we make. And more importantly, it impacts 60 employees that we've laid off. Sixty employees who now do not have health insurance. And I've members talk about, I've heard, sorry, it's late and I've got a daughter I'm dealing with here too.</p> <p>I've got 60 employees who have lost their health insurance as a result. So I understand you're looking at small businesses being important, small hotels being important, but you know what, we employ many more employees and we have a much greater impact on those because of the large number of employees.</p> <p>So it really, I'm really very upset actually, and I take it personally that we are not even considered from the very start as even contenders for the \$200,000 budget.</p> <p>We are the largest contributor and because of our payroll, because our payroll is so high we are a large contributor to Wilsonville's transit tax through our payroll. Right? But yet we cannot even get on the leveling playing field for the \$200,000 TLT tax.</p>

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	<p>Now there are other loans out there and all I hear is talk about Clackamas whether Clackamas has contributed funds or not to this [inaudible] hotels that are being given preferential treatment. Well maybe they will in the future, I don't know.</p> <p>But there are other funds as you stated in that report. There are other grants like for example from the State or from the federal government. Have they received their \$10,000 economic injury disaster loan? We certainly have not received our \$10,000. So who is vetting all of this out to determine what loans each of the hotels have received and which loans we have not received. Nobody has asked us about whether we've received the \$10,000 from the federal government. So I don't know where, how all of that information is being considered.</p> <p>Again that's one of my comments. The other comment I want to make is about the utility. My understanding is that utility rates are going back up. Or going up [inaudible] and wondering if there is any consideration for actually decreasing those rates temporarily.</p> <p>I just want to make one correction on what Beth said, which is our hotel has not been impacted since February, it's been impacted since January. The first time we got a cancellation was in January.</p>
Mayor Knapp	We need to have you wrap up your testimony; you've exceeded your allocated time.
Sunghi Park	Oh, okay then I'll just leave it at that. I just take this very personally.
Mayor Knapp	All right, thank you very much. We also have waiting to testify Kevin O'Malley. You're still on mute, there we go.
Kevin O'Malley	<p>All right, are we live? Thank you Mr. Mayors, City Councilors. First off, we'd like to say thank you we appreciate responding to our Chamber public testimony at the April 6th meeting.</p> <p>There's a delay so we're going to start. So at that 4/6 meeting you asked us to join a charter team with Councilor Linville and he Economic Development Manager Jordan Vance to create a draft.</p> <p>We greatly appreciate the collegial and collaborative effort of Councilor Linville and Jordan Vance whom we worked with for many hours to develop the proposal you saw this evening. It represents the very best example of what our city and chamber could do and we worked proactively to dialogue and craft possible solutions to help us drive economic prices and prosperity for Wilsonville.</p> <p>Councilor Linville and Mr. Vance provided you with a accurate representation of our process and including those areas where we have</p>

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

respectfully had a couple differences, I'd like to try to clarify a couple key points.

On record, you have our comments on the hotel situation and having just heard from that and because of the time of night I'm going to simply say you've heard the reason for Holiday Inn and others.

We'd like to clarify the question about the 80 FTEs. That 21-80 employee count was only to apply to the TLT bucket. In the Travel Tourism category, the Chamber would like to increase the cap to 80 because the larger employee count restaurants and tourism attractions in Wilsonville fit that category.

In travel tourism besides lodging the next key area business segments are attractions and full service sit down restaurants. In Wilsonville, unless you expand the count to 80, those key travel related businesses would be excluded.

The TLT monies are collected to benefit travel tourism related businesses. They come with legal parameters, legal strings attached that impact how and who the city can disburse those funds to.

Finally, this evening there was a request about the gross annual revenue. I'd like to share that the charter group spent a lot of time discussing that and by including it you are fundamentally changing the entire proposal the charter task force submitted. And Mr. Mayor, I actually had the idea and I suggested it, and then Councilor Linville and Jordan Vance stepped through it and we decided not to include it for two important reasons. First, it's very burdensome, and second it's very complicated. We heard from other cities that no business is going to share financials to the city because their city attorneys told that whatever is submitted to the city, even though it's private, could be subject to public disclosure later through public records law.

Second thing is you add a big burden on staff. Gross revenue doesn't equal profitability. There are small homebased businesses who operate at 40% margins, and you have million dollar gross revenue businesses that operate at single digit.

So finally you don't get what you are logically trying to drive to by adding gross revenue, you actually make it more complicated, more likely for inequity.

Finally, we'd like to say thank you to Councilor West for reaching out to us this past weekend at the Chamber to better understand and learn about first hand from what's happening with our small business community.

Thank you and I'm happy to answer any questions.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mayor Knapp	<p>Thank you sir. We will discuss in general, if that's all the testimony staff, is there anyone else waiting?</p> <p>Okay, so a couple people want to speak. I will try to be clear here, the discussion at this point should be toward, moving toward a vote on the main motion and anything that needs to be done to get us there. So let's try to focus our discussion here if we could. Councilor Linville.</p>
Councilor Linville	<p>There we go. So this is a question for our city attorney. I had a conversation with the City of Lake Oswego that related specifically to the inclusion of revenue information on their small business applications. And they required, I believe, the first two pages of their federal tax returns for 2019, I believe it was 2019 I can't remember exactly. But the question really comes to our city attorney about the ability in the state of Oregon suppress that information if it is submitted as a confidential request.</p>
Ms. Jacobson	<p>So the answer to that question is, generally speaking everything in Oregon is subject to public records laws. However, if it is proprietary business information which your profit and loss statement and income could certainly qualify under that category. If it is properly marked as proprietary and confidential then that's the position you start with. That doesn't mean that somebody can't take you to court and show a stronger public reason for the release of that information but it switches the burden. So, in this case I think that that happening would be a fairly low probability if you did get the information and it was properly marked as proprietary. But it certainly could happen so that is always a risk public records laws. Does that make sense?</p>
Councilor Linville	<p>Thank you.</p>
Mayor Knapp	<p>Councilor Lehan.</p>
Councilor Lehan	<p>Well I had similar questions, as I wasn't certain about the gross revenue, whether that is indeed problematic, will that make people reluctant to apply because it's there. That would be my bigger concern is then they wouldn't apply. I know some cities have asked for their W-9s from the previous year, but we haven't had time to look at anybody else's programs with enough detail to know what worked and what didn't. so they're guessing kind of and we're guessing.</p> <p>So I guess I'm kind of looking to staff and say what does anybody think the impact of that is, both in terms of privacy concerns and also I guess the second one would be discouraging applications, and the third one would be what's the primary benefit. What is the compelling reason to have it there versus not. Or maybe go back to the Mayor I mean it sounds good on the surface but as Mr. O'Malley said it doesn't your gross doesn't have much of anything to do with your profitability. And I'm just a little bit twitter pated on that one.</p>
Mayor Knapp	<p>Okay, do we want to give staff a chance to comment on that.</p>
Mr. Cosgrove	<p>It wasn't part of the original task force recommendation, gross income.</p>

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mr. Vance	We had talked about it, we tried it. We I think echo some of the comments Kevin made to try to keep it simple, engagement of small business size based on employee count. We talked about we don't have the resources.
Mr. Cosgrove	It's more of a staff issue. In reviewing financial documents and that would definitely hold up the process. It would not bother us if you got rid of that requirement. But if the Mayor feels strongly about it because he put it in his original motion. I think it does come down to will we have the ability to figure out what the profit margins are for each business. And gross revenue can mean, you know like Mr. O'Malley said, it might mean well they're making a lot of money but there's not a lot of profit there. And we don't have the resources on staff to go through financial statements to, we could get there eventually but it might be three months from now. So if you don't feel strongly about it, if the Mayor wants to reconsider that, you could certainly remove that as a requirement.
Mr. Vance	It might be a tradeoff. The goal is to get this out the door in two week, and this may add time to the whole process.
Mr. Cosgrove	Right, yeah. So I guess I would go back to the Mayor.
Councilor Linville	Those were my thoughts initially too. We really did spend time discussing it. I guess we ended we thought that in lieu of that that the number of employees would serve as the proxy for the gross revenue.
Mayor Knapp	Other comments? Councilor West
Councilor West	Yeah, I have a question for the chair. Are you willing to entertain additional amendments to add in the three hotels or to make an adjustment also to requiring gross income by documentation?
Mayor Knapp	Process wise, yes we are open for amendments. It's not up to me to say whether or not they should be made.
Councilor West	I would like to move to make an amendment to not require gross receipts documentation from businesses, due to I believe it not being relevant. And I'd also like to make an additional amendment
Mayor Knapp	Could I make a suggestion to you, that if you combine those two into one motion you may have somebody that likes one of them and doesn't like the other one and it's going to be a conundrum. I'd rather, I think it would be clearer if you kept your motions to one item.
Councilor West	Okay. Are you recommending I combine them into one or just do one at a time.
Mr. Cosgrove	Just do one issue at a time.
Councilor West	Okay. Well since we're talking about the gross income documentation requirements I would like to make a motion to not require gross income documentation to the motion.
Mayor Knapp	Thank you. Is there a second.
Councilor Linville	I'll second that motion.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mayor Knapp	Moved by Councilor West and seconded by Councilor Linville that we remove the gross annual revenue qualifiers from the process. Discussion? We've had some already, any more needed?
Councilor Akervall	I think swiftness is important as we've all heard and discussed and so if we have to lose this piece to make things move more swiftly then I see that as a tradeoff I would be willing to look at.
Mayor Knapp	Okay. Others, Councilor Lehan.
Councilor Lehan	In a similar vein I would support it because I think it will have the, it would be less discouraging to some individuals. Some individuals would not apply because of this and I think we'll get more applicants with it not there.
Mayor Knapp	Other discussion? I'll call for the vote on the motion. All in favor of the motion to remove the gross annual revenue piece from the qualifiers please raise your hand. I see five votes, that's no one opposed. Correct.
Mr. Cosgrove	Correct.
Mayor Knapp	So it passes 5-0 removing that qualifier. Is there other discussion to be had on the main motion?
Councilor West	I would like to move to amend the motion to include all hotels within the city limits of Wilsonville.
Mayor Knapp	Is there a second?
Councilor Linville	I'll second that motion so that we can have some discussion.
Mayor Knapp	Okay, moved by Councilor West seconded by Councilor Linville. Discussion.
Councilor Linville	I can tell you that this is a very difficult discussion for all three of us on the committee. And I have the care and concern for those hotels. So it was a difficult issue. I believe that while I think any money is better than no money, the idea of making the other hotels whole in times where this money is just not going to go that far and the balance of this means taking another \$30,000 from small businesses in the travel, tourism and hospitality businesses. And that was difficult for me to do as well in terms of trying to decide. And it is the reason that this came to the Council as something that we couldn't agree upon. So I'm struggling with it too. I think that it is equitable to make those other 3 hotels whole. They were just as unfortunate as the other hotels were fortunate to get that first \$10,000 from the Washington County Visitor's Association. But I recognize that's where the TLT bigger dollars are coming from in terms of passing those taxes collected and it does go to their bottom line. So I'm unfortunately, probably this is one of the most difficult parts of the discussion and that is to only fund the three hotels.
Mayor Knapp	Thank you. Councilor Lehan.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councilor Lehan	<p>Yes, I want to make it clear that I, like everyone else, I have great regard for every hotel because they are all in a world of hurt and this is not, this is going to be a very difficult year. We're not going to come out of this in this year. And for those bigger ones I'm really glad they got the \$10,000 from the Washington County Visitor's Association, but we cannot it's not going to make a difference for those very large businesses.</p> <p>And I noticed, I don't see it in my notes right now, I noticed in looking at the what some of the other jurisdictions have done. That it's not an uncommon criteria that they don't want to give to someone who has already received. And I think one of those is Washington County, Washington County wasn't also funding entities that have gotten money from Washington County Visitors Association.</p> <p>That notion is in keeping with how a lot of jurisdictions have approached this, they are either not providing additional funding to those who have been funded by the federal government, or the state or whatever. They will. I don't think it's an unusual criteria to make there.</p>
Mayor Knapp	<p>Okay, thank you. Other comments. Are we ready to vote on the motion to amend?</p> <p>I will call for the motion to add the other three hotels to the three Clackamas County hotels, is that right?</p>
Mr. Cosgrove	<p>Mayor, real quick, I think Councilor West screen froze up and I think he wanted to weigh in. He doesn't have audio right now. He is trying to connect to audio. There he is.</p>
Mayor Knapp	<p>Councilor West you there? Ok. Go ahead.</p>
Councilor West	<p>Can you guys hear me ok?</p>
Mayor Knapp	<p>Yes</p>
Councilor West	<p>Am I unmuted? I am thank you. Sorry my headphone and phone totally died so I had to switch over to computer, but it's working better now.</p> <p>[garbled] this is where some of are probably going to disagree, but we all have good justifications I feel for like why we have the opinion or the decision that we are making right now which is super tough.</p> <p>I feel like to be the most fair because we don't know whose received any federal money, we don't know who has received other grants or whatever where they get hold of every situation, but here it feels a little bit like we are picking some winners and some losers. And being as equitable.</p> <p>I think being within our scope – can you hear me ok?</p>
Mayor Knapp	<p>You're kinda cutting in and out.</p>
	<p><i>Communications with Councilor were lost for a brief time. Once connections were re-made discussion resumed.</i></p>

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Councilor West	I'm commenting on my motion, that's where we're at, correct?
Mr. Cosgrove	Yes.
Mayor Knapp	Yes.
Councilor West	<p>So I feel a little bit like a lot of councilors have good reason to believe what we believe right now. There's definitely some variation, some heavy consideration going on. I really feel like we don't know who, what businesses necessarily have or have not gotten support in general from different various, we know some we don't know others of different pools of money that people have received some support from.</p> <p>I think that if we look at how all of our business that are in one group like the TLT, those are similar, all have contributed for so many years to the benefit of Wilsonville. And the ones that we happen to be excluding like we said , just also happen to be the most stabilizing factor for TLT dollars even moving into the future. So there is a lot of benefit to us say we're gonna just look at this as a total group within our scope of our city, not worry about where other funds have come in and provide them the support that they desperately need as everybody else.</p> <p>I think that we could fund a carve out for help or hope for that additional dollars to make it fair and even. I don't, and I would really challenge us to be able to make that additional stretch or expense to be able to make sure that all hotels are getting the same amount from us.</p>
Mayor Knapp	So Mr. West, in keeping with the former protocol that we have used, where do you want to reduce in order to fund your proposal?
Councilor West	That's a good question.
Mayor Knapp	Well it seems to me if we're spending \$400,000 and you're proposing to spend \$30,000 more somewhere, then you have to come up with \$30,000 from somewhere.
Councilor West	So I would propose that we reduce the amount that would be going to the non-hotel entities within for the TLT dollars. Go ahead.
Mayor Knapp	The proposal currently has \$172,000 going to the small business 6-20 FTE at \$4,000 each; and it's got \$170,000 going to 85 awards to micro businesses at \$2,000 each; and it's got \$28,000 going to 28 awards in the home base at \$1,000 each. Where do you want \$30,000 to come out of?
Councilor West	The largest fund.
Mayor Knapp	\$172,000 for 6-20 FTE?
Councilor West	Yes.
Mayor Knapp	That would reduce that to \$142,000. That would remove 36 from the 43, so that would only leave 7 in the \$4,000 category. Correct?
Councilor West	Another idea may be to take [garbled].
Mayor Knapp	You need to make your motion specific sir.
Councilor West	So ok, so I moved, okay I move to take it evenly from the two larger pools of money that you mentioned, to split it evenly between those two larger pools and the smaller businesses that have the least amount of grants going to them

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	to leave that the way it is but to take the funds from, equally from the other two pools.
Mayor Knapp	So that would leave \$167,000 in the small business category; and it would leave \$155,000 in the micro business category. So that would leave 40 no that can't be right. 157. That would leave 39 awards in the \$4,000 category.
Councilor Lehan	Don't we have staff to know how to do math?
Mr. Cosgrove	Yes, we can do the math.
Mayor Knapp	Yes, staff tell us what it means.
Mr. Cosgrove	Well, vote on the motion then we'll do the math.
Councilor Linville	Can I make a statement?
Mr. Cosgrove	It will be \$15,000 less for each program. Our finance direction is going to do the math and she's good at math.
Ms. Rodocker	It may take me a few minutes here. I don't have a calculator.
Mayor Knapp	That would leave 39 \$4,000 awards and 77 \$2,000 awards.
Councilor Linville	Mr. Mayor.
Mayor Knapp	Councilor Linville.
Councilor Linville	We talked about having 172,000 isn't that correct in that category?
Mayor Knapp	Yes. You're taking 15 off of that.
Councilor Linville	And minus 15,000 equals 157,000 divided by 4,000 and that's 39.
Mayor Knapp	Yes, 39.
Councilor Linville	Yeah, and then so the other one's correct as well. So the, I guess the other option that I and that I'm really struggling with taking those monies off for a single business. There is the possibility of cutting all of those hotel loans, or the hotel instead of 10,000 giving them all 5,000.
Mayor Knapp	Okay. That's not the motion currently.
Councilor Linville	No.
Mayor Knapp	So the motion that we have was to add 30,000 dollars to cover all six Clackamas County hotels at \$10,000 each. We now have clarification from the maker that he wants to take half the money from the small business category, leaving 39 awards there instead of 43. And half from the microbusiness category leaving 77 awards instead of 85. I lost Mr. West somewhere but I believe that's accurate. Is the second on board that that is the motion? Councilor Linville.
Councilor Linville	Yeah. I'll leave it to, yeah.
Mayor Knapp	Okay. So that's what we are going to need to vote on. Councilor Lehan.
Councilor Lehan	So are we agreed then that would be 11 small businesses that are not being funded?

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Councilor Akervall	I think it's 15.
Councilor Lehan	15 that aren't being funded.
Councilor Akervall	I think it's the difference of 15 grants that would not be able to be awarded in order to give the three grants. I mean it was 15 net I think.
Mayor Knapp	Yeah, I think that's accurate.
Mayor Knapp	So we would lose 15 grants.
Councilor Lehan	Those are 15 businesses that are in the hospitality industry. You know, I just don't see it. I'm in the hospitality industry, and I don't see it. We need to support those, this is for small businesses and that's what the Chamber has told us from the beginning was this was for small businesses. We need to take care of our small businesses and that's what we're trying to do. And if we're cut 15 of them out so that we can, I'm not there.
Mayor Knapp	And now we've got an excel spread sheet, I don't know what that's doing for us.
Mr. Vance	Okay, if Council can see the scene this sheet, we can play around with the numbers. So if the remaining thirty
Mayor Knapp	Sir, I'm not, sir, sir, I'm not sure this is helpful. We've got a motion, we've got a clear state of where they want the money to come from, we need to vote on this motion to amend.
Mr. Cosgrove	The spreadsheet is gone.
Mayor Knapp	Okay. So we lose 11 awards
Councilor Akervall	Fifteen. We lose 15 – I think yeah.
Mayor Knapp	We lose 15, we lose 15 small business awards half the money from the 2,000 category and half from the 4,000 category.
Councilor West	I'll change my motion, I'll change that motion to be, I mean.
Mayor Knapp	We can't keep doing this for hour after hour. We've got a motion. We need to vote it up or down.
Councilor Wes	Okay. I mean, yeah, I mean I would be. So you asked me if that's where I wanted the two to come from the two pools like that I would keep that the same. But instead of them being \$10,000 each let's make them \$7,000.
Mayor Knapp	Well that changes everything. We gotta recalculate all the numbers then.
Councilor Lehan	[Garbled]
Councilor Linville	That doesn't add up to add up to \$30,000.
Mayor Knapp	No, they all get \$7,000 instead of.
Councilor West	If we don't plan a multiple of this.
Councilor Lehan	\$21,000. And it.
Councilor West	We can make it [garbled].
Councilor Lehan	It still doesn't get us where we want in terms of equity with all the hotels. I mean the Clackamas County ones are shortchanged. Cause Clackamas

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

	County is not coming through on this. If you've heard otherwise I'd like to hear about it.
Mayor Knapp	<p>So. We currently have a motion on the floor and a second, and we've had discussion. Unless the Council is going to do something different we're ready to call for a vote.</p> <p>I'm not hearing anything different, I'm going to ask for the vote on the motion to amend to add \$30,000 to cover six Clackamas County hotels in Wilsonville at \$10,000 a piece, half the money coming out of the small business category, and half coming out of the microbusiness category.</p> <p>All in favor please raise your hand. All Opposed please raise your hand. Motion fails. One in favor, four opposed.</p> <p>We have the main motion in front of us still. Do we need more discussion on the main motion? As amended. I we are not needing more discussion on the main motion; I'm going to call for the vote on the main motion. The amended version funds 28 \$1,000 awards in the home base category; 85 \$2,000 awards in the micro business category; and 43 \$4,000 awards in the small business category; and 3 \$10,000 awards to the three Clackamas County Wilsonville hotels.</p> <p>All in favor of the motion please raise your hand.</p>
Councilor Akervall	No. it looks like there's confusion.
Mayor Knapp	What's the question? What's the problem?
Councilor Linville	I thought that we had changed the numbers for the, we went to 43-85-28 instead of.
Mayor Knapp	Yeah, that's just what I said only I said, I went the other direction 28-85-43.
Councilor Linville	Ok, never mind.
Mayor Knapp	Okay.
Councilor Akervall	Does Staff have all of this?
Mr. Cosgrove	Yes. That's the reaction of the night right there. We got it.
Mayor Knapp	<p>We ready to vote?</p> <p>All in favor of the motion to adopt this proposal as the framework for the awards please raise your hand. Opposed?</p> <p>Mr. Cosgrove we got it, we got it, 5. That's five in favor, is that correct?</p>
Councilor West	I can't, everything is freezing up I don't know if you guys can see me.
Mr. Cosgrove	Yes, we see you raising your hand for.
Councilor West	Thank you this is difficult right now.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mayor Knapp	Okay. So that's five in favor, its unanimous for that proposal.
Mayor Knapp	We now need to duplicate the same thing for the funding source. I gotta get my.
Mr. Cosgrove	No, you don't need to do that.
Ms. Jacobson	So you can make your motion exactly the same, the only difference is it's going to be for the program income fund.
Mayor Knap	Right, right.
Ms. Jacobson	So unless there is
Mayor Knapp	So I'm going to make the motion that we adopt Resolution 2811 for the Urban Renewal Program Income usage, utilizing the same parameters, the same criteria that we have just adopted for Resolution 2812.
Ms. Jacobson	Except for the hotels
Mayor Knapp	Is there a second?
Councilor Lehan	I'll second.
Ms. Jacobson	Okay. The only difference would be this does not have hotels in it.
Councilor Lehan	That's right.
Councilor Linville	We have to change the numbers.
Ms. Jacobson	Yes because this one has no hotels.
Mayor Knapp	Okay, so we the, adopt the same protocol with the exception that the county hotel works are not part of this.
Councilor Lehan	Isn't it all of the hospitality industries.
Ms. Jacobson	This motion is for the other businesses.
Councilor West	Isn't this not for hospitality.
Councilor Lehan	Yeah, this would remove all the hospitality people.
Mr. Cosgrove	Yes.
Councilor Lehan	Same framework, minus the hospitality.
Councilor West	The generals.
Mr. Cosgrove	Yes.
Councilor West	This is the general, right, the general businesses.
Mr. Cosgrove	General business.
Mayor Knapp	Hang on, does staff agree that that's the correct way to frame it?
Mr. Cosgrove	Yes, this is the general business grant. Non-hospitality.
Mayor Knapp	All right. So the motion will be that we adopt Resolution 2811, with the same framework except excluding the hospitality funding source. And is there a second.
Councilor West	I'll second.
Mayor Knapp	Do we need more discussion on the framework? Council Linville.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Councilor Linville	I don't believe can go with the 40, the 28-85-43 for those three categories because we now have an additional \$30,000 to dump into that fund because we're not spending it on the hotels.
Mayor Knapp	Yeah, I think you're right. That's why I was trying to ask Staff if that's the right terminology to do it. It seems to me that we could adopt the same framework and instruct staff to separate the funding sources appropriately. Mr. Cosgrove?
Mr. Cosgrove	Yeah, hang on a second. This is what? That doesn't make sense. Hang on, I'm looking here. Right now we have.
Councilor Akervall	I guess I need some clarification.
Mr. Cosgrove	Hang on. I think I might have it here. The microbusiness ones are the \$2,000, right, for \$170,000; the 6-20 would be 43 for \$172,000, right; and then you would have the \$30,000 for the 3 Clackamas County hotels.
Ms. Jacobson	No hotels in this one.
Councilor Akervall	172, plus 170, plus 28,000, plus 30 for hotels, that's the 400 right there.
Mr. Cosgrove	But that total proposal is 400. Yes. That's what I was trying to say just now.
Councilor Akervall	The totals that we just gave for all the grants, that's for hospitality and for small, and that's why it's confusing, it affects the pool even greater for the hospitality than to remove it, it would be like
Mr. Cosgrove	Yes, yes.
Mayor Knapp	So I agree if that's true, but talking to staff here, can we just adopt the framework and instruct staff to differentiate the funding sources that go to which ever program they should go to in accordance with the previous staff report that we're adopting as part of the resolution?
Mr. Cosgrove	Yes, please. We understand what you want to do. We understand perfectly how you want to allocate the money, so if you would just empower us to do that, we would be happy to do it.
Mayor Knapp	Okay, so the motion I'm making again or as a replacement is, adopt Resolution 2811 using the attachment of the same funding program that we just adopted under 2812, instructing staff to direct the appropriate pieces of the funding sources to the appropriate uses as previously defined in our staff analysis and report attached to there.
Mr. Cosgrove	Yes.
Mayor Knapp	All right, is there a second?
Councilor Akervall	I'll second.
Mayor Knapp	Mayor moved and Council President Akervall seconded. Discussion.
Councilor Lehan	I will apologize for creating this dilemma, because they were separated in case I was going to recuse myself.
Mr. Cosgrove	Correct.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Councilor Lehan	We ended up discussing it all as one thing, and now it's got us all confused.
Mayor Knapp	Well I think we're on track now.
Councilor Lehan	There you go.
Mayor Knapp	All right. Any other clarifications needed? Councilor Linville.
Councilor Linville	Well, I'm confused when we say we're just according to the other funding model. I don't know what that means. We have an additional \$30,000 and so
Mayor Knapp	No the funding is combined, we don't have any additional.
Mr. Cosgrove	There is no additional money.
Mayor Knapp	Using both sources and it's just a matter which funds are directed to which total.
Mr. Cosgrove	We're still giving \$30,000 to hotels, just the Clackamas County hotels. So there's no additional money.
Councilor Lehan	There's no additional money. All we're doing with 2811 indicating 2812 also includes Urban Renewal program funds. They were part of 2812, we figured them out as part of 2812 and so all we need to indicate is the Urban Renewal is folded into 2812. There's no new money in 2811, whatever. We just spent it all.
Mayor Knapp	Okay.
Councilor Linville	Okay.
Mayor Knapp	Councilor West has been coming in and out. Can you hear me?
Councilor West	I can hear you Mayor.
Mayor Knapp	We're ready to vote on 2811, and we've clarified that the framework we adopted under 2812 was defining the framework to be used by both resolutions, and staff will figure out which source goes to which grant usage.
Councilor West	Are we voting right now?
Mayor Knapp	We're ready to vote.
Councilor West	While you can hear me, I'll be a "Yes" vote. You can hear me in a "Yes" vote.
Mayor Knapp	You're a "Yes" vote. Okay. I will ask then, all in favor please raise your hand. I have four raised hands, and a voice vote from Councilor West. We have unanimous five in favor. No opposition.

End of transcript.

C. Resolution No. 2810

A Resolution Of The City Of Wilsonville Authorizing A Second Amendment To Wilsonville Community Sharing Support Grant Agreement.

Ms. Jacobson read the title of Resolution No. 2810 into the record.

Cathy Rodocker, Finance Director, provided the staff report.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor Linville moved to approve Resolution No. 2810 second amendment to Wilsonville Community Sharing Support Grant Agreement. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

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.

Citizen Input comments are included in the transcript portion of the meeting dealing with Resolutions No. 2812 and 2811.

COUNCILOR COMMENTS

- A. Council chose to forego comments.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

- A. **Resolution No. 2787**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Goods And Services Contract With Pipeline Video Inspection, LLC (DBA Aims Companies) For The Closed Circuit TV (CCTV) Inspection Services Project. (Montalvo)
- B. **Resolution No. 2800**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Goods And Services Contract With HMI Oregon Dealership, Inc. For The Library Furniture Project. (Duke)
- C. **Resolution No. 2806**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute The First Amendment To Construction Contract With Moore Excavation, Inc. For The Garden Acres Road & PLM_1.2 Water Transmission Line Project. (Weigel)

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CONTINUING BUSINESS

None.

PUBLIC HEARING

- A. **Resolution No. 2809** (*Legislative Hearing*)
A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20.

Ms. Jacobson read the title of Resolution No. 2809 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 9:50 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor’s participation.

Cathy Rodocker, Finance Director, provided the staff report. The supplemental being presented is in direct response to the COVID-19 emergency response. \$50,000 in fund balance from the water CIP will be transferred to the General Fund to be available for the Wilsonville Community Sharing program. This funding is for their general program, which can be used on rent, non-city related utilities, including Wi-Fi and mobile. In addition, the General Fund will contribute \$20,000 from contingency from unspent Transient Lodging Taxes collected. In total, the City of Wilsonville will contribute \$250,000 to the program to be expenses through the Administration budget.

The Mayor invited public testimony. Seeing none, he closed the public hearing at 9:52 p.m.

Motion: Councilor West moved to approve Resolution No. 2809. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. Ordinance No. 841 – 1st Reading (*Legislative Hearing*)

An Ordinance Of The City Of Wilsonville Adopting Text Amendments To The Wilsonville Comprehensive Plan And Development Code Regarding The Planned Development Residential (PDR) And Residential (R) Zones.

Ms. Jacobson read the title of Ordinance No. 841 into the record on first reading.

Mayor Knapp provided the public hearing format and opened the public hearing at 9:53 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor’s participation.

Dan Pauly, Planning Manager, provided the presentation. The proposed amendments to the Wilsonville Comprehensive Plan and Development Code improve clarity, consistency, and usability of standards related to density and open space in the Planned Development Residential (PDR) and Residential (R) zones. The Planning Commission unanimously approved a recommendation to City Council to adopt the proposed amendments at their March 11 meeting.

Excerpt from Mr. Pauly’s Staff Report to provide background.

Outside of Villebois and Frog Pond, the City adopted most of the current residential development standards in 2000. The City subsequently adopted changes to Open Space standards in 2005 and changes to Accessory Dwelling Units standards in 2010 and 2019. Application of the various standards over the years have brought forward a number of issues. The recommended Comprehensive Plan and Development Code text amendments intend to provide clarifications and resolve inconsistencies to address these items. Topics addressed by the proposed amendments include clarifying/defining how density is calculated and conflicts between different standards that take up or consume land (such as minimum lot size, minimum density, required amount of open space, street improvement standards, and stormwater facility requirements). In addition, the amendments address the approach to calculating open space, particularly for smaller projects, and ensuring quality design of open spaces. A summary of these proposed changes is attached (Attachment 2).

After substantial research, staff prepared draft recommendations for Comprehensive Plan and Development Code text amendments to address the issues and worked to refine them with the Planning Commission over five work sessions and City Council over two work sessions. Staff also sought to inform and gather input from targeted interested parties and the public at large utilizing an online survey on Let’s Talk, Wilsonville!, public notices, and targeted outreach. On March 11, 2020 the Planning Commission held a public hearing and following the hearing unanimously recommended adoption of the proposed amendments to City Council.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A number of guiding concepts for the project informed the development of the recommendations, including:

- No proposed changes to allowed uses.
- No proposed changes to existing Comprehensive Plan Map Designations or Zone Map Designations.
- Better coordinate minimum and typical lot sizes with Comprehensive Plan/Zoning density ranges.
- Maintain the Comprehensive Plan density range as the policy guidance for allowed density/number of units.
- Allow predictable flexibility rather than uncertainty associated with the current waiver process.
- Mirror the Residential Neighborhood (RN) zone as applicable.
- Emphasize quality over quantity for open space.

The proposed updates are most applicable to about 63 acres of unbuilt and underbuilt land within the City limits currently located within one of the seven PDR zones or likely to be in one of these zones in the future. The proposed updates may also apply to land added to the City in the future if the land is assigned a PDR zone. The proposed updates will not apply to the Frog Pond residential area (Residential Neighborhood Zone) or Villebois residential areas (Village Zone) as these areas are not in PDR zones. The proposed updates also do not apply to existing neighborhoods planned and built under existing standards, including those within PDR zones. Previously approved plans will continue to control what can be built in these neighborhoods unless a neighborhood is redesigned and rebuilt on a large scale. While the amount of land the recommended code amendments impact are limited, it is critical this limited amount of land is planned and developed efficiently and with quality design.

The package of amendments before the Council reflect the direction from Council given over two work sessions in February and March. Per Council, direction staff removed the provision to allow 10% of larger private yards to count as open space and added a provision that half the open space requirement in a development must be usable and provided outside the Significant Resource Overlay Zone (SROZ). The Council will also notice the addition of edits to Section 4.139.11, which addresses SROZ density transfer, to make the section consistent with existing language already adopted in Section 4.124.

Staff has reviewed the proposed edits against applicable standards in the Comprehensive Plan, Development Code, Metro code, and state rules and statutes, as outlined in the Compliance Findings Report (Exhibit B to Attachment 1), establishing compliance of the proposed amendments with applicable standards.

End Staff Report Excerpt

The Mayor invited public testimony. Seeing none, he closed the public hearing at 9:59 p.m.

Motion: Councilor Linville moved to approve Ordinance No. 841 on first reading. Councilor Akervall seconded the motion.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Mayor Knapp asked for a motion to continue the meeting so the Urban Renewal Agency business could be addressed.

Motion: Councilor Akervall moved to extend the meeting until 10:15 p.m. Councilor Lehan seconded the motion.

Vote: Motion carried 5 -0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY MANAGER’S BUSINESS

Mr. Cosgrove asked Council if the Rotary Concerts in the Park should be held in Town Center Park. The concerts typically draw a large amount of people.

Mayor Knapp asked Councilors for their opinions. Councilors felt the Concerts should not be held.

Mayor Knapp asked how the gift card program originated.

Mr. Cosgrove stated the idea originated in one of staff’s incident command meetings in the EOC through brainstorming how to provide money to the business community quickly, while achieving multiple policy objectives, recognizing the homeless population and families in need. By the end of the meeting, a program was in place. About 35 small businesses and restaurants are involved, with 330 gift cards distributed to Wilsonville Community Sharing, 60 to the police department. The City spent approximately \$17,500 and we have gotten a lot of good PR from local restaurants.

LEGAL BUSINESS

Ms. Jacobson stated the motion to abate on the Clackamas County Circuit Court case was granted. The Judge declined to rule at this point on the motion to intervene saying a decision would be made a year from now when the motion to abate expired, if the case is not dismissed in the meantime.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

ADJOURN

Mayor Knapp adjourned the meeting at 10:04 p.m. An Urban Renewal meeting followed.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

Attachment:

Staff Report prepared by Jordan Vance in its entirety to provide background on Resolution No. 2812 and 2811.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mr. Vance's Staff Report is appended to these minutes to provide background for Resolutions No. 2812 and 2811.

On April 8, 2020, the City to Manager commissioned a 3-person task force (Joann Linville, City Councilor, Jordan Vance, Economic Development Manager, and Kevin Ferrasci O'Malley, Wilsonville Area Chamber of Commerce CEO) to study existing business relief grant programs offered by other jurisdictions and provide a recommendation to the Wilsonville City Council on the best use of the allotted funds. The task force held three working sessions together and aligned on the following proposal.

Program Overview

The Wilsonville Small Business COVID Relief Grant program will offer emergency relief grants to Wilsonville's micro and small businesses experiencing economic disruption due to the COVID-19 pandemic. The City of Wilsonville will commit \$400,000 in funds to the program that will be split equally to finance two-tiers of grants: \$2,000 grants for qualifying micro businesses (0-5 FTE) and \$5,000 grants for qualifying small businesses (6-20 FTE). The Urban Renewal dollars will fund grants awarded to general business operators, including retail, medical, and professional services. The Transient Lodging Tax (TLT) dollars will fund grants awarded to travel tourism operators, including restaurants, lodging, and other hospitality-oriented businesses. The recommendation proposes a different solution separate from the below program criteria for the six lodging/hotel businesses in Wilsonville, which is explained at the end of the staff report.

Mandatory Criteria

- Businesses must have a current City of Wilsonville business license.
- Owner or managing entity based within 25 miles of Wilsonville and within the State of Oregon (applies to local independent businesses and franchises).
- If the business is part of a chain, the franchise of the business is owned by an individual
- Business must have a brick and mortar/physical facility located in the City of Wilsonville.
- If selected, the business will need to submit a W-9, Federal Tax ID number, and their City of Wilsonville business license number.
- Micro and small businesses with 0-20 FTE (full-time employees), including sole-proprietors.

Additional Consideration (all weighted equally)

- Minority/Women Business Enterprise (M/WBE), Disadvantaged Business Enterprise (DBE and ACDBE) or Service Disabled Veteran (SDV)
- Legacy Wilsonville businesses that have been operating in the city for a longer time period.
- Less than 3 years
- 4 - 8 years
- 9+ years
- Wilsonville businesses that have not received Federal, State or County relief funding yet.

Excluded

- Non-profits excluded.
- Virtual- and home-based businesses excluded.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Grant Size

- \$2,000 grants will be dispersed to qualifying micro businesses. (50% funding / 93 grants, assuming \$370K total program funding)
- \$5,000 grants will be dispersed to qualifying small businesses. (50% funding / 37 grants, assuming \$370K total program funding)

Approach for Lodging/Hotel Businesses

Washington County Visitors Association administered \$10,000 grants to hotels within the county were received by three Wilsonville businesses, Holiday Inn, Motel 6 and La Quinta. Do we mirror this approach and use a portion of TLT funding off the top to administer \$10,000 relief payments to the other 3 hotels in Wilsonville that did not receive the same payment (\$30K total), or include all Wilsonville lodging establishments in this effort (\$60K total)?

Did Not Receive County Relief Grant

- Snooze Inn
- Guesthouse Wilsonville
- Best Western Wilsonville

Received \$10K Relief Grant from Washington County

- Holiday Inn
- Motel 6
- La Quinta

Chamber of Commerce Key Issues

- There was 100% support from the Chamber of Commerce Executive Board that all Wilsonville hotels/lodging properties should be eligible to receive a local City of Wilsonville grant regardless of whether or not they might have received other grant monies. The Chamber's position is that every hotel paid into the local TLT tax. Every hotel is in dire economic straits.
- In the travel tourism category, the Chamber would like to increase cap to 80 FTE to include larger employee-count restaurants and tourism attractions in Wilsonville.
- The Wilsonville Chamber would like to see the Charter group report out the need for a fast, date certain time to cut checks. The Chamber requests that City Council ensure that grants are ready to go out no later than April 27, 2020.
- The Wilsonville Chamber, per their public testimony on April 6, 2020, believes that the relief fund should totaling not less than \$500,000.

EXPECTED RESULTS:

Administer grant program to offer immediate economic stabilization assistance to micro and small businesses in Wilsonville negatively impacted by the COVID-19 pandemic.

TIMELINE:

Grant Application Period (tentative): April 22-24

Evaluation of Applications (tentative): April 27

Dispersal of grant awards (tentative): April 30

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CURRENT YEAR BUDGET IMPACTS:

\$165,000 from the West Side Urban Renewal Plan.

\$35,000 from the Year 2000 Urban Renewal Plan.

\$200,000 from Transient Lodging Tax revenue.

End of Staff Report

DRAFT

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, May 4, 2020. Mayor Knapp called the meeting to order at 7:04 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Zoe Monahan, Assistant to the City Manager
- Andy Stone, IT Director
- Beth Wolf, Senior Systems Analyst
- Dan Pauly, Planning Manager
- Jordan Vance, Economic Development Manager
- Mike Nacrelli, Civil Engineer

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

- Mayor Knapp Yes
- Council President Akervall Yes
- Councilor Lehan Yes
- Councilor West Yes
- Councilor Linville Yes

MAYOR’S BUSINESS

A. Upcoming Meetings

Mayor Knapp spoke about the Zoom meetings he has been participating in due to the COVID virus wherein the discussions focus on the Governor’s orders in response to the pandemic crisis. He announced the May 18, 2020 Council meeting is cancelled.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mayor Knapp queried if there were members of the public who wished to address Council, either in person or virtually. The City Manager advised there were none.

COMMUNICATIONS

A. Wilsonville Small Business COVID-19 Grant Program Update

Jordan Vance, Economic Development Manager, provided an update on the COVID relief grants results.

Mr. Vance said the program was adopted two weeks ago and staff was directed by Council to implement a relief grants program for home-based, micro, and small businesses with a rapid timeline for implementation. The application process was launched on April 24, 2020 and remained open until April 29, 2020.

To make the application process as equitable as possible, a post card was sent to every address, both residential and business, in the City. Staff telephoned 680 businesses with less than 20 full time employees from the business license list generated by the City.

These approaches were followed by two emails containing a link to the program, a media release published in the newspaper, social media posts, and the Chamber of Commerce provided the information to their members. In addition, a bilingual application and program overview were offered.

The program received 279 applications. Out of the 279 applications, 200 met mandatory eligibility criteria. The Council's goal was to disburse 159 grants, however with the numbers the City could fund about 80% of the eligible applications received.

Staff verified the applicants' data using business license data on hand with the City.

With the help of the Finance Department 58, applications were audited. They found 16 business licenses were inactive or obtained after the March 1 deadline. Differences were seen in employee count, which may have been a post-COVID employee count, these results were corrected based upon the data Staff had on hand. Business longevity claims were corrected as well, based on the number of years the City had an active business license on file.

Mr. Vance discussed the top ineligibility reasons. The first is disqualification based on home based business criteria the Council established. If the applicant identified in the home based business track, which is 0-2 full time employees, they had to say "no" to the following question to qualify and say their business operated from their personal residence, and they provided more than solely services or goods sold online via the Internet. That resulted in 41 businesses disqualified. Sixteen were disqualified because their business licenses were inactive or obtained after the March 1 date. Eight did not qualify because they were above the 20 full time employee mark. Some self-selected that and some staff audited through the verification process. Six businesses the City had no record of; five businesses were not operated from a personal residence or brick and mortar structure. Nine applications were incomplete, the applicants were notified and allowed to reapply and all did

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

except for one. Finally, one business indicated they were not experiencing disruption due to COVID-19. The main purpose of the grant program was to aid businesses who were negatively impacted and had a loss of revenue due to the COVID crisis.

Mr. Vance spoke to the industry types for all 279 applications received. He reminded Council Transient Lodging Tax (TLT) funds hospitality businesses – food and beverage, recreation, entertainment, lodging. While Urban Renewal funds general businesses – retail, professional and personal services, health care, etc.

The pool of hospitality businesses in Wilsonville is small; there are 60 restaurants and 77 overall hospitality businesses. Out of that group, the City received 46 applications in the TLT funding category.

The General Business category received about 233 applications, many in the health care and medical category, as well as services and other. Services included categories like cosmetic, professional, personal services, and real estate. ‘Other’ contained a wide range of businesses including fitness, interior design, video production, child care, janitorial, automotive, photography, massage therapists, security, etc.

Mr. Vance applied points for each criteria and ranked the list in descending order resulting in a high score of 7 points, and low score of zero. The bulk of the businesses fell into the mid-range with 3-4 points.

Businesses with the higher points were prioritized for funding. TLT was able to fund all 38 eligible hospitality businesses with a \$57,000 surplus.

City Manager Cosgrove indicated the Council meeting was not being broadcast live and a short recess was necessary to reset the City’s YouTube channel.

Mayor Knapp called a recess at 7:23 p.m. and reconvened the meeting at 7:51 p.m.

Mr. Vance continued the Urban Renewal funds for general businesses funded point categories 4-7 which includes 69 businesses and runs out midway through point category three with \$38,000 remaining. Staff recommends using a lottery to award the remaining \$38,000 to the 51 businesses in this point category.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A chart showing the final Relief Grant Allocation was presented:

Relief Grant Allocation					
	\$1,000	\$2,000	\$4,000	\$10,000	
TLT	3	15	20	3	41
URA	16	33	20		69
Total #	19	48	40		110*
Total \$	\$19,000	\$96,000	\$160,000	\$30,000	\$305,000*

*Not including URA lottery businesses

+ TLT Surplus	\$57,000
+URA Lottery	\$38,000
	= \$400,000

A chart comparing the Council Goals with the actual awards is shown below:

Council Goals vs. Actual					
Business Type	Grant Amount	Goal	Actual	Toward Awarded	Actual
Home-based	\$1,000	28	19	\$28,000	\$19,000
Micro businesses	\$2,000	85	48	\$170,000	\$96,000
Small Businesses	\$4,000	43	40	\$172,000	\$160,000
Clackamas County Hotels	\$10,000	3	3	\$30,000	\$30,000
Total		159	110*	\$40,000	\$305,000

*Not including URA lottery businesses

+ TLT Surplus	\$57,000
+URA Lottery	\$38,000
	= \$400,000

Mr. Vance indicated the lottery would select 10-20 more businesses bringing the grand total to about 120-130 grants disbursed, and about \$343,000 disbursed. The lottery process staff is recommending be an alphabetized list of all 51 businesses in the point 3 category, with each of those businesses assigned a number between one and 51. The City Attorney and City Manager have both verified and time stamped the list. Using Google random number generator a range between 1 and 51 was created, and it will select randomized numbers to help determine the grant candidates at random. As Staff picked random numbers from Google, the grant winner would be identified and their grant award would be subtracted from the remaining \$38,000 balance until it runs out. If an odd balance remains for the final grant number, the remaining amount would be awarded to the final recipient.

Staff recommended proceeding with the lottery, following that an email notification would be sent to all applicants informing them of their status, and following that, checks will be sent. Mr. Vance indicated communications would be sent out this week to the applicants, and Finance has said they can send the checks this week.

Councilor Linville asked if it was possible to consider a second round of grant funding since there was money left in the TLT.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councilor West clarified the parameters could not change because Council has voted on them.

Ms. Jacobson, City Attorney, explained one issue is the Transient Lodging Tax was committed to go to those types of businesses, so Council would want to stay with that. Alternatively, the other option is to save those funds for the recovery process and use it for promoting those businesses as they get back into business.

Mr. Cosgrove added the problem with amending the criteria now is the City has gone through a very elaborate and transparent process that included public participation and input. He was concerned with public perception should any changes be made to the criteria at this point.

Councilors discussed ways to award the remaining TLT funds including issuing a second application process, funding hotels that did not receive funds this time, or to retain the balance to be used for future business recovery, marketing and promotion. After further discussion, they suggested increasing the awarded amount by \$1,000 leaving a balance of \$19,000. They further proposed adding an additional \$500 to each award resulting in an increase of \$1,500 to each recipient leaving a zero TLT balance.

Mayor Knapp asked if Councilors understood the option as a way to distribute the surplus TLT funds now to the qualifying businesses that have submitted their applications.

Motion: Councilor West moved to give each TLT recipient an additional \$1,000 and keep the additional funds that are left over in reserves for a future use for business relief. Councilor Akervall seconded the motion.

Mr. Cosgrove clarified the motion would put the unused portion of the funds into a reserve for business relief, rather than promotion and marketing which differed from the Council discussion. Councilor West's motion sets aside the remaining funds for business relief, not for future marketing unless he wants to amend the motion.

Mayor Knapp asked if Councilor West wanted to amend the motion.

Amended Motion: Councilor West amended his motion to be used for future TLT uses. Councilor Akervall agreed with the amended motion.

Councilor West felt this was an equitable way to deal with the additional funds and supports Council's original intent to provide immediate relief.

Councilor Akervall agreed and she understood from Mr. Vance that a second round might not be beneficial because those businesses just do not exist with the existing criteria.

Councilor Lehan pointed out if Council wanted to spend all of the money, the additional amount would be \$1,500 awarded.

Amended Motion: Councilor West amended his motion that every business that is approved for TLT grants will receive \$1,500 additional with no surplus funds left over to go to TLT for future marketing.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Mayor Knapp asked if it was absolutely certain that when you say “every business” that we are talking about 38. Mr. Vance confirmed there were 38 businesses that applied for a loan, and there are three hotels on top of that getting to the 41 number.

Amended Motion: Councilor West clarified his motion for the 38 businesses that are approved for grant funds not including the hotels, for an additional \$1,500 with no left over funds for marketing dollars in the future for TLT.

Mayor Knapp asked if the seconder endorsed the amended motion. Councilor Akervall did.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Lottery:

Mr. Vance asked if there were questions from the Council on the lottery process. Mr. Stone assisted in generating the Google random number generator, with the range between 1 and 51. Each business in the point 3 category is assigned a number between 1 and 51 and Staff have those sheets in front of them. Every time Mr. Stone clicks ‘generate’ the program selects a random number. The business name will not be used but we will track them on a spreadsheet. A summary of the entire program will be released this week.

Lottery - Google Random Number Generator

Number	Amount
10	\$4,000
28	\$2,000
1	\$2,000
19	\$2,000
16	\$2,000
36	\$1,000
35	\$4,000
41	\$2,000
12	\$4,000
43	\$4,000
47	\$2,000
3	\$4,000
50	\$2,000
25	\$2,000
4	\$2,000 – Only 50% = \$1,000
15 Total	\$39,000 \$38,000

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Staff will notify the awardees of the funding this week.

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.

There was no public input.

COUNCILOR COMMENTS

A. Council President Akervall

Councilor Akervall reported on the virtual meetings she attended with a Boy Scout Troop, the Willamette Intake Facility meeting, the Clackamas County Business Alliance, and the League of Oregon Cities (LOC) weekly conference calls.

B. Councilor Lehan

Councilor Lehan has been working on a grant application on behalf of the Wilsonville-Boones Ferry Historical Society and the Butteville Cemetery for Jesse Boone and his family. The grant would fund headstones for the Boone family.

C. Councilor West

Councilor West thanked the community for being thoughtful and mindful during the current COVID climate. The Councilor along with Kyle Bunch have initiated "Wilsonville Wednesdays" where they go into the community and interview local businesses, and create a video to promote the local businesses which will be posted to local social media pages.

D. Councilor Linville

Councilor Linville thanked Mr. Vance and staff for their work on the Small Business Grant Program. The Councilor was concerned with businesses opening in Salem against the Governor's order and she suggested the City be prepared for businesses that may open despite the Governor's warnings and orders. The Councilor wanted to hear a plan for recovery and how it would affect City facilities and daily business and opening up in the City. Councilor Linville participated in the LOC Friday meetings, which are beneficial. She will attend a French Prairie Forum next week and report on that at the next Council meeting.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

A. Resolution No. 2798

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Carollo Engineers To Provide Engineering Consulting Services For The Wastewater Treatment Plant Master Plan Project (Capital Improvement Project #2104).

Motion: Councilor Linville moved to approve the Consent Agenda as read. Councilor Akervall and Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CONTINUING BUSINESS

A. Ordinance No. 841 – 2nd Reading

Ms. Jacobson read the title of Ordinance No. 841 into the record for second reading.

Dan Pauly, Planning Manager, indicated an email was received from Garet Prior expressing overall support of the Ordinance; however, he was concerned about the open space requirements for smaller sites. Mr. Pauly clarified with the resident the condition only applies to subdivisions, which by definition are four or more lots, or multifamily developments which is three or more units. The condition did not apply to building a single family home on an existing lot.

Councilor Linville asked a clarifying question of staff.

Motion: Councilor Akervall moved to approve Ordinance No. 841 on second reading. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CITY MANAGER’S BUSINESS

Mr. Cosgrove reminded Council the May 18, 2020 Council meeting is cancelled.

He reported staff is in the process of developing administrative and engineering controls to reopen facilities to the public. When the plan is available, staff will share it with Council.

Mr. Cosgrove noted the proposed budget document has been prepared and pointed out it was prepared before the COVID pandemic. The Budget Committee meetings will be held virtually.

LEGAL BUSINESS

Ms. Jacobson indicated an extending emergency order would be brought to Council at their June meeting.

ADJOURN

Mayor Knapp adjourned the meeting at 9:12 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, June 15, 2020. Mayor Knapp called the meeting to order at 7:12 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

Staff present included:

- Bryan Cosgrove, City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Cathy Rodocker, Finance Director
- Zoe Monahan, Assistant to the City Manager
- Andy Stone, IT Director
- Beth Wolf, System Analyst
- Dwight Brashear, Transit Director
- Andrea Villagrana, Human Resource Director
- Kimberly Rybold, Senior Planner
- Miranda Bateschell, Planning Manager
- Eric Loomis, Transit Operations Manager

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR'S BUSINESS

A. Placeholder for Appointment

Mayor Knapp announced he would not be bringing forth an appointment this evening.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

B. Juneteenth Proclamation

Mayor Knapp read into the record a proclamation declaring June 19, 2020, as “Celebration of Juneteenth in Wilsonville”.

C. Upcoming Meetings

No upcoming meetings were announced.

COMMUNICATIONS

A. Wilsonville Community Sharing

Staff reported the Wilsonville Community Sharing representative was not available; however, they would be invited to make their presentation at a future meeting.

B. Metro “Get Moving” Transportation 2020 Bond Measure Presentation

Tyler Frisbee, Metro Transportation Policy and Federal Affairs Manager, provided a PowerPoint entitled “*Creating jobs, building our future*”. The PowerPoint has been made a part of the record.

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.

Cassandra Edwards, Wilsonville resident, expressed disappointment the topic of policing and protecting African-Americans in Wilsonville was not on the agenda in light of the assault by police departments across the country upon African-Americans. Ms. Edwards wanted to know what steps the City Council would be taking to protect Black Americans in the community. She also wanted to know if the police department has been challenged on their policing practices and who is holding them accountable to the practices that are in place.

Courtney Neron, State Representative for Wilsonville, acknowledged the previous speaker’s concerns and said there were policies being considered at the state level regarding social and racial justice and police accountability. Representatives will be meeting in a special session to address some of the changes communities are calling for including banning chokeholds at the state level, addressing officer adjudication issues, creating a police accountability database and having the State Attorney General conduct an independent review for use of any excessive force. Representative Neron expressed a willingness to participate in community conversations.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Rep. Neron's comments on Resolution No. 2820, a resolution adopting the Equitable Housing Strategic Plan, were added to the public hearing record.

Councilor Akervall recognizes as a white person she has a different set of privileges than many in the community and there is systemic racism rooted in our culture. The Councilor wants to be part of the change as do the Council and many community members. She appreciated some of the specific suggestions and ideas voiced tonight, especially the facilitation of conversations with the black community in Wilsonville and the police department, to discuss the Council's responsibility in that. The Councilor wanted more information on the "Campaign Zero" program and to have that information available to the public as well. Councilor Akervall thought ongoing training was appropriate for the police force and all public leaders.

COUNCILOR COMMENTS

A. Council President Akervall

Passed on Councilor comments.

B. Councilor Lehan

Councilor Lehan stated the States Park Department has approved a \$2,500.00 grant for new monuments for Jesses Boone and members of his family who are in unmarked graves in the Butteville Cemetery.

C. Councilor West

Councilor West reported he attended Flag Day at the Korean War Memorial and noted the Fourth of July is approaching.

D. Councilor Linville

Councilor Linville expressed her appreciation to Ms. Edwards for speaking to Council this evening. She reiterated the idea of creating some type of forum to listen to what the citizens are feeling and asked for specific strategies and an action plan to be created from these forums. She was particularly interested in profiling reports and excessive use of force incidents for Wilsonville vs. Clackamas County the information should be provided to the City Manager and Council.

The Councilor has concerns for erosion of the riverbanks on the Willamette River due to wake boarding.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

- A. **Resolution No. 2814**
Resolution Adopting The Canvass Of Votes Of The May 19, 2020 Primary Election And Amending The Wilsonville Charter.
- B. **Resolution No. 2819**
A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing.
- C. **Resolution No. 2825**
A Resolution Of The City Of Wilsonville Adopting The FY 2020/21 Five-Year Action Plan And Annual One-Year Implementation Plan For The Wilsonville Tourism Development Strategy.

Motion: Councilor West moved to approve the consent agenda. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

- A. **Resolution No. 2822**
A Resolution Of The Wilsonville City Council Adopting The South Metro Area Regional Transit (SMART) Public Transportation Agency Safety Plan (PTASP).

Ms. Jacobson read the title of Resolution No. 2822 into the record.

Dwight Brashear, Transit Director, provided a summary of the staff report. SMART has been a direct recipient of FTA funding for capital. Every agency receiving funds from the FTA is required to put together a Public Transit Safety Plan. Mr. Brashear indicated the Plan is a living document, which will be updated and reapproved on an annual basis. The Public Transportation Agency Safety Plan solidifies the safety culture established by SMART.

Motion: Councilor Lehan moved to approve Resolution No. 2822. Councilor Akervall seconded the motion.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

A. Resolution No. 2824

A Resolution Adopting Collective Bargaining Agreement Between The City Of Wilsonville And Service Employees International Union Local 503 (SEIU).

B. Resolution No. 2826

A Resolution Adopting The Letter Of Agreement Between The City Of Wilsonville And Wilsonville Municipal Employee Association.

Ms. Jacobson read the titles of Resolution Nos. 2824 and 2826 into the record.

Andrea Villagrana, Human Resource Manager, provided background information on both of the resolutions.

Resolution No. 2824

A Resolution Adopting Collective Bargaining Agreement Between The City Of Wilsonville And Service Employees International Union Local 503 (SEIU).

Motion: Councilor Akervall moved to approve Resolution No. 2824. Councilor Linville seconded the motion.

Council Linville asked for clarification on the language changes to the SEIU contract.

Ms. Villagrana explained the SEIU team did want to negotiate changes in the contract to the language related to union business due to legislative changes that took place over the last 2-3 years.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Resolution No. 2826

A Resolution Adopting The Letter Of Agreement Between The City Of Wilsonville And Wilsonville Municipal Employee Association.

Motion: Councilor Akervall moved to approve Resolution No. 2826. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. **Resolution No. 2820** (*Legislative Hearing*)

A Resolution Of The City Of Wilsonville Adopting The Equitable Housing Strategic Plan.

Ms. Jacobson read the title of Resolution No. 2820 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 9:08 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor’s participation.

Kimberly Rybold, Senior Planner, along with consultant Deb Meihoff of Communitas provided the staff report.

In 2016, the City applied for a Metro Community Planning and Development Grant to develop an Equitable Housing Strategic Plan based on community feedback about the rising cost of housing in terms of rental and home ownership. Recognizing this the Council established a goal in 2017 to pursue a balanced housing mix to meet the needs of both current and future residents of varying income levels.

Ms. Meihoff provided an overview of the process used in developing the Equitable Housing Strategic Plan. The equitable housing definition used to develop the Strategic Plan relates to more than affordability, it seeks to insure all people have housing choices that offer diverse, high quality, physically accessible homes that are close to opportunities and amenities and reasonable prices.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Equitable housing also represents a system that accounts for many families with lower incomes and communities of color. It reflects on the history of housing discrimination and fair housing policy.

The purpose of the project was to establish a policy framework that responds to community needs and seeks to find ways that Council and staff can work towards better achieving that full definition of equitable housing.

Ms. Meihoff explained the outreach and market research used in the process to learn what the gaps and needs were in the community. The priorities heard from the community were highlighted and presented to the Council and Task Force resulting in the proposed Plan.

The current market and trends show at present in Wilsonville there is a greater share of people over 60 years old; one third of the population are 20-40 years old; and there are a growing number of Latinx families with homes in Wilsonville. These demographics will be seeking affordable housing in the near future; however, the types of housing they want differ. The majority of residents rent in Wilsonville and these are the most financially distressed residents – families with lower incomes or fixed incomes who have little ability to absorb economic shocks.

The Plan contains Policy Objectives, Priority Actions resulting from community conversations and data, and Next Steps for implementation.

Ms. Meihoff outlined the two categories of implementation actions, the first set of five actions are timely, address most pressing needs, respond to policy objectives, and are the most feasible now given the City's current partnerships and resources.

The second set of actions are actions to explore, they are also priority ideas addressing issues and needs in the community for more equitable housing, but more work is needed to determine if they are feasible.

Ms. Rybold said the Planning Commission unanimously approved a recommendation to City Council to adopt the proposed Equitable Housing Strategic Plan. Based upon testimony, the Planning Commission held a discussion on forming an inclusion committee that would focus on these topics when implementing the actions contained in the Plan, as well as defining equity in the community and how to approach the projects in the City with the equity inclusion lens.

Mayor Knapp invited comments from the Councilors.

Councilor West indicated he received a letter from the Home Builders Association, where the HBA stressed adoption of Plan priorities 1B, and 1C Plan item 2C which would vest SDC rates earlier in the development process and collect them later in the construction process.

Mayor Knapp thought the HBA suggestion was to pay less SDCs by figuring out the dollar value on which they are based earlier in the process and paying them later, which would affect building the infrastructure. The Mayor asked staff how to do what the HBA proposed while still building the infrastructure or is it a plan that infrastructure is funded by other means.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Ms. Rybold said the issue the Mayor raised is why that idea was placed on the second list. There was a lot of interest in that proposal, particularly as it relates to providing affordable housing. We had conversations among the task force, and in focus groups, and housing providers who noted SDCs were one cost factor that did come into the development of housing. It is a complex issue when looking at questions of lessening the infrastructure funding mechanism, which means they must be, funded somewhere else. Staff is aware and has engaged the Homebuilders on the topic.

The Mayor added subsidizing SDCs is a discussion to have if it leads to getting a housing product the city would otherwise not get. It was unclear how the methodology they were suggesting saves money other than for the HBA, which means the City has to come up with the subsidy from other sources.

City Manager Cosgrove indicated the Council would want to have a robust discussion about the tradeoffs and unintended consequences of the HBA proposals. The City Manager thought the Mayor's questions were on point, if costs are delayed or shifted; someone else is paying those costs.

Mayor Knapp thought it appropriate to have the proposal on the tier 2 list noting it would take some discussion.

Councilor Lehan added the correct staff must be part of any discussion about SDCs since it is a complex topic. The Councilor felt the Plan consisted of general content and was not very specific. The Council did not see detail on the strategies in the Plan; however, she presumed the Task Force would dig further.

Ms. Rybold responded the strategies are intended to be broad in a sense we do not have all of the answers to these potential strategies now, rather the Plan has strategies that were the most promising to meet the needs of Wilsonville's future policy areas. There are many questions to ask as the actions are implemented, and at that time, the detail will be filled in.

Councilor Lehan did not object to the Plan other than the lack of specificity, and was supportive of the Plan.

Councilor Linville asked, given the priorities in one and two if the result will be an increase in the number of rental units available in Wilsonville versus opportunities for home ownership.

Ms. Rybold noted the list of first category actions target both directions. The 1A category looks to potential transit oriented development sites, but 1B and 1C look toward single family or missing middle types of housing, which could be rentals or homeownership. Between the first set of actions outlined in the Plan they are addressing both areas. Much of the City's future residential growth is in the Frog Pond area, particularly south and east. Other areas such as Town Center may have multifamily development, which may be rentals but not necessarily. An approach to both types of housing, rentals and home ownership, was crafted to give weight to each.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councilor Linville pointed out the tension between affordability and ownership, especially with the need for subsidization for either down payment or for purchase price. Although the rental market may appear more affordable for low income and subsidized housing, the potential for uncertainty through raising rents becomes a potential for people to be unhoused because they cannot rely upon a steady rent over time.

Councilor Lehan mentioned realtors have told her there was no market in Wilsonville for smaller two bedroom one bathroom homes; and wondered how to counter that when the building trade wants to build the same type of house – three or four bedroom, two and a half baths, throughout Wilsonville, while smaller homes are built in Tigard or King City or Canby.

Ms. Meihoff responded the concerns expressed by Council point out the need for Wilsonville to cultivate and build partnerships with organizations and people who are building the types of housing the Council want to do. Organizations like Habitat for Humanity and Proud Ground can build and buy different kinds of homes for affordable home ownership. Building partnerships with realtors and lenders who are marketing products you are seeking to provide stable housing for was suggested. The action around building partnerships is important because these organizations need to know those opportunities are available in Wilsonville.

Councilor Akervall thanked the participants who worked on putting together the Plan. The written messages Council received shows there is a call to look at different approaches and types of solutions. She saw the Plan as a pointer to where the gaps in housing are and provides ways to fill those gaps. Details and specifics need additional discussion, but the Plan lays a framework for moving forward. The Councilor agreed further discussion is needed as well as creating partnerships with agencies that can help. She pointed out the Planning Commission recommendation was two-fold, a recommendation to adopt the Plan through the work they have completed; and to look at having a body that could look at implementation of the Plan under a lens of equity.

The Mayor invited public testimony. The following individuals provided public testimony via email messages and Zoom in support of the Equitable Housing Strategic Plan:

1. Garet Prior (with list of 15 additional names in support)
2. Andrew Engel
3. Roseann Johnson, Home Builders Association

Following Ms. Johnson's testimony Council stopped to make a motion whether or not to continue the meeting as it was past 10:00 p.m.

Motion: Councilor Linville moved to continue the present Council meeting and URA meeting until 11:00 p.m. or sooner. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

4. Rudy Kadlub,
5. Julie Fitzgerald
6. Molly Fraser
7. Megan Prior
8. Catherine Allard
9. Chelsea King
10. Josiah Day
11. Richard Truitt
12. Jason Jones
13. Leticia Perez
14. Roseann Johnson, Assistant Director of Government Affairs, Home Builders Association
15. Kevin Ferrasci O'Malley, Wilsonville Chamber of Commerce

Representative Neron addressed affordable and equitable housing solutions under Citizen Input; her comments were moved to the public hearing portion of the meeting at her request. The ability to afford housing is in a statewide crisis and as a policy makers it is essential that we examine both long held systemic inequities and new planning proposals with a new understanding of who has been left out, who is currently impacted, and who will be affected by the policies we implement in the future. She was grateful Wilsonville was applying an equity lens to the work so the city can work to reduce any disparities that disadvantage vulnerable community members. In recent years the Oregon Legislature has sought to provide additional funding and policy changes to support approaches to increasing the supply of affordable housing and identify the low inventory kinds of housing, that when provided, allow more people to move into positions of home ownership. Representative Neron indicated her readiness to work with the Council and hear the community's further feedback on how to best address homelessness in Oregon.

Mayor Knapp invited additional speakers, seeing none he closed the public hearing at 10:10 p.m.

Motion: Councilor West moved to approve Resolution No. 2820. Councilor Lehan seconded the motion.

Council provided additional comment in support of the Equitable Housing Strategic Plan prior to voting on the resolution.

Vote: Motion carried 5-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Councilor Linville wanted to know how the second recommendation from the Planning Commission should be addressed.

Mr. Cosgrove suggested allowing Staff to learn what other communities have done and return to Council with recommendations to review.

Motion: Councilor Linville moved to charge the City Leadership to do a review of models and develop a recommendation for a framework for an organization for Wilsonville that will focus on equity, opportunity, partnerships and accountability. Councilor West seconded the motion.

Councilor West felt this group would look like a task force rather than a committee, and asked whether it will be temporary or ongoing and what type of influence they will have. He hoped this group would work closely with the Wilsonville Accountability Inclusion group, or form their own group, and that Council would review how people are nominated for the committee and set in place guidelines for accountability.

Mayor Knapp asked if this was Councilor Linville’s intent when she made her motion.

Councilor Linville responded she wanted Staff to review models in other cities and come back to Council with a recommendation.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. **Resolution No. 2821** (*Legislative Hearing*)
A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20.

Ms. Jacobson read the title of Resolution No. 2821 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 10:19 p.m.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor’s participation.

Cathy Rodocker, Finance Director provided the staff report.

Mayor Knapp invited public testimony, seeing none he closed the public hearing at 10:25 p.m.

Motion: Councilor Akervall moved to approve Resolution No. 2821. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY MANAGER’S BUSINESS

No Report.

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 10:26 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, July 6, 2020 Mayor Knapp called the meeting to order at 7:12 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West - Excused
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Andy Stone, IT Director
Beth Wolf, Information Systems Analyst
Keith Katko, Assistant Finance Director
Zoe Monahan, Assistant to the City Manager

Motion to approve the order of the agenda.

Motion: Councilor Linville moved to approve the order of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Excused
Councilor Linville	Yes

MAYOR'S BUSINESS

A. Citizens Academy Graduation

Zoe Monahan, Assistant to the City Manager, shared the accomplishments of the 2020 Citizen Academy. Furthermore, a presentation honoring the graduates was shown.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

B. Upcoming Meetings

Mayor Knapp announced the next City Council meeting is scheduled for July 20, 2020. The Mayor stated many of the meetings he usually attends have been postponed or are occurring virtually.

COMMUNICATIONS

A. None.

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.

Prior to citizen input and community announcements staff played a video entitled "*Holy Post - Race in America*".

Cassandra and Jay Edwards, Wilsonville residents, shared a presentation entitled "*Citizens/Police Advisory Community Wilsonville*" that focused on police reform. Ms. Edwards proposed creating a Citizens Police Advisory Committee in Wilsonville, which would hold the police department accountable to policing practices that are fair and create a safe environment for all racial groups. The mission of Ms. Edwards' proposal is to "Foster a trust partnership between Wilsonville residents and the police that will facilitate fair policing practices and outcomes for all racial groups."

The goals of the proposed citizens-police advisory committee are:

- Review policing practices and propose reforms that continually drive toward de-escalation and preservation of human life.
 - Black & Hispanic Americans
 - Homeless Individuals
 - Individuals with disabilities (e.g. Autism)
- Conduct quarterly reviews with the City Council on citizen complaints, lawsuits and arrests that resulted in use of force.
- Report and review incidents of police misconduct and determine if disciplinary actions align with current policies and are appropriate to discourage repeated behaviors.
- Ensure integrity of police misconduct investigations through an independent third-party entity, thereby removing inherent bias. The Police should not police themselves.
- Hold community open forums in which Wilsonville residents are able to engage in dialogue with the police chief, sheriff, and other officers on their concerns.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Proposed next steps include:

- City Council to call a special meeting with the Clackamas Sheriff, Wilsonville Police Chief and residents of Wilsonville representing people of color.
- Align on Citizens-Police Advisory Committee Mission and Goals. Build Charger and determine meeting frequency and location. Hold the first meeting.
- Provide first quarterly update.

Ms. Edwards suggested the City Council call a meeting with the Clackamas Sheriff, the Wilsonville Police Chief and residents of Wilsonville representing people of color, to talk about forming the Citizen Advisory Committee and start peeling back the layers of police practices today within the Clackamas Sheriff's Department. Make sure practices are fair, and that they align with the newly adopted State bills, as well as hold police officers accountable who have been charged with misconduct.

Following the presentation Staff was tasked with gathering information on citizen's review or complaint advisory boards. Furthermore, Council desired to know what discussion is taking place in other cities supported by Clackamas County Sheriff's Department.

Jeff Redmon, Wilsonville resident, asked what is being done to protect the City with the protests and damage happening in Portland and other communities. Mr. Redmon asked Council to involve the citizens of the community in any discussions regarding changes or reductions to the law enforcement services or equipment in the City.

Aaron Woods, Wilsonville resident, supported the points provided by Ms. Edwards regarding policing policies and offered to participate in the discussion forums. Mr. Woods furthermore desired that the topic of racial profiling be discussed. He asked if the Wilsonville police officers wear body cameras.

Mayor Knapp indicated Council discussed body cameras at a previous meeting, but no the County Sheriff's Department is not equipped at this time.

Tre Hester, Leticia Perez and Shannon Bodie all Wilsonville residents, presented a PowerPoint entitled "*Conversations in the V Community*". The presentation focused on the face-to-face discussions held in the Villebois community and provided an opportunity for people to speak, and be heard. They raised the following questions:

- How is the City working to create more diverse participation in the community review boards and citizen advisory programs?
- Have the materials produced for these programs been evaluated for implicit or explicit racism that might be included and unknown.
- What steps is the Council making to attract a more diverse Wilsonville, is that in the plan.
- How is the City partnering with the School District to address student reports of racial incidents?

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councilor Lehan commented the City spent 20 years building Villebois into a diverse community in terms of housing types and integrating sheltered housing for people with disabilities, and to provide public amenities available to all of the residents. The Council received resistance to those ideas in the Frog Pond West area where the neighbors wanted only large lots with expensive single-family houses. She said the City would like to repeat the successes achieved in Villebois in the Frog Pond East and South areas, and asked the community to let the Council know through the master planning process they supported diversity in income levels, and housing types.

Mr. Cosgrove asked the speakers from Villebois to provide information about their next listening session in advance to allow the City to help market the session on various City platforms. He also shared once an invitation for the event was received staff would forward the invite to Council.

Councilor Linville supported the comments of Councilor Lehan regarding the development of Frog Pond East and South, and she encouraged the public to keep track of the master planning process and participate in the discussions.

Additional written comments were received via e-mail from:

- Garet Prior in support of the “8 Cant’ Wait” and “My Brother’s Keeper” initiatives.
- Christie Mayer regarding the Clackamas County Sheriff’s Office 2018 independent review (OIR) report.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

A. Council President Akervall

Councilor Akervall announced the School District is meeting to discuss how to move forward with school in the fall. The Councilor brought up the topic of equity and inclusion training for staff, Council and the various boards and commissions.

B. Councilor Lehan

Councilor Lehan requested that staff update Council at each meeting with the status of the City’s state of emergency.

C. Councilor West - Excused

D. Councilor Linville

Councilor Linville attended the French Prairie Forum, where the topic of the Willamette River was brought up, particularly the issue of boating waves causing erosion of the riverbanks and damage to docks on the river.

Mayor Knapp reported the West Linn – Wilsonville School District Superintendent provided a copy of a statement the district has adopted describing their stance on racism, instructional practices, curriculum, and policy reviews. Superintendent Ludwig’s letter has been made part of the record.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CONSENT AGENDA

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

A. Resolution No. 2823

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Stantec Consulting Services To Provide Engineering Consulting Services For The Water Treatment Plant Expansion Project (Capital Improvement Project #1144).

B. Resolution No. 2827

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Knife River Corporation - Northwest For Construction Of The 2020 Street Maintenance Project (Capital Improvement Project 4014 And 4118).

C. Resolution No. 2828

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Personal Services Agreement Contract With Scott|Edwards Architecture LLP For Final Design And Construction Documents Services For The Public Works Complex Project (Capital Improvement Project #8113).

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Akervall seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Excused
Councilor Linville	Yes

NEW BUSINESS

A. Resolution No. 2833

A Resolution Of The City Of Wilsonville Authorizing The City Of Wilsonville To Enter Into An Intergovernmental Agreement With Washington County For Reimbursement Of Small Business Emergency Assistance.

Mr. Cosgrove read the title of Resolution No. 2833 into the record and provided the report.

Motion: Councilor Linville moved to approve Resolution No. 2833. Councilor Lehan seconded the motion.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Excused
Councilor Linville	Yes

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. **Resolution No. 2830** – (*Legislative Hearing*)
A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2020-21.

Mr. Cosgrove read the title of Resolution No. 2830 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 9:16 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Keith Katko, Assistant Finance Director, provided the staff report. Oregon's Local Budget Law allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the budget was adopted. A transfer resolution moves expenditures from one category to another within a specific fund and does not increase the overall budget that was approved during the annual budget process. The first supplemental of the fiscal year will recognize the impact to personal services for the newly approved union contracts. In addition, the supplemental also recognizes the City's new PERS rate that will be reduced by 2.86% effective July 1, 2020. The reduction is due to the impact of the City's contribution to the PERS side account last year in the amount of \$3.4 million and the 25% match received from the State.

The Mayor invited public testimony. Seeing none, he closed the public hearing at 9:21 p.m.

Motion: Councilor Lehan moved to approve Resolution No. 2830. Councilor Linville seconded the motion.

Vote: Motion carried 4-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Excused
Councilor Linville	Yes

CITY MANAGER’S BUSINESS

Mr. Cosgrove acknowledged Councilor Lehan’s request for more frequent updates on the COVID-19 pandemic.

Mayor Knapp requested staff look into a police oversight committee that are in cities of similar size to Wilsonville.

The Council asked that the schools be included in future topics regarding equity, inclusion and diversity along with the topics of COVID-19.

Mr. Cosgrove reported he would begin the process of talking with other cities that contract with the Clackamas County Sheriff’s Department to gather metrics. The City Manager will continue to have discussions with Ms. Edwards regarding what the City needs to be doing for that community specifically in terms of data, and metrics, and transparency.

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 9:28 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, July 20, 2020. Mayor Knapp called the meeting to order at 7:33 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Cathy Rodocker, Finance Director
- Kimberly Rybold, Senior Planner
- Martin Montalvo, Public Works Ops. Manager
- Bill Evans, Communications & Marketing Manager
- Beth Wolf, Information Systems Analyst
- Matt Baker, Facilities Supervisor
- Andy Stone, IT Director
- Dan Pauly, Planning Manager

Mayor Knapp asked for a motion to approve the order of the agenda reminding Council they had suggested moving Citizen Input to be the first Agenda item.

Motion: Councilor Akervall moved to approve the order of the agenda with the modification to the agenda to move Citizens Input and Community Announcements to the beginning of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

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.

Cassandra Edwards, Wilsonville resident, indicated she supported the LOC recommendation made earlier and the comment Councilor Linville made regarding prioritizing digital equity and inclusion priority.

MAYOR'S BUSINESS

A. Upcoming Meetings

Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

COMMUNICATIONS

A. State of the District/COVID-19 Update

Tualatin Valley Fire and Rescue (TVF&R) Chief Weiss reported on the actions the fire district is taking regarding COVID-19.

- TVF&R facilities remain closed with most day staff working remotely.
- A COVID-19 Task Force has been in place since early March.
- Staying in contact with public partners whether they are in the County or medical advisors who provide information on how to insure employees are protected.
- New equipment has been provided as well as training on its use
- Stations typically are cleaned each morning and evening, however that cleaning has been increased.
- Employees who presented signs or symptoms or have been exposed to COVID have been tested. Out of the 600 TVF&R employees, two have contracted the virus, and both have recovered.
- The current PPE supply is sufficient; but purchasing stock is becoming more of a challenge. The Chief anticipated needing more PPE in the fall.
- Some PPE suits are reusable through decontamination.
- Public education has occurred over the past few months regarding COVID.
- A second task force created a plan to determine the best way to bring people back to work into the TVF&R buildings.
- An Economic Forecast Task Force was created to work with the chief financial officer (CFO) and the Finance Department to create a plan to keep the District financially sustainable should things go poorly based upon loss in revenue.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

The Chief explained capital construction projects continue moving forward, and they continue trying to locate a station in Charbonneau.

B. COVID-19 Facilities and Programs Update

Martin Montalvo, Public Works Operations Manager, along with Matt Baker, Facilities Supervisor, provided a PowerPoint entitled *COVID-19 Response Update*.

Federal Funds Coronavirus Aid, Relief, and Economic Security (CARES) Funds

- Social Security Funds.
- Ongoing Monthly Grant Cycle.
- \$753,576 Maximum allocation.
- Reimbursement from the State for expenses to date of \$336,950.

Federal Emergency Management Agency (FEMA) Public Assistance

- Homeland Security Funds.
- Long Term Project Cost Reimbursement.
- No funds received to date.

Staff shared information regarding the use of face coverings, increased hand sanitation stations, revised work practices, increased cleaning, engineering controls, and HVAC adjustments.

Heating, ventilation, and air conditioning (HVAC) Economizers

- Economizers control the mix of outside fresh air and inside treated air for energy efficiency
- Economizers are engaged to supply maximum extent of fresh air.
- City facilities have a mix of old and new air handlers, with a mix of economizer availability.
 - ONLY SMART/Fleet is capable of handling full Economizer mode year round.
 - All other Facilities can only function on Economizer mode for the milder climate periods (6 months/year).
 - Operating all units with 100%, fresh air will equate to considerably higher energy use and may result in increased maintenance costs.

Minimum Efficiency Reporting Value (MERV) Filters

- Vary from 1 to 16. Higher MERV value is more efficient in trapping airborne particles.
- Forcing HVAC blowers to work harder than designed can cause malfunctioning equipment over time.
- Life expectancy for Commercial air handlers is 15-20 years.
- City has 130 HVAC system components.
 - 18 components are already at the upper end of their life expectancy.
 - 16 are past their life expectancy.
- Currently equipped with MERV 8 Filters.
 - 117 filters are changed bimonthly.
 - MERV 13 filters are on order.
 - Experiencing supply chain delays.
 - Higher MERV filters may best be used during winter months.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Councilor Lehan wanted to know if there was a way to evaluate circulation within a building or given volume of space for dead zones, particularly in areas with plexi-glass separation panels.

In response, Mr. Montalvo said the HVAC systems have been programmed to turn on two hours before people enter the building to circulate the air ahead of time throughout the entire building.

Councilor West commented that new studies have indicated that warming temperatures and air conditioning may be causing an increase in the spread of COVID infection.

Mr. Cosgrove shared internal discussions have taken place about how to approach large social gatherings. The Executive Orders the Governor issued are 90% self-governing, or self-policed. There have been concerns raised about customers not wearing masks in certain grocery stores in town resulting in Staff contacting the corporate offices for their response. Regarding the party that took place in Villebois the Governor has advised local law enforcement not to approach these gatherings with a heavy hand. Staff is relying on City residents to be good citizens and to do the right thing. The approach by law enforcement is more of an educational tone; however in the event they advise a party to disperse, the officers will return later to insure that has happened. The City Manager added no reservations are being taken for any City park facilities. The information regarding gatherings has been posted in parks.

C. 2020 Community Survey

Bill Evans, Communications and Marketing Manager, commented the City of Wilsonville takes part in the National Citizen Survey (NCS) every two years, which is a statistically valid survey of Wilsonville residents performed by the National Research Center in Boulder, Colorado. This year 630 residents participated in the survey.

The NCS captures resident's opinions within ten central facets of community (Safety, Mobility, Natural Environment, Community Design, Utilities, Economy, Parks and Recreation, Health and Wellness, Education, Arts and Culture, and Inclusivity and Engagement). The survey compares residents' responses to the results of the 2018 survey, and with that of the other 600 communities that participate in the survey. Overall ratings surpass the 2018 results: 18 received higher ratings; 86 received similar ratings, while eight received lower ratings.

The Key Findings include the following:

- Mobility has improved, and it remains a priority for residents.
- Community members are pleased with community design; however, housing, and development expansion are areas of concern.
- Economic health and development remains a positive for now.
- Nearly all residents were pleased with Wilsonville's core amenities; Library services, City parks, K-12 education, and the feeling of safety.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

The biggest priorities facing Wilsonville over the next five years:

- Traffic, roads, parking and transportation.
- Housing availability and affordability.
- Planning growth, and expansion.
- Economy, downtown, businesses, and jobs.
- COVID-19.
- Taxes, spending, City Services and City regulations.
- Safety and emergency preparedness.
- Parks and recreation, natural environment.

The City received high marks regarding quality service and services provided, as well as treating all residents fairly. Wilsonville residents typically rely on *The Boones Ferry Messenger*, the City's website, and the Wilsonville *Spokesman* to receive their news. In general, residents are very satisfied to live in Wilsonville.

Councilor Akervall was pleased the City participated in the NCS survey. She was surprised there was no mention of COVID-19. Were the comparable cities surveyed during the spring, which may influence the comparison?

Mr. Cosgrove said the City followed the NCS best practices on the time of year that is best to conduct the survey.

Mr. Evans would look into the answer and respond to the Councilor.

COUNCILOR COMMENTS

A. Council President Akervall

Councilor Akervall commented the Council has been discussing how to make Wilsonville a city that justly serves all of the residents through a Diversity, Equity, Inclusion (DEI) board or committee, as well as having a listening session. She referred to a resolution adopted in 2017, Resolution No. 2626, which states "the City recognizes the inherent, worth and dignity of all persons, believe all should be treated with compassion and respect regardless of race, color, national origin, immigration or refugee status, religion, sex, gender identity, sexual orientation, marital status, mental, emotional or physical ability, age and economic status." Although a different Council adopted Resolution No. 2626, she appreciated the continued work of the City to push those values forward. She also appreciated community members who embrace this value, and who look for ways to make Wilsonville a caring and healthy place for everyone.

B. Councilor Lehan

Councilor Lehan echoed the comments of Councilor Akervall and appreciated the engagement from the citizens who spoke at the last meeting. The community groups formed to work on these matters shows the community is trying to be more sensitive to these issues.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

C. Councilor West

Councilor West shared this period of unrest has been a difficult time for his family and echoed all the comments made by the other Councilors. The Councilor related a story titled “Republic Services Number One Fan” from mid-May in the *Spokesman* and recommended Council read the article. He thanked Republic Services for their continued outreach.

D. Councilor Linville

Councilor Linville agreed with the previous comments. She reported on the meetings she would attend on behalf of the City, in particular the French Prairie Forum.

Mayor Knapp appreciated everyone for their commitment to inclusivity and hoped the discussion and awareness increases.

CONSENT AGENDA

None.

NEW BUSINESS

A. **Resolution No. 2829**

A Resolution Authorizing An Intergovernmental Agreement With The Urban Renewal Agency Of The City Of Wilsonville Pertaining To Short Term Subordinate Urban Renewal Debt For The Coffee Creek Area Plan District.

Ms. Jacobson read the title of Resolution No. 2829 into the record.

Ms. Rodocker presented the staff report. The Coffee Creek Area Plan District has the Garden Acres Road capital project under construction. Short-term borrowing is necessary to complete the project. The District has sufficient cash balances in its debt service fund to allow for repayment of borrowing on a short-term basis – short term being defined as “over-night”.

Previously the Urban Renewal Agency would enter into an agreement with a financial institution for these types of transactions. The City’s general fund has the capacity to loan the fund on a short-term basis. By borrowing from City funds, the Agency is able to avoid loan origination fees and legal costs associated with borrowing from a financial institution at much higher costs. The borrowing and repayment will occur within the month of July 2020.

Motion: Councilor Linville moved to approve Resolution No. 2829. Councilor West seconded the motion.

Vote: Motion carried 5-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. Resolution No. 2831

A Resolution Authorizing A Five Year Capital Interfund Loan From The General Fund To The Stormwater Operating Fund.

Ms. Jacobson read the title of Resolution No. 2831 into the record.

Ms. Rodocker presented the staff report. The Stormwater Operating Fund continues to have a number of capital projects slated for the next several years and will require a \$2,500,000 borrowing from the General Fund to help fund the projects. The Stormwater Operating Fund has sufficient cash balances in its fund to allow for repayment of the borrowing on a five-year payback plan. By borrowing from the General Fund, the Stormwater Operating Fund is able to avoid loan origination fees and legal costs associated with borrowing from a financial institution. The public purpose of the loan is to fund projects authorized in the annual capital improvement project (CIP) budget.

Motion: Councilor West moved to approve Resolution No. 2831. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

C. Resolution No. 2832

A Resolution Of The City Of Wilsonville Supporting The 2020 Transportation And Growth Management Planning Grant Application To Oregon’s Transportation And Growth Management Program For The Basalt Creek Development Code Implementation Project.

Ms. Jacobson read the title of Resolution No. 2832 into the record.

Ms. Rybold presented the staff report. City Council adopted the Basalt Creek Concept Plan in August 2018, setting a framework for future industrial development in the Basalt Creek Planning Area. In April 2019, Council adopted amendments to the City’s Comprehensive Plan and Transportation System Plan to incorporate the land use recommendations and planned transportation improvements from the Concept Plan, the first step in preparing this rea for future

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

industrial development consistent with the Concept Plan. Following this, the City Council identified application of a form-based code to the Basalt Creek Planning Area as a means to make the area development ready, part of a larger 2019-21 City Council goal for Basalt Creek. The focus on multimodal connectivity and the public realm inherent in the development of a form-based code makes this project a strong candidate for funding through the Transportation and Growth Management (TGM) program.

The first phase of the project will determine if the vision of the Concept Plan, specifically the High-Tech and Craft Industrial designations, can be met using the City's existing Planned Development Industrial (PDI) zoning district. This phase would also assess the suitability of the Coffee Creek Form-based Code and Pattern Book as a baseline for Basalt Creek code development. Following this assessment, City staff and the selected consultant would coordinate with the Planning Commission and City Council to determine the desired approach for code development in Basalt Creek, working with stakeholders to draft Development Code updates for adoption.

City staff are preparing a grant proposal requesting \$125,000 in grant funds. The grant funds will cover consultation costs and related expenses, along with the cost of City staff working on the project. Other Wilsonville projects that have received funds from the TGM program within the past 15 years include the Coffee Creek Form-based Code, the Wilsonville Transportation System Plan, and the Coffee Creek Master Plan.

City staff will submit the grant request at the end of July. The TGM program expects grant award decisions in September. If awarded grant funds, staff will work with ODOT staff to develop a more detailed scope of work, select a consultant to assist with Development Code updates, and complete an intergovernmental agreement by early 2021. Work on the project would begin in mid-2021.

Councilor Linville asked for clarification on where the match is coming from and was it budgeted in the original budget is the award coming out of FY 2021 or this year.

Ms. Rybold said the match is coming from the recently adopted budget FY 2020-2021 included \$35,000 towards the CIP fund for Basalt Creek planning activities. That piece of the match would be invoiced and could come out of the General Fund money budgeted.

Mayor Knapp was excited to see this brought forward due to the years spent visualizing how the area might be moved towards employment uses to bring good family wage jobs to Wilsonville. We have to figure out how the specific plans would work and the grant would be an asset in moving that work forward. The form-based code initiated in Coffee Creek is fairly untried and we need to think carefully on whether it would apply to Basalt Creek as well.

Motion: Councilor Linville moved to approve Resolution No. 2832. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

D. Resolution No. 2834

A Resolution And Order Amending Resolution No. 2818 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution No. 2803.

Ms. Jacobson read the title of Resolution No. 2834 into the record. Adoption of this resolution continues the resolution to be in line with the Governor’s which expires on the third. It keeps the City in line for additional funding if needed, and provides more local authority in terms of enforcing the Governor’s orders, in terms of reminding citizens about what is required and what is not allowed. This resolution extends the local state of emergency to September 11, 2020.

Motion: Councilor Lehan moved to approve Resolution No. 2834. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CONTINUING BUSINESS

None.

PUBLIC HEARING

None.

CITY MANAGER’S BUSINESS

Mr. Cosgrove announced the cover of the FY 2020-21 adopted budget book is dedicated to the remembrance of Tony Holt. He invited Council to stop by and sign a copy of the adopted budget book to be given to Mr. Holt’s family.

The City Manager pointed out the Planning Commission recruitment is active and closes on August 5, 2020.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

DRAFT

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, August 17, 2020. Mayor Knapp called the meeting to order at 7:05 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Zoe Monahan, Assistant to the City Manager
Beth Wolf, Information Systems Analyst
Andy Stone, IT Director

Motion to approve the order of the agenda.

Motion: Councilor Akervall moved to approve the order of the agenda with the adjustment made to move the minutes of the June 1, 2020 Council meeting to the new business section of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR'S BUSINESS

A. Placeholder for Planning Commission Appointment

Mayor Knapp provided background information on the interview process for the Planning Commission vacancies. He recommended that Council appoint Breanne Tusinski to the Planning Commission.

Ms. Tusinski was then invited to introduce herself to Council.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

Motion: Councilor Linville moved to ratify the appointment of Breanne Tusinski to the Planning Commission for a term beginning 8/17/2020 to 12/31/2022. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

B. City of Aurora Request

This item was presented following Oregon Department of Transportation Presentation on Tolling.

Joseph Schaefer, Chair, City of Aurora Planning Commission spoke on behalf of the City of Aurora. Mr. Schaefer announced the City of Aurora voted to contest the decision of Marion County on a land use decision to allow for the development of a 16.5-acre former church property next to the Aurora Airport. Mr. Schaefer stated the City of Aurora believes the airport should be annexed into Aurora before further development is approved.

The City of Wilsonville was asked to join the City of Aurora in appealing Marion County's land use decision to the Oregon Land Use Board of Appeals (LUBA).

Council questions followed.

In closing, Mayor Knapp shared Council would consider this item once further presentation and documentation is provided by City staff. At that time, Council will discuss and decide on the City's position.

C. Upcoming Meetings

Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

COMMUNICATIONS

A. Oregon Department of Transportation Presentation on Tolling

Lucinda Broussard, Toll Program Director for ODOT along with Mat Dolata, Senior Traffic Manager at WSP USA updated Council on the I-205 Toll Project. The I-205 proposed toll would be located between OR 213 and Stafford Road.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mr. Dolata shared the overall purpose of the project is for dual objectives to manage congestion on I-205 between Stafford Road and OR 213 and raise revenue to fund congestion relief projects. He further mentioned that the Oregon Transportation Commission would make the decision on toll rates. However, the idea is to have a balanced objective and find a neutral spot. The plan is to use variable toll rates, which are higher during peak hours or hours of more congestion. With lower tolls during off-peak periods.

A slide was displayed with a list of goals and objectives for this project.

Council then heard about the five tolling alternatives under consideration to improve I-205 traffic flow and fund future road improvements. Alternatives include the following:

1. Toll on the Abernethy Bridge
2. Toll Abernethy Bridge, with tolling gantries off bridge
3. Individually toll multiple bridges to be rebuilt
4. Segment Based Tolls – Stafford Road to OR 213
5. Single Zone Toll – Stafford Road to OR 213

Ms. Broussard broadcasted that there will be several more briefings on this project throughout the summer. She announced public comment period on the project started on August 3, 2020 and ends September 16, 2020. Further participation on the project is available via upcoming webinars, online open houses and project surveys.

Council then asked questions and provide comments to the speakers.

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.

Tony Helbling, President of Positive Aurora Airport Management addressed Council on the matter of the Aurora Airport. He shared he is part of a local group of airport operators that work with surrounding communities on safety and noise issues associated with airplane and helicopter operations at the Aurora State Airport. Mr. Helbling questioned Council on the amount of staff time and money spent researching, writing and filing of the August 4, 2020 letter to the FAA, contesting the Environmental Assessment of the run-up area construction and tree maintenance for the approach.

City Manager Cosgrove asked Mr. Helbling whether he was making a formal public records request.

Mr. Helbling stated he was not however, he was entering his letter and the August 4, 2020 FFA letter into the record.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Bruce Bennett of Aurora Aviation shared his disappointment with the City of Wilsonville. Mr. Bennett shared he is disappointed with the City for spending money to fight against safety and jobs at the Aurora Airport. Mr. Bennett stated the Aurora Airport is not urban nor does it want to be in a city. The reason being, cities growing up around airports destroy them. Airports do not want houses built off the end of the runway and then people complaining about the noise. Mr. Bennett reiterated his disappointment in the City of Wilsonville as the City has received benefits by having an airport nearby. He then mentioned the following benefits: life flight, and protection against forest fires.

Wayne Richards, the Charbonneau Country Club civic affairs chair, began his testimony by thanking Joseph Schafer of the City of Aurora, 1000 Friends of Oregon, Friends of French Prairie and the City of Wilsonville for their support and hard work on the LUBA action regarding further the development of the Aurora State Airport.

He shared his belief that it is important the Aurora State Airport follow the rules passed by Senate Bill (SB) 100. Mr. Richards further explained SB 100 requires that any development adhere to the 19 rules outlined. He stated the Aurora State Airport complies with none of the rules, specifically where it requires an IGA with effected communities. He further explained all development projects must have Oregon State agency coordination for items like surface traffic, municipal oversight, environments quality, and Exclusive Farm Use (EFU) land protection. In addition, Mr. Richards shared his concerns about pollution, noise, traffic and quality of life for those living near the airport. In closing, he asked Council to address the land use issues before any expansion occurs.

COUNCILOR COMMENTS

A. Council President Akervall

Councilor Akervall shared that over the last two weeks she participated in the Chalk the Park events hosted by the Parks and Recreation Department. She reminded there are two more weeks to participate in the Chalk the Park event.

Ms. Akervall announced she attended two of the I-5 Pedestrian Bridge Task Force meetings. She appreciated the community members that participated in those task force meetings and appreciated the translation services that were available for participants.

She publicized that the Wilsonville School District was scheduled to start school on August 31, 2020 however, that date has been changed. More details about school openings can be located on the school district's website.

Lastly, Ms. Akervall announced that she plans to attend a listening session hosted by Clackamas County via Zoom taking place on Wednesday, August 19, 2020.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

B. Councilor Lehan

Gave a shout-out to cooks and servers in the restaurant industry. Ms. Lehan appreciated that those workers continue to provide excellence service all while following safety protocols such as social distancing, wearing masks and providing extra cleanings. She encouraged the audience to appreciate restaurant staff for their hard work during this difficult time.

C. Councilor West

Councilor West reported that on Saturday he along with is family attended the Real Action Community Event held at Montague Park in Villebois. He noted Councilors Akervall and Linville attended. Mr. West gave a shout out to the hosts of the event Tre Hester and Leticia Perez. He further mentioned the event on Saturday was the second event held by Mr. Hester and Ms. Perez. Councilor West reported he had also attended the previous event.

D. Councilor Linville

Councilor Linville retold the audience about the upcoming Clackamas County listening session. Ms. Linville recalled that during a June Council meeting she had put forth the idea of a listening session hosted by the City. She shared that watching Clackamas County's listening session might provide a good opportunity for ideas for a City sponsored listening session.

Ms. Linville shared she along with Councilor Lehan are involved with the Arts, Culture & Heritage Task Force which met on July 21, 2020 and will meet again on August 28, 2020. Furthermore, the Arts, Culture, Heritage Task Force has a community survey open for which the deadline for participation has been extended to August 23, 2020.

Ms. Linville reported that on August 11, 2020 she listened to a presentation by Congressman Schrader.

In addition, Ms. Linville announced she registered for Rethinking Homelessness's 9-week webinar series to be held every Wednesday, starting this week on the topic of evictions. The series is intended to help communities create new strategies to prevent the widespread eviction and homelessness as a result of COVID-19.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2835**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Banzer Construction Company For Construction Of The I-5 Undercrossing Trail Improvement, Phase 2 (Capital Improvement Project #9146).

B. **Resolution No. 2837**

A Resolution To Allocate Community Enhancement Funds For Fiscal Year 2020/2021.

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

- C. **Resolution No. 2838**
A Resolution Of The City Of Wilsonville Approving The City’s Membership In The Regional Water Providers Consortium (RWPC).

- D. **Resolution No. 2840**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement With Willamette Water Supply System Commission For The Willamette River Water Treatment Plant (WRWTP) Filtration Pilot Study.

- E. Minutes of May 20, 2019; June 3 & 17, 2019; July 1 & 15, 2019; August 5 & 19, 2019; October 7, 2019; November 18, 2019; December 2, 2019; January 6 & 23, 2020; February 3 & 18 2020; and August 3, 2020 Council Meetings.

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

- A. Minutes of June 1, 2020 Council Meeting.

Councilor Linville provided a correction to the minutes under the Councilor Comments section on page six of nine.

Motion: Councilor Lehan moved to approve the minutes of June 1, 2020 with additional corrections outlined by Councilor Linville. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

**CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES**

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. None.

CITY MANAGER'S BUSINESS

Shared the City would be hosting a shredding event on Saturday, September 26, 2020.

Informed a survey went out to staff regarding COVID-19 and any anxieties or concerns for the upcoming school year. Additionally, a focus group will be conducted to try to figure out how the City can assist employees with school age children.

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Knapp adjourned the meeting at 8:14 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Tim Knapp, Mayor

RESOLUTION NO. 2844

A RESOLUTION AND ORDER AMENDING RESOLUTION NO. 2834 TO FURTHER EXTEND THE LOCAL STATE OF EMERGENCY AND EMERGENCY MEASURES, AS AUTHORIZED BY RESOLUTION NO. 2803.

WHEREAS, pursuant to Oregon Revised Statutes (ORS) 401.309 and ORS 401.305, as well as Wilsonville's own Wilsonville State of Emergency Resolution 1959, the City enacted Resolution 2803 on March 16, 2020 in response to the COVID-19 Coronavirus pandemic; and

WHEREAS, on April 6, 2020, the City enacted Resolution 2807 to extend the declared state of emergency to May 31, 2020; and

WHEREAS, on June 1, 2020, the City enacted Resolution 2818 to extend the declared state of emergency to July 21, 2020; and

WHEREAS, on July 20, 2020, the City enacted Resolution 2834 to extend the declared state of emergency to September 11, 2020; and

WHEREAS, it is reasonable and prudent to anticipate that significant City resources will continue to be needed to respond to the COVID-19 threat for the foreseeable future and beyond the expiration date set forth in Resolution 2834; and

WHEREAS, pursuant to Executive Order 20-24, the Governor of Oregon extended the State of Emergency Declaration to July 6, 2020; and

WHEREAS, pursuant to Executive Order 20-30, the Governor of Oregon again extended the State of Emergency Declaration, to September 4, 2020; and

WHEREAS, pursuant to Executive Order 20-38, the Governor of Oregon again extended the State of Emergency Declaration, to November 3, 2020, with the possibility of a further extension that is reasonably anticipated to occur through the end of the year;

NOW, THEREFORE, the Wilsonville City Council declares as follows:

In order to help ensure citizen safety by rapid response, the City Council hereby extends the expiration date of the Wilsonville Emergency Declaration, made pursuant to Resolution 2803, until November 3, 2020, with the possibility of further extension, unless otherwise earlier terminated by the City Council.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 10th day of September 2020, and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 10, 2020	Subject: Ordinance Nos. 842 and 843 – 1 st Reading Annexation and Zone Map Amendment for Frog Pond Ridge subdivision in Frog Pond West Staff Member: Cindy Luxhoj AICP, Associate Planner Department: Community Development
Action Required	Advisory Board/Commission Recommendation
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: September 10, 2020 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: September 10, 2020 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: September 21, 2020 <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	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: Following their review at the August 31, 2020 meeting, the Development Review Board (DRB), Panel A, unanimously recommended approval of an Annexation and a Zone Map Amendment for the subject property. The DRB also approved with conditions, contingent on the Annexation and Zone Map Amendment, a Stage I Master Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, Type C Tree Removal, one Waiver, and Abbreviated a Significant Resource Impact Report (SRIR).
Staff Recommendation: Staff recommends that the Council adopt Ordinance Nos. 842 and 843 on first reading.	
Recommended Language for Motion: In two separate motions: I move to approve Ordinance No. 842 on first reading. I move to approve Ordinance No 843 on first reading.	
Project / Issue Relates To:	
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond West <input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Ordinance Nos. 842 and 843 to annex and rezone approximately 17.5 acres on the west side of SW Stafford Road south of SW Frog Pond Lane within the Frog Pond West Master Plan area, enabling development of a 71-lot single-family subdivision.

EXECUTIVE SUMMARY:

The proposed subdivision is the fourth area, following the 44-lot Stafford Meadows and 74-lot Frog Pond Meadows subdivisions to the south and the 78-lot Morgan Farm subdivision to the west, proposed for annexation and subsequent development consistent with the Frog Pond West Master Plan. The subdivisions are envisioned to blend together as one cohesive neighborhood. Concurrent with the adoption of the Frog Pond West Maser Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood (RN) Zone to the Frog Pond Ridge subdivision consistent with this intention.

EXPECTED RESULTS:

Adoption of Ordinance Nos. 842 and 843 will bring this portion of the Frog Pond West Master Plan area into the City and zone it for development consistent with the Master Plan.

TIMELINE:

The Annexation and Zone Map Amendment will be in effect 30 days after ordinance adoption on second reading and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

CURRENT YEAR BUDGET IMPACTS:

The project will result in income and expenditures consistent with the infrastructure-financing plan of the Frog Pond West Master Plan.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 8/20/2020

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 8/25/2020

COMMUNITY INVOLVEMENT PROCESS:

Staff sent the required public hearing notices. In addition, significant public involvement occurred during development and approval of the Frog Pond Area Plan and Frog Pond West Master Plan, with which the proposed actions are consistent.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The annexation and development of the subject land will provide additional housing choices and continued development of quality neighborhoods.

ALTERNATIVES:

The alternatives are to approve or deny the annexation and zone map amendment requests.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Ordinance No. 842
 - A. Legal Description and Sketch Depicting Land/Territory to be Annexed
 - B. Petition for Annexation
 - C. Annexation Findings
 - D. Development Review Board Panel A Resolution No. 380 Recommending Approval of Annexation
2. Ordinance No. 843
 - A. Zoning Order DB20-0008 Including Legal Description and Sketch Depicting Zone Map Amendment
 - B. Zone Map Amendment Findings
 - C. Development Review Board Panel A Resolution No. 380 Recommending Approval of Zone Map Amendment
3. Ordinance Nos. 842 & 843 Presentation

ORDINANCE NO. 842

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 17.57 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF SW STAFFORD ROAD SOUTH OF SW FROG POND LANE INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 1500 AND 1700, A PORTION OF SW FROG POND LANE RIGHT-OF-WAY, AND A PORTION OF SW STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. WALTER REMMERS, WILLIAM RAY MORGAN, AND JANICE ELLEN MORGAN, PETITIONERS.

WHEREAS, a petition submitted to the City requests annexation of certain real property legally described and depicted in Exhibit A; and;

WHEREAS, Walter Remmers, an authorized signer for West Hills Land Development, LLC, and William and Janice Morgan, together representing 100 percent of the property ownership within the annexation area signed the petition; and;

WHEREAS, no electors reside within the annexation area; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of all owners of land and a majority of electors within the territory and enables the City Council to dispense with submitting the questions of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Frog Pond West Neighborhood; and

WHEREAS, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on August 31, 2020, unanimously recommended City Council approve the annexation; and

WHEREAS, on September 10, 2020, the City Council held a public hearing as required by Metro Code 3.09.050; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings, conclusions, and the Development Review Board's recommendation to City Council.

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

1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

2. DETERMINATION.

The findings and conclusions incorporated in Exhibit C are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days for the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 10th day of September, 2020, and scheduled the second reading on September 21, 2020, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 21st day of September, 2020, by the following votes: Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 21st day of September, 2020.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings
- D. Development Review Board Panel A Resolution No. 380 Recommending Approval of Annexation

EXHIBIT A
LEGAL DESCRIPTION
FROG POND RIDGE ANNEXATION

August 7, 2020 (Otak #19489)

Those properties described in Bargain and Sale Deed to the Trustees of the William Ray Morgan and Janice Ellen Morgan Revocable Living Trust U/D/T October 20, 2009, recorded April 24, 2013 as Document No. 2013-027934, and in Statutory Warranty Deed to West Hills Land Development, LLC recorded as Document No. 2018-062022, both of Clackamas County Records, together with the abutting rights of way of S.W. Stafford Road and S.W. Frog Pond Lane, in the southeast quarter of Section 12, Township 3 South, Range 1 West, and the southwest quarter of Section 7, Township 3 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with no cap found at the southeast corner of said Document No. 2013-027934 property, said POINT OF BEGINNING being on the west right of way line of said S.W. Stafford Road North 01°40'13" East a distance of 1287.07 feet and North 88°35'30" West a distance of 30.00 feet from the southeast corner of said southeast quarter of Section 12;

thence along the north line of that property described in Special Warranty Deed to West Hills Land Development LLC recorded August 20, 2019 as Document No. 2019-049723, Clackamas County Records, North 88°35'30" West a distance of 1015.93 feet;

thence along the west line of said Document No. 2019-049723 property South 01°40'13" West a distance of 429.07 feet to the north line of Partition Plat No. 2019-047, Clackamas County Records;

thence along said north line and the westerly extension thereof, North 88°35'30" West a distance of 507.30 feet to the southeast corner of that property conveyed in Document No. 91-036369, Clackamas County Records;

thence along the east line of said Document No. 91-036369 property North 01°37'43" East a distance of 15.64 feet to the southwest corner of that property described in Quitclaim Deed to Amy Thurmond recorded as Document No. 99-022102, Clackamas County Records;

thence along the south line of said Document No. 99-022102 property South 88°31'31" East a distance of 209.95 feet;

thence along the east line of said Document No. 99-022102 property and the northerly extension thereof, North 01°39'15" East a distance of 875.56 feet to a point on the north right of way line of S.W. Frog Pond Lane (County Road No. 2362) being parallel with and 33.00 feet northerly of, when measured at right angles to, the north lines of said Document No. 2018-062022 and 2013-027934 properties;

thence along said north right of way line and the easterly extension thereof, South 88°35'30" East a distance of 1373.54 feet to a point on the east right of way line of said S.W. Stafford Road being parallel with and 30.00 feet easterly of, when measured at right angles to, the section line common to said Sections 7 and 12 also being the centerline of said S.W. Stafford Road;

thence along said east right of way line, South 01°40'13" West a distance of 461.89 feet;

thence North 88°35'30" West a distance of 30.00 feet to a point on said section line common to said Sections 7 and 12 and the centerline of S.W. Stafford Road;

thence continuing North 88°35'30" West a distance of 30.00 feet to the POINT OF BEGINNING.

Contains 17.57 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2020.08.07 07:35:32-07'00'

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWS: JUNE 30, 2022



SCALE: 1" = 300'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2020.08.07 07:35:09-07'00"

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWES: JUNE 30, 2022

DOC. NO.
01-002679

DOC. NO.
88-038319

DOC. NO.
2017-036685

S.W. FROG POND LANE (C.R. NO. 2362) S88°35'30"E 1373.54'

12 7

S.W. STAFFORD ROAD (MARKET ROAD NO. 12)

S01°40'13"W 899.95'

33.00'

33.00'

DOC. NO. 91-036369

DOC. NO. 99-022102

N01°39'15"E 875.56'

DOC. NO. 2018-062022

S01°40'13"W 429.07'

DOC. NO. 2013-027934

N88°35'30"W 1075.93'
1015.93'

P.O.B.

30.00'

60.00'

S01°40'13"W 461.89'

30.00'

N01°37'43"E 15.64'

209.95'
S88°31'31"E

DOC. NO. 2019-049723

N01°40'13"E 1287.07'

N88°35'30"W 507.30'

S.W. BRISBAND STREET

PARCEL 1
P.P. 2019-047

PARCEL 2

STAFFORD
MEADOWS

S.W. BOECKMAN ROAD C.R. 80

12 7
13 18



808 SW 3rd Ave., Ste. 800
Portland, Oregon 97204
Phone: (503) 287-6825
www.otak.com
project: 19489

EXHIBIT A

PAGE 3 OF 3

FROG POND RIDGE ANNEXATION AREA
IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, &
THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 1 EAST,
WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

AUGUST 7, 2020

**CERTIFICATION OF PROPERTY OWNERSHIP OF
100% OF LAND AREA**

I hereby certify that the attached petition contains the names of the owners¹ (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

NAME JOSHUA BOLL
TITLE GIS CARTOGRAPHER II
DEPARTMENT CARTOGRAPHY
COUNTY OF CLACKAMAS
DATE 1/16/20



¹ Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

Search Voters

Reports Export

Query executed successfully. No matching results found. Print Screen Help

Select Saved/Published Search Run Search

Precincts	Party / Audits	Extract	Mailing Address	Comment	Custom Fields	Save
Name	Status	Activity	Output	Absentee Address	Residence Address	Districts

Address Type: Standard

Standard Address

House #	Suffix	Pre Dir	Street Name	Type	Post Dir
6720		SW	FROG POND	LN	
Unit Type	Unit #				
City	Zip				
WILSONVILLE					

Scope: State County CLACKAMAS Show Signatures Search Clear Reset

View Summary Full Image Select < > Close

No active registered voters at 6720 Sw Frog Pond Ln,
Wilsonville, OR.



[Signature]
ELECTIONS MANAGER

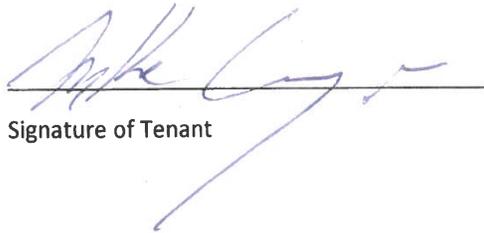
Date: 01/08/2020

Re: 6720 SW Frog Pond Ln

Wilsonville, OR 97070

To Whom It May Concern:

I, Michael D. Geiger do hereby acknowledge that I currently live at the above referenced address and the previous tenants no longer live at this location.



A handwritten signature in blue ink, appearing to read "Michael D. Geiger", is written over a horizontal line.

Signature of Tenant



Ordinance No. 842 Exhibit C
Annexation Findings

Frog Pond Ridge 71-Lot Single-Family Subdivision

City Council
Quasi-Judicial Public Hearing

Hearing Date: September 10, 2020
Date of Report: August 18, 2020

Application No.: DB20-0007 Annexation

Request/Summary: City Council approval of quasi-judicial annexation of approximately 17.6 acres concurrently with proposed development as a single-family subdivision consistent with the Frog Pond West Master Plan.

Location: West side of SW Stafford Road, south of SW Frog Pond Lane. The property is specifically known as TLID 1500, 1700, a portion of SW Frog Pond Lane right-of-way, and a portion of SW Stafford Road right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

Owners/Petitioners: West Hills Land Development LLC (Walter Remmers), William Ray Morgan and Janice Ellen Morgan Revocable Living Trust (William and Janice Morgan)

Applicant: West Hills Land Development LLC (Contact: Dan Grimberg)

Applicant's Rep.: OTAK, Inc. (Contact: Li Alligood AICP)

Comprehensive Plan Designation: Residential Neighborhood

Zone Map Classification (Current): RRF5 (Rural Residential Farm Forest 5-Acre)

Zone Map Classification (Proposed Concurrent with Annexation): RN (Residential Neighborhood)

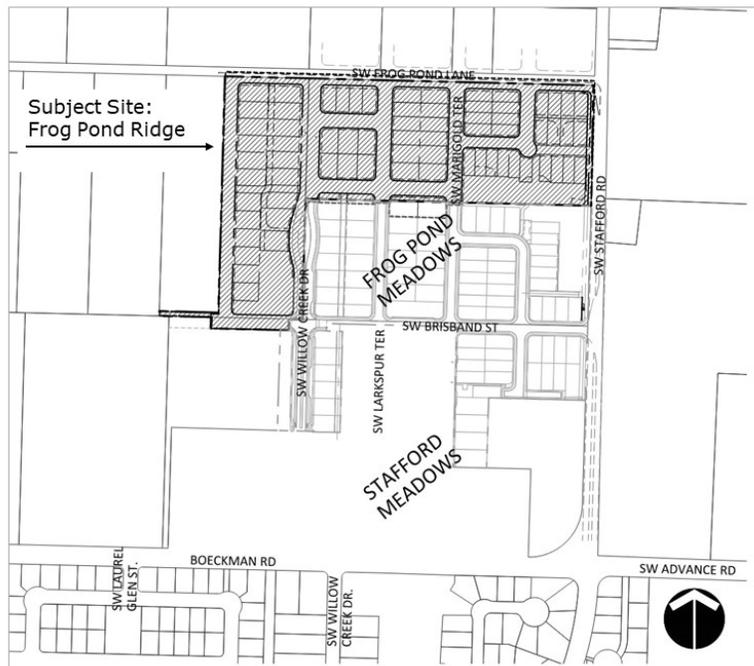
Staff Reviewer: Cindy Luxhoj AICP, Associate Planner

Staff/DRB Recommendation: Approve the requested annexation.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

Vicinity Map



Background/Summary:

The subject area has long been rural/semi-rural adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary (UGB) in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB.

The proposed subdivision is the fourth development proposal Frog Pond West, following the 44-lot Stafford Meadows and 74-lot Frog Pond Meadows subdivisions to the south and the 78-lot Morgan Farm subdivision to the west. The subdivision will connect to the previously approved Stafford Meadows and Frog Pond Meadows subdivisions, blending together as one cohesive neighborhood.

All property owners in the annexation area have consented in writing to the annexation. No electors reside within the area proposed for annexation.

Conclusion and Conditions of Approval:

Staff recommends the City Council annex the subject property with the following condition:

Request: DB20-0007 Annexation

PDA 1. Prior to issuance of any Public Works permits by the City within the annexation area: The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter into the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

Request: DB20-0007 Annexation

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services Implementation Measure 2.2.1.a.

A1. The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. West Hills Land Development LLC and the City will enter into a Development and Annexation Agreement detailing provision and development of public services as required by Conditions of Approval.

Demonstrated Need for Immediate Urban Growth Implementation Measure 2.2.1.a.

A2. Metro brought the subject area into the Urban Growth Boundary in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards Implementation Measures 2.2.1.e., 2.2.1.e.3., 2.2.1.e.4.

A3. This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services

Implementation Measure 2.2.1.e. 1.

- A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposed site development with concurrent applications for Stage I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Frog Pond Ridge site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years

Implementation Measure 2.2.1.e. 2.

- A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond Area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

Wilsonville Development Code-Annexation

Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6.** The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, a narrative describing conformance with applicable criteria, and the City Council, upon recommendation from the Development Review Board, will declare the subject property annexed.

Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan, Conditions of Approval require the necessary parties enter into a Development and Annexation Agreement with the City covering the annexed land.

Metro Code

Local Government Boundary Changes Chapter 3.09

A9. The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, is consistent with the Comprehensive Plan, and Frog Pond West Master Plan.

Oregon Revised Statutes (ORS)

Authority and Procedure for Annexation ORS 222.111

A10. The request meets the applicable requirements in state statute including the facts that subject property is within the UGB, is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners within the annexed area consent in writing to the annexation. No electors reside within the area proposed for annexation.

Procedure Without Election by City Electors ORS 222.120

A11. The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and request meets the applicable requirements in state statute including the facts that all property owners within the annexed area consent in writing to the annexation. No electors reside within the territory proposed for annexation. Annexation of the subject property thus does not require an election.

Annexation by Consent of All Owners and Majority of Electors ORS 222.125

A12. All property owners within the annexed area have provided their consent in writing. No electors reside within the territory proposed for annexation. The City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

Oregon Statewide Planning Goals

Statewide Planning Goals Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

A13. The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both which have been found to meet the statewide planning goals.

Ord. No. 842 Exhibit D

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 380**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION OF APPROXIMATELY 17.6 ACRES AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 15.9 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF STAFFORD ROAD SOUTH OF SW FROG POND LANE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER TO MINIMUM FRONT SETBACK, AND ABBREVIATED SRIR REVIEW FOR A 71-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 1500 AND 1700, A PORTION OF 1800, A PORTION OF SW FROG POND LANE RIGHT-OF-WAY, AND A PORTION OF SW STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, AND A PORTION OF TAX LOT 400, SECTION 12DD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. LI ALLIGOOD, AICP, OTAK – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT LLC - APPLICANT.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff prepared the staff report on the above-captioned subject dated August 3, 2020, and

WHEREAS, on August 10, 2020, the Development Review Board honored the applicant's request and continued the public hearing to a date and time certain of August 31, 2020, and

WHEREAS, the Planning Staff has prepared the revised staff report on the above-captioned subject dated August 24, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a special meeting conducted on August 31, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

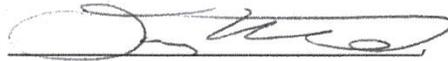
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated August 31, 2020, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB20-0007 through DB20-0014, and SI20-0001; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, Waiver – Front Setback, and Abbreviated SRIR Review.

ADOPTED by the Development Review Board of the City of Wilsonville at a special meeting thereof this 31st day of August, 2020, and filed with the Planning Administrative Assistant on Sept. 1, 2020. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.



Daniel McKay, Chair - Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant

ORDINANCE NO. 843

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 15.93 ACRES ON THE WEST SIDE OF SW STAFFORD ROAD SOUTH OF SW FROG POND LANE; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 1500 AND 1700, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. WEST HILLS LAND DEVELOPMENT LLC, APPLICANT.

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of “Residential Neighborhood” rather than maintain the current Clackamas County zoning designations; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as “Residential Neighborhood” in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on August 31, 2020; and

WHEREAS, the Development Review Board Panel 'A' held a duly advertised public hearing on the application for a Zone Map Amendment on August 31, 2020, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 380 which recommends City Council approval of the Zone Map Amendment request (Case File DB20-0008), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on September 10, 2020, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

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

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB20-0008, attached hereto as Exhibit A, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Residential Neighborhood (RN) Zone.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 10th day of September 2020, and scheduled the second reading on September 21st, 2020 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 21st day of September, 2020, by the following
votes: Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 21st day of September, 2020

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

EXHIBITS:

- A. Zoning Order DB20-0008 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings
- C. Development Review Board Panel A Resolution No. 380 Recommending Approval of Zone Map Amendment

**BEFORE THE CITY COUNCIL OF
THE CITY OF WILSONVILLE,
OREGON**

In the Matter of the Application of)
West Hills Land Development LLC)
for a Rezoning of Land and Amendment) **ZONING ORDER DB20-0008**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB20-0008, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5 (RRFF5).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 15.93 acres on the west side of SW Stafford Road south of SW Frog Pond Lane comprising Tax Lots 1500 and 1700, of Section 12D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 21st day of
September, 2020.

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

Barbara A. Jacobson, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

EXHIBIT A
LEGAL DESCRIPTION
FROG POND RIDGE ZONE MAP AMENDMENT

August 18, 2020 (Otak #19489)

Those properties described in Bargain and Sale Deed to the Trustees of the William Ray Morgan and Janice Ellen Morgan Revocable Living Trust U/D/T October 20, 2009, recorded April 24, 2013 as Document No. 2013-027934, and in Statutory Warranty Deed to West Hills Land Development, LLC recorded October 9, 2018 as Document No. 2018-062022, both of Clackamas County Records, in the southeast quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with no cap found at the southeast corner of said Document No. 2013-027934 property, said POINT OF BEGINNING being on the west right of way line of said S.W. Stafford Road North 01°40'13" East a distance of 1287.07 feet and North 88°35'30" West a distance of 30.00 feet from the southeast corner of said southeast quarter of Section 12;

thence along the north line of that property described in Special Warranty Deed to West Hills Land Development LLC recorded August 20, 2019 as Document No. 2019-049723, Clackamas County Records, North 88°35'30" West a distance of 1015.93 feet;

thence along the west line of said Document No. 2019-049723 property South 01°40'13" West a distance of 429.07 feet to the north line of Partition Plat No. 2019-047, Clackamas County Records;

thence along said north line and the westerly extension thereof, North 88°35'30" West a distance of 507.30 feet to the southeast corner of that property conveyed in Document No. 91-036369, Clackamas County Records;

thence along the east line of said Document No. 91-036369 property North 01°37'43" East a distance of 15.64 feet to the southwest corner of that property described in Quitclaim Deed to Amy Thurmond recorded as Document No. 99-022102, Clackamas County Records;

thence along the south line of said Document No. 99-022102 property South 88°31'31" East a distance of 209.95 feet;

thence along the east line of said Document No. 99-022102 property,
North 01°39'15" East a distance of 842.56 feet to a point on the south right of
way line of S.W. Frog Pond Lane (County Road No. 2362);

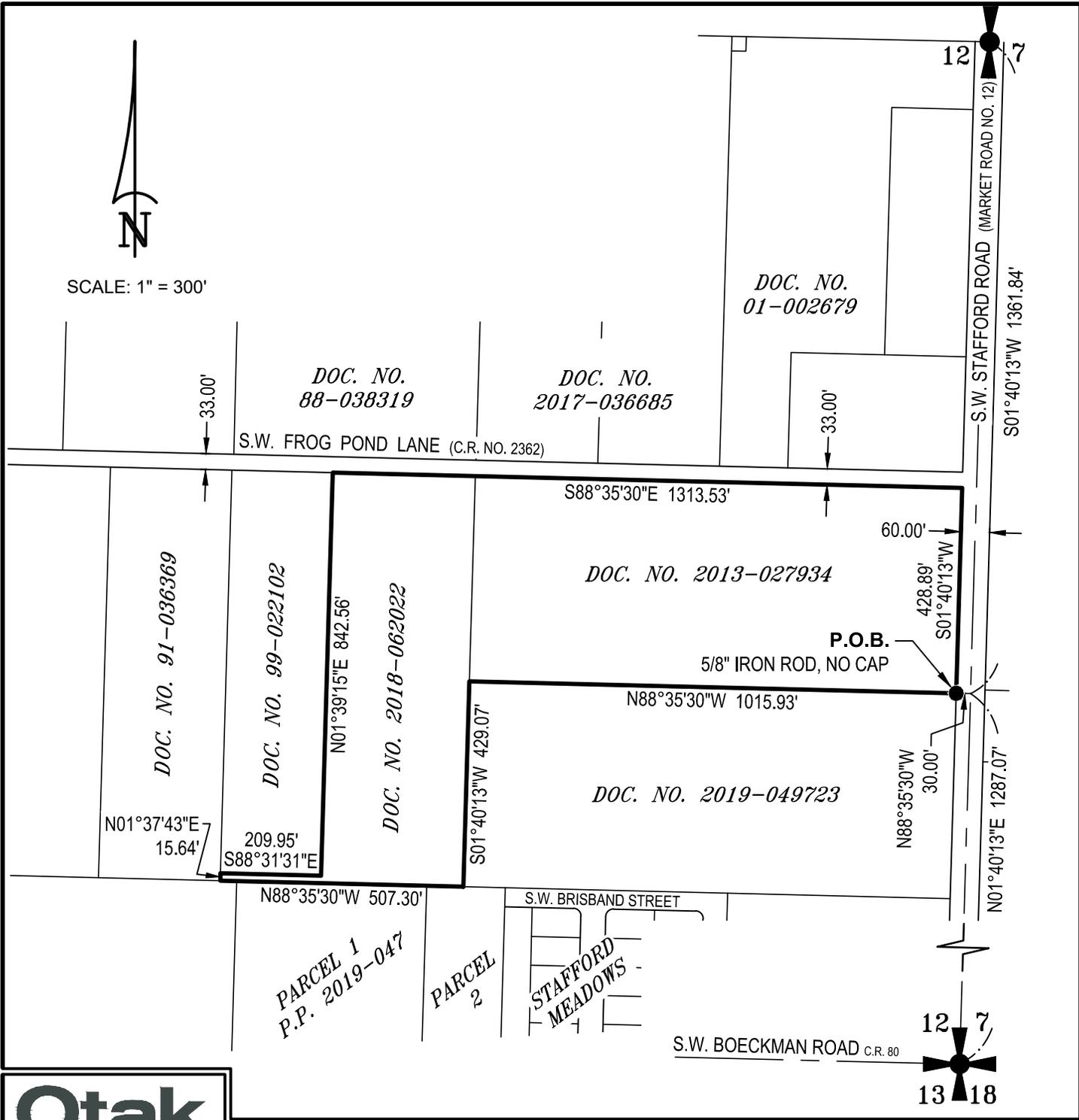
thence along said south right of way line and the north line of said Document No.
2018-062022 and 2013-027934 properties, South 88°35'30" East a distance of
1313.53 feet to a point on said west right of way line being parallel with and
30.00 feet easterly of, when measured at right angles to, the section line
common to said Sections 7 and 12 also being the centerline of said S.W. Stafford
Road;

thence along said east right of way line, South 01°40'13" West a distance of
428.89 feet to the POINT OF BEGINNING.

Contains 15.94 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS
RENEWS: JUNE 30, 2022



Otak

808 SW 3rd Ave., Ste. 800
Portland, Oregon 97204
Phone: (503) 287-6825
www.otak.com
project: 19489

EXHIBIT A

PAGE 3 OF 3

FROG POND RIDGE ZONE MAP AMENDMENT AREA
IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, &
THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 1 EAST,
WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON

AUGUST 18, 2020



Ordinance No. 843 Exhibit B
 Zone Map Amendment Findings

Frog Pond Ridge 71-Lot Single-Family Subdivision

City Council
 Quasi-Judicial Public Hearing

Hearing Date:	September 10, 2020
Date of Report:	August 18, 2020

Application No.:	DB20-0008 Zone Map Amendment
Request:	The request before the City Council is a Zone Map Amendment for approximately 15.93 acres.
Location:	West side of SW Stafford Road, south of SW Frog Pond Lane. The property is specifically known as TLID 1500, 1700, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon
Owners:	West Hills Land Development LLC, William Ray Morgan and Janice Ellen Morgan Revocable Living Trust
Applicant:	West Hills Land Development LLC (Contact: Dan Grimberg)
Applicant's Rep.:	OTAK, Inc. (Contact: Li Alligood AICP)
Comprehensive Plan Designation:	Residential Neighborhood, Public
Zone Map Classification (Current):	RRFF 5 (Rural Residential Farm Forest 5-Acre)
Zone Map Classification (Proposed):	RN (Residential Neighborhood)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner
Staff/DRB Recommendation:	<u>Adopt</u> the requested Zone Map Amendment.

Summary:

Zone Map Amendment (DB20-0008)

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN Zone to the subject property consistent with this intention.

Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval with the following condition:

Request: DB20-0008 Zone Map Amendment

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB20-0007).

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

Request: DB20-0008 Zone Map Amendment

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Comprehensive Plan

“Residential Neighborhood” on the Comprehensive Plan Map
Implementation Measure 4.1.7.a.

- B1.** The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood”. The designation enables development of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan
Implementation Measure 4.1.7.c.

- B2.** The applicant requests the majority of the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood.”

Safe, Convenient, Healthful, and Attractive Places to Live
Implementation Measure 4.1.4.c.

- B3.** The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density
Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities.

Development Code

Zoning Consistent with Comprehensive Plan
Section 4.029

- B5.** The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

Base Zones

Subsection 4.110 (.01)

- B6.** The requested zoning designation of RN is among the base zones identified in this subsection.

Residential Neighborhood (RN) Zone

Purpose of the Residential Neighborhood (RN) Zone

Subsection 4.127 (.01)

- B7.** The request to apply the RN Zone on lands with the “Residential Neighborhood Comprehensive Plan Map designations enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone

Subsection 4.127 (.02)

- B8.** Concurrent with the zone map amendment request the applicant requests approval of a single-family subdivision. Single-family dwelling units, attached single-family dwelling units (maximum two attached), open space, and public and private parks are among the permitted uses in the RN zone.

Residential Neighborhood Zone Sub-districts and Residential Density

Subsection 4.127 (.05) and (.06)

- B9.** The subject property includes portions of medium lot Sub-districts 4 and 5 and small lot Sub-district 6. The Frog Pond West Master Plan establishes a range of 86 to 107 units for Sub-district 4. Approximately 19.67% of Sub-district 4 is within the project area. To date, no applications have been approved for units within this sub-district, and the current application proposes 21 lots, which is the maximum number allowed based on the percentage of the sub-district within the project area. The configuration of lots as proposed will allow for buildout of this part of the sub-district consistent with the Master Plan recommendations.

The established range for Sub-district 5 is 27 to 33 units. Approximately 39.72% of Sub-district 5 is within the project area and the applicant proposes 12 lots. The previously approved Frog Pond Meadows includes 22 lots within Sub-district 5. The combined total between the two projects is 34 lots, which is one more than the established range maximum. However, configuration of lots between SW Willow Creek Drive and SW Larkspur Terrace to accommodate Street M results in Lots 25-27 being split between Sub-districts 5 and 6. Since fewer than the maximum lots is proposed in Sub-district 6 and the combined total of proposed lots in Sub-districts 5 and 6 also is below the maximum, exceeding the established dwelling unit range in Sub-district 5 is acceptable and the proposed configuration of lots will allow for buildout of the sub-district consistent with the Master Plan recommendations.

The Frog Pond West Master Plan establishes a range of 74 to 93 units for Sub-district 6. Approximately 48.31% of Sub-district 6 is within the project area. For Sub-district 6, the applicant proposes 38 lots, 8 of which are attached two-unit single-family homes (duplexes). The previously approved Frog Pond Meadows includes 42 lots within Sub-district 6. The combined total between the two projects is 80 lots, which is within the established range for the sub-district. The configuration of lots will allow for buildout of the sub-district consistent with the Master Plan recommendations.

Ord. No. 843 Exhibit C

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 380**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION OF APPROXIMATELY 17.6 ACRES AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 15.9 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF STAFFORD ROAD SOUTH OF SW FROG POND LANE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER TO MINIMUM FRONT SETBACK, AND ABBREVIATED SRIR REVIEW FOR A 71-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 1500 AND 1700, A PORTION OF 1800, A PORTION OF SW FROG POND LANE RIGHT-OF-WAY, AND A PORTION OF SW STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, AND A PORTION OF TAX LOT 400, SECTION 12DD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. LI ALLIGOOD, AICP, OTAK – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT LLC - APPLICANT.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff prepared the staff report on the above-captioned subject dated August 3, 2020, and

WHEREAS, on August 10, 2020, the Development Review Board honored the applicant's request and continued the public hearing to a date and time certain of August 31, 2020, and

WHEREAS, the Planning Staff has prepared the revised staff report on the above-captioned subject dated August 24, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a special meeting conducted on August 31, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

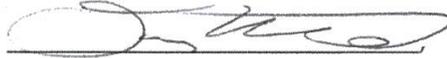
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated August 31, 2020, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

Ord. No. 843 Exhibit C

DB20-0007 through DB20-0014, and SI20-0001; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, Waiver – Front Setback, and Abbreviated SRIR Review.

ADOPTED by the Development Review Board of the City of Wilsonville at a special meeting thereof this 31st day of August, 2020, and filed with the Planning Administrative Assistant on Sept. 1, 2020. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.



Daniel McKay, Chair - Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant



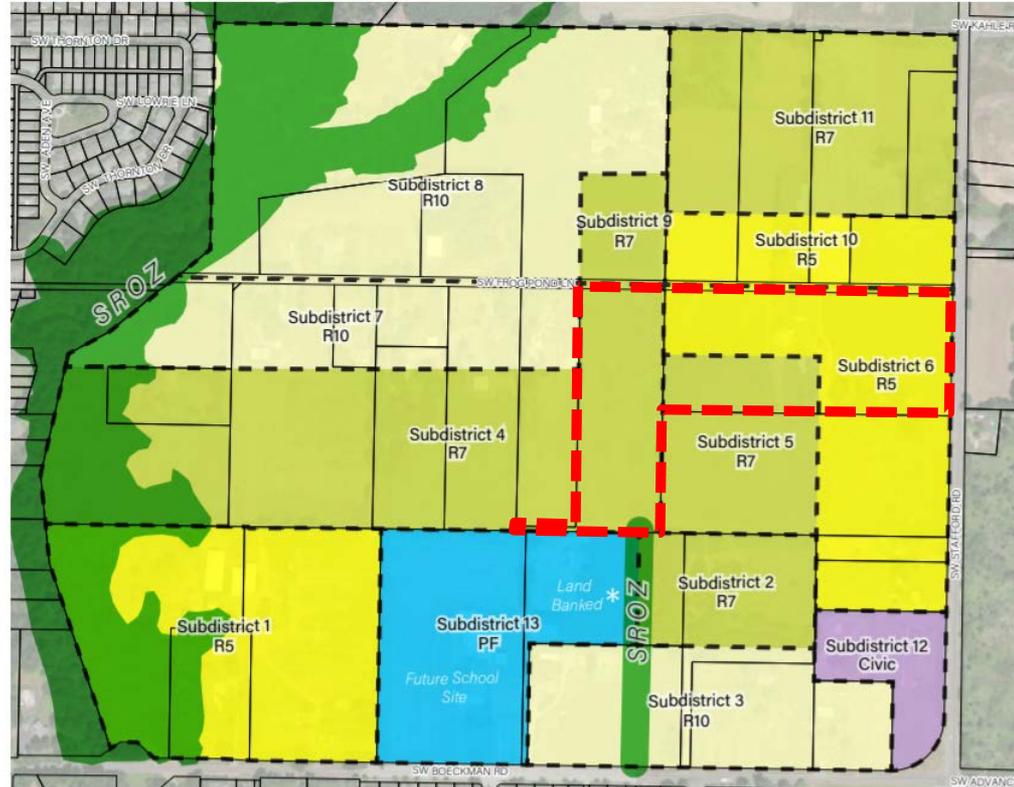
Ordinance Nos. 842 and 843 Annexation & Zone Map Amendment Frog Pond Ridge Subdivision Frog Pond West

City Council Public Hearing
September 10, 2020
Presented by:
Cindy Luxhoj AICP, Associate Planner



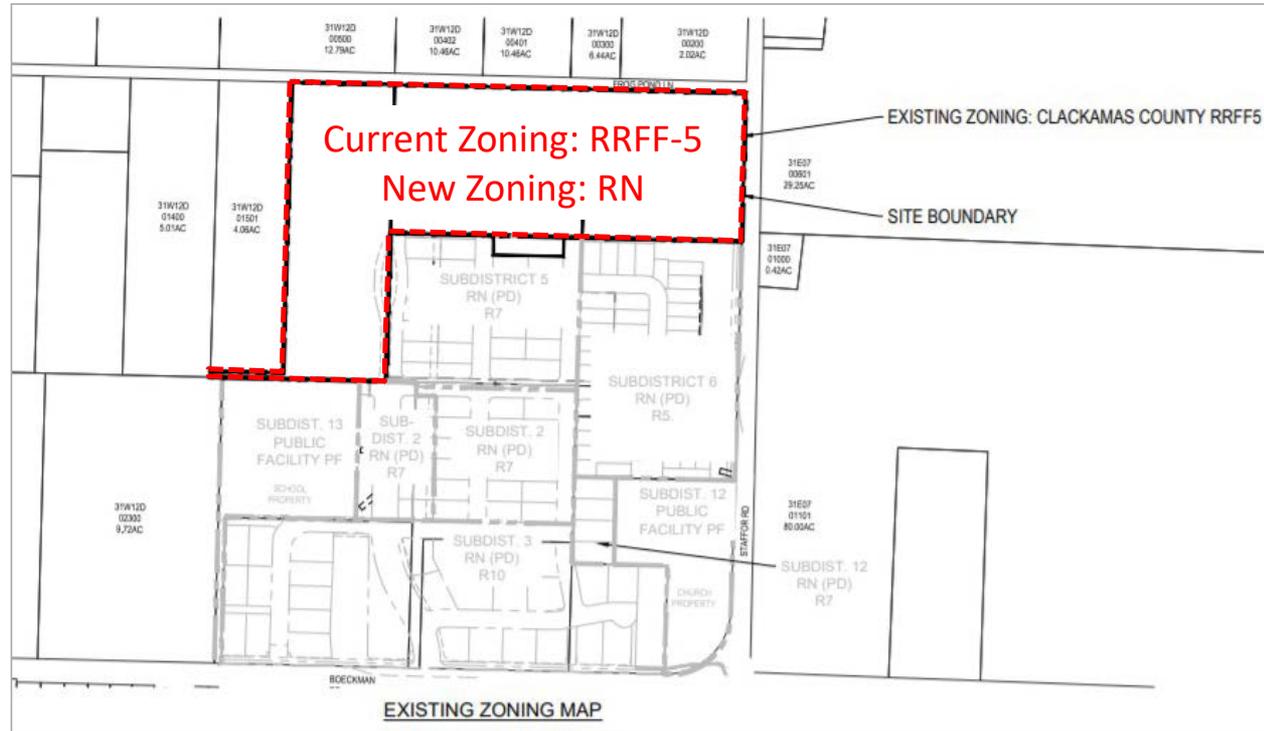
Frog Pond West

Figure 6. Frog Pond West Land Use and Subdistricts





Zone Map Amendment





Applications Approved by DRB

- Stage I Preliminary Plan
- Stage II Final Plan
- Site Design Review of Parks and Open Space
- Tentative Subdivision Plat
- Type C Tree Removal Plan
- Waiver – Front Setback
- Abbreviated SRIR Review



Questions?



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 10, 2020	Subject: Ordinance Nos. 844 and 845 – 1st Reading Annexation and Zone Map Amendment for Coffee Creek Logistics Center Staff Member: Philip Bradford, Associate Planner Department: Community Development
Action Required	Advisory Board/Commission Recommendation
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: September 10, 2020 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: September 10, 2020 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: September 21, 2020 <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	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: The Coffee Creek Industrial Design Overlay District allows City Council adoption of the Annexation and Zone Map Amendment concurrent with or up to 120 days prior to the Development Review Board (DRB) applications (hearing scheduled for September 28).
Staff Recommendation: Staff recommends that Council adopt Ordinance Nos. 844 and 845 on first reading.	
Recommended Language for Motion: In two separate motions: I move to approve Ordinance No. 844 on first reading. I move to approve Ordinance No. 845 on first reading.	
Project / Issue Relates To:	
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan
<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Ordinance Nos. 844 and 845 to annex and rezone approximately 5.85 acres located on the south side of SW Clutter Street, west of SW Garden Acres Road.

Ordinance No. 844 and 845 Staff Report

Page 1 of 3

EXECUTIVE SUMMARY:

The City adopted the Coffee Creek Industrial Form-based Code and Pattern Book in February 2018, establishing clear and objective development standards for street design and connectivity, site design and circulation, building form and massing, and building design and architecture to substantially minimize judgment about compliance. As part of this adoption, the City modified procedures governing City Council review of annexation and Zone Map amendments in Coffee Creek, allowing for City Council review of these requests without prior review or recommendation by the Development Review Board. This modification allows for the concurrent processing of the annexation and Zone Map amendment requests with the other related development permit applications.

The applicant, Panattoni, Inc., a developer specializing in industrial real estate and warehouses, wishes to construct the Coffee Creek Logistics Center. The 110,366 square foot speculative warehouse/manufacturing facility contains accessory office space and is designed to accommodate a single tenant or two tenants. The applicant wishes to annex the 5.85-acre property into Wilsonville and apply the City zoning designation of Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA). This zoning designation is consistent with the site’s Comprehensive Plan designation of “Industrial” and Metro’s designation of the Coffee Creek Industrial Area as a Regionally Significant Industrial Area in Title 4 of the Urban Growth Management Functional Plan.

Since the request includes waivers to five of the Form-based Code standards, the Development Review Board will hold a public hearing on September 28, 2020 for the proposed Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, Class 3 Sign Permit, and Type C Tree Removal Plan applications. The provisions of Section 4.022 (.03) allowing for City Council call-up of any final action taken by the Development Review Board remain in effect for projects within Coffee Creek. The annexation and Zone Map amendment ordinances will expire 120 days from Council adoption if the Stage II Final Plan application is not approved by the Development Review Board.

EXPECTED RESULTS:

Adoption of Ordinance Nos. 844 and 845 will bring this portion of the Coffee Creek Industrial Area into the City and zone the property for industrial development consistent with the Master Plan.

TIMELINE:

The Annexation and Zone Map Amendment will be in effect 30 days after the ordinances are adopted, pending approval of the Stage II Final Plan by the Development Review Board, and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 8/20/2020

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 8/25/2020

COMMUNITY INVOLVEMENT PROCESS:

Staff sent the required public hearing notices and has made materials regarding the application readily available to the public.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The annexation and development of the subject land will provide additional industrial development consistent with the goals of the Coffee Creek Master Plan.

ALTERNATIVES:

The Council may modify or deny the ordinances.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Ordinance No. 844
 - A. Legal Description and Sketch of Annexation Area
 - B. Petition for Annexation
 - C. Annexation Findings
2. Ordinance No. 845
 - A. Zoning Order DB20-0018 Including Legal Description and Sketch Depicting Zone Map Amendment
 - B. Zone Map Amendment Findings
3. Ordinance Nos. 844 and 845 Presentation

ORDINANCE NO. 844

AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 5.85 ACRES OF PROPERTY LOCATED ON THE SOUTH SIDE OF SW CLUTTER STREET JUST WEST OF SW GARDEN ACRES ROAD INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 2100, SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. CHRIS AND SONYA BICKFORD PETITIONERS.

WHEREAS, a petition submitted to the City requests annexation of certain real property legally described and depicted in Exhibit A; and

WHEREAS, Chris and Sonya Bickford, together representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, there are no electors that reside within the annexation area; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of all owners of land and a majority of electors within the territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Coffee Creek Industrial Area; and

WHEREAS, the land to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, pursuant to Section 4.700 of the Development Code the City Council shall review quasi-judicial annexation requests in the Coffee Creek Industrial Design Overlay District without prior review or recommendation by the Development Review Board where concurrent with a quasi-judicial zone map amendment request as specified in Section 4.197 (.02) A; and

WHEREAS, pursuant to Section 4.700 of the Development Code this annexation ordinance expires 120 days from its effective date unless a Stage II Final Plan for the subject area is approved by the City; and

WHEREAS, on September 10, 2020, the City Council held a public hearing as required by Metro Code 3.09.050; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the

voters and does hereby favor the annexation of the subject tract of land based on findings and conclusions.

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

1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

2. DETERMINATION.

The findings and conclusions incorporated in Exhibit C are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. Upon confirmation of a Stage II Final Plan approval, the annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 10th day of September, 2020, and scheduled the second reading on the 21st day of September, 2020 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 21st day of September, 2020 by the following votes:

Yes:___ No: ___

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 21st day of September, 2020.

TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Exhibits:

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings

**NORTHWEST
SURVEYING, INC.**

EXHIBIT A
BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL
Licensed in OR & WA

1815 NW 169TH PLACE, SUITE 2090
BEAVERTON, OR 97006

TELEPHONE: (503) 848-2127
FAX: (503) 848-2179

PROPERTY DESCRIPTION

March 5, 2020
NWS Project No. 2017
Annexation Description

A tract of land located in the southeast one-quarter of Section 3, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being a portion of that property conveyed to Chris Bickford and Sonya Bickford, husband and wife, by deed recorded March 26, 1986 as Document No. 86-012591, Washington County Deed Records, being more particularly described as follows:

Commencing at a an aluminum disk located at the southeast corner of the southeast one-quarter of said Section 3; thence along the south line of said southeast one-quarter, South 89°41'49" West a distance of 20.00 feet to a point on the westerly right-of-way line of County Road No. 557 and the Point of Beginning; thence continuing along the south line of said southeast one-quarter, South 89°41'49" West a distance of 649.21 feet to the southwest corner of said Bickford property; thence along the westerly line of said Bickford property, North 15°34'42" East a distance of 524.01 feet to the northwest corner thereof, said point being on the southerly right-of-way line of SW Clutter Road, 20.00 feet southerly of the centerline thereof, when measured at right angles; thence along said southerly right-of-way line, South 74°37'07" East a distance of 524.68 feet to its intersection with the westerly right-of-way line of that portion of County Road No. 557 being the southerly extension of SW Garden Acres Road (County Road No. 1309), said point being 20.00 feet westerly of the centerline thereof, when measured at right angles; thence along said westerly right-of-way line, South 00°24'33" East a distance of 362.16 feet to the Point of Beginning.

Said described tract of land contains 5.85 acres, more or less.



EXHIBIT A

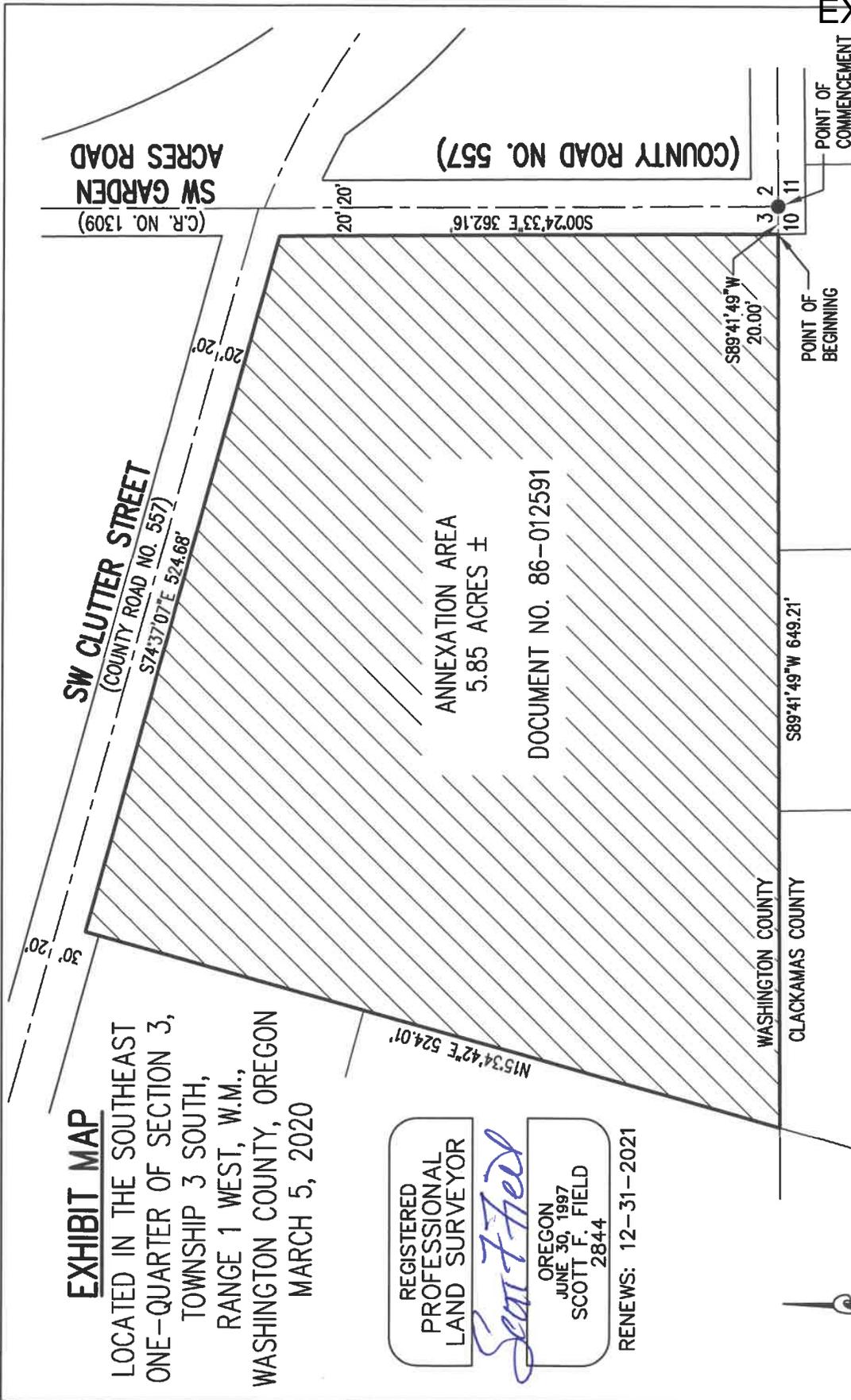


EXHIBIT MAP

LOCATED IN THE SOUTHEAST
 ONE-QUARTER OF SECTION 3,
 TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, W.M.,
 WASHINGTON COUNTY, OREGON
 MARCH 5, 2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Scott F. Field
 OREGON
 JUNE 30, 1997
 SCOTT F. FIELD
 2844

RENEWS: 12-31-2021

GRAPHIC SCALE



(IN FEET)
 1 INCH = 100 FT.

JOB NAME:	PANATTONI - CLUTTER
JOB NUMBER:	2026
DRAWING NAME:	2026 DED
DRAWN BY:	SFF
CHECKED BY:	CHS

NORTHWEST

SURVEYING, Inc.

1815 NW 169TH PLACE
 SUITE 2090
 BEAVERTON, OR 97006
 PHONE: (503) 848-2127
 FAX: (503) 848-2179

**NORTHWEST
SURVEYING, INC.**

EXHIBIT B
BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL
Licensed in OR & WA

1815 NW 169TH PLACE, SUITE 2090
BEAVERTON, OR 97006

TELEPHONE: (503) 848-2127
FAX: (503) 848-2179

PROPERTY DESCRIPTION

March 5, 2020
NWS Project No. 2017
Annexation Description

A tract of land located in the southeast one-quarter of Section 3, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being a portion of that property conveyed to Chris Bickford and Sonya Bickford, husband and wife, by deed recorded March 26, 1986 as Document No. 86-012591, Washington County Deed Records, being more particularly described as follows:

Commencing at a an aluminum disk located at the southeast corner of the southeast one-quarter of said Section 3; thence along the south line of said southeast one-quarter, South 89°41'49" West a distance of 20.00 feet to a point on the westerly right-of-way line of County Road No. 557 and the Point of Beginning; thence continuing along the south line of said southeast one-quarter, South 89°41'49" West a distance of 649.21 feet to the southwest corner of said Bickford property; thence along the westerly line of said Bickford property, North 15°34'42" East a distance of 524.01 feet to the northwest corner thereof, said point being on the southerly right-of-way line of SW Clutter Road, 20.00 feet southerly of the centerline thereof, when measured at right angles; thence along said southerly right-of-way line, South 74°37'07" East a distance of 524.68 feet to its intersection with the westerly right-of-way line of that portion of County Road No. 557 being the southerly extension of SW Garden Acres Road (County Road No. 1309), said point being 20.00 feet westerly of the centerline thereof, when measured at right angles; thence along said westerly right-of-way line, South 00°24'33" East a distance of 362.16 feet to the Point of Beginning.

Said described tract of land contains 5.85 acres, more or less.



EXHIBIT B

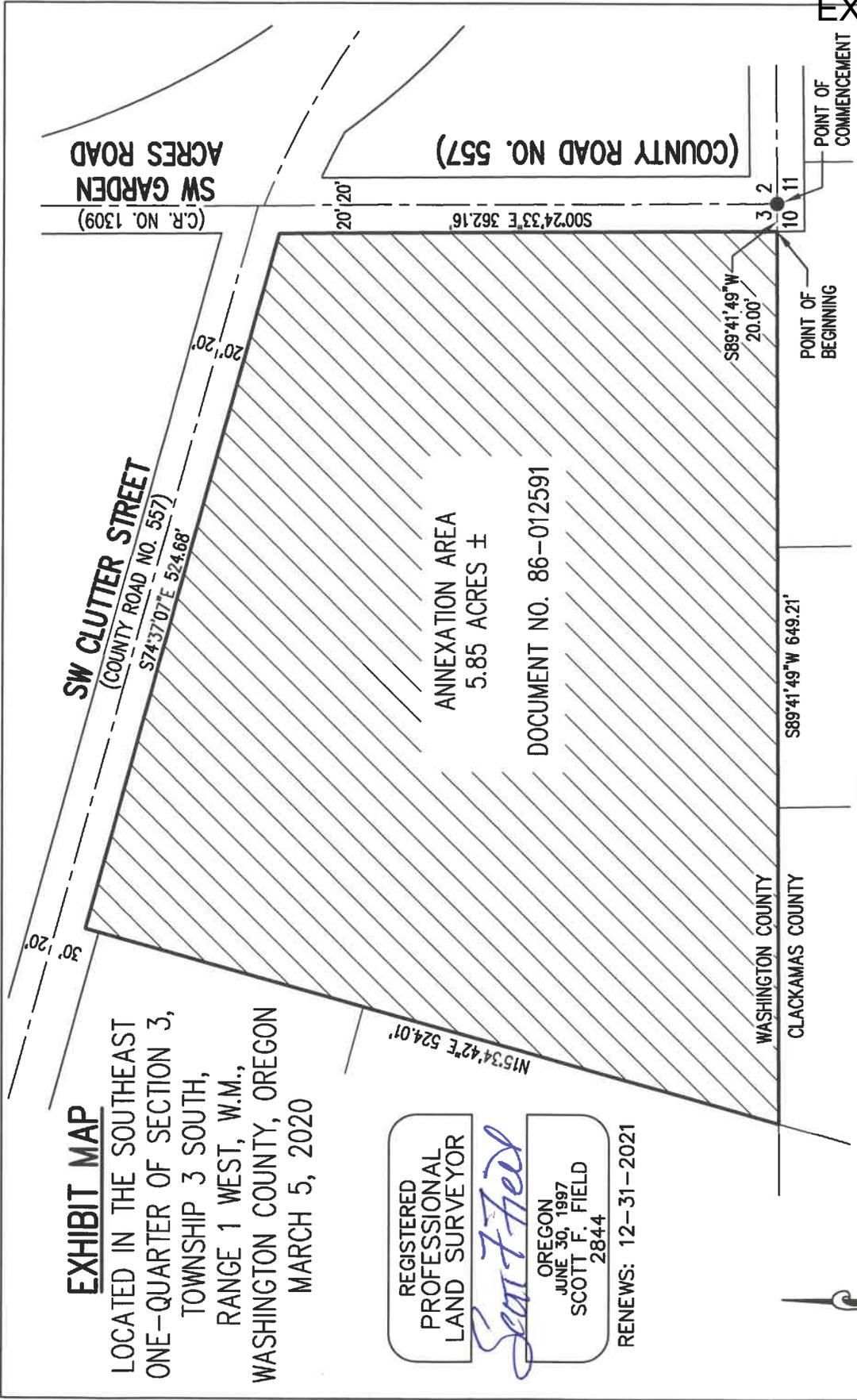


EXHIBIT MAP

LOCATED IN THE SOUTHEAST
 ONE-QUARTER OF SECTION 3,
 TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, W.M.,
 WASHINGTON COUNTY, OREGON
 MARCH 5, 2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Scott F. Field
 OREGON
 JUNE 30, 1997
 SCOTT F. FIELD
 2844

RENEWS: 12-31-2021

ANNEXATION AREA
 5.85 ACRES ±

DOCUMENT NO. 86-012591

GRAPHIC SCALE



(IN FEET)

1 INCH = 100 FT.

JOB NAME:	PANATTONI - CLUTTER
JOB NUMBER:	2026
DRAWING NAME:	2026 DED
DRAWN BY:	SFF
CHECKED BY:	CHS

1815 NW 169TH PLACE
 SUITE 2090
 BEAVERTON, OR 97006
 PHONE: (503) 848-2127
 FAX: (503) 848-2179

NORTHWEST

SURVEYING, Inc.

MAR 29 1988

FORM No. 101 - PLANNING DEPT. (2nd Edition) of Oregon

ISSUED UNDER SUPERVISION OF: PORTLAND, OREGON

1-1-74

TICOR TITLE INSURANCE

WARRANTY DEED

88012591

KNOW ALL MEN BY THESE PRESENTS, That William L. Hamm and Marie E. Hamm, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor pass by Chris Bickford and Sonya Bickford, husband and wife hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantees and granted's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances therunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

The following described real property located in Section 3, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon and described more particularly as follows: Beginning at the Section corner common to Sections 2, 3, 10 and 11, Township 3 South, Range 1 West, of the Willamette Meridian; running thence North 0° 20' West, 356.5 feet to an iron pipe; thence North 74° 31' West, 544.92 feet to an iron pipe; thence South 15° 53' West, 529.42 feet; along the Easterly line of that certain parcel of land conveyed to Max J. Ross, et ux, by deed recorded June 30, 1958 in Book 406, Page 301, and along the

(continued on reverse)

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to hold the same unto the said grantees and granted's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and granted's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPT any and all liens, encumbrances, unpaid real property taxes and any other impediments suffered or caused to be placed thereon by grantees from and after the 26th day of February, 1976. and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 90,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). If the amount is not applicable, should be deleted. See ORS 91.600. In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 27th day of March, 1988. If a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized here to by order of its board or directors.

If executed by a corporation, with corporate seal

William L. Hamm Marie E. Hamm Marie E. Hamm

STATE OF OREGON, County of Clackamas, March 29, 1988

STATE OF OREGON, County of Clackamas, March 29, 1988

Personally appeared the above named William L. Hamm and Marie E. Hamm, husband and wife

Personally appeared who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Notary Public for Oregon My commission expires: 11/10/89

Notary Public for Oregon My commission expires:

(OFFICIAL SEAL)

M/M William L. Hamm 36710 Kropf Road Molalla, Oregon 97038

STATE OF OREGON, County of Clackamas

M/M Chris E. Bickford 10680 SW Clutter Road Sherwood, Oregon, 97140

I certify that the within instrument was received for record on the day of March, 1988, and recorded in book/volume No. 87 page or as document/tae/file instrument/instrument No. of said county. Witness my hand and seal of County aforesaid.

M/M Chris E. Bickford 10680 SW Clutter Road Sherwood, Oregon, 97140

DATE RECEIVED FOR RECORD AND INSTRUMENT'S USE

M/M Chris E. Bickford 10680 SW Clutter Road Sherwood, Oregon, 97140

1-2

(Continued from reverse)

Easterly line of that certain tract of land conveyed to Henschel Clutter, by deed recorded August 22, 1924, in Book 127, Page 584, to an iron pipe; thence North 89° 21' East, 570.61 feet along the South line of said Section 3, to the place of beginning.

This is in fulfillment of that Contract of Sale recorded March 11, 1976, in Book 1073, Page 15, Deed Records of Washington County, Oregon.

STATE OF OREGON
County of Washington

3 00

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Deeds for said county, do hereby certify that the within instrument of setting was received and recorded in Book of records in said county.

Donald W. Mason, Director of Assessment and Taxation, Ex-Officio Recorder

1985 MAR 26 PM 1:02



Ordinance No. 844 Exhibit C
Annexation Findings

Coffee Creek Logistics Center

City Council
Quasi-Judicial Public Hearing

Hearing Date:	September 10, 2020
Date of Report:	August 18, 2020
Application Nos.:	DB20-0017 Annexation

Request/Summary: City Council Approval of a quasi-judicial annexation of approximately 5.85 acres.

Location: 10680 SW Clutter Street. The property is specifically known as Tax Lots 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon

**Owners /
Petitioners:** Chris & Sonya Bickford

Applicant: Brendan Mason, Panattoni Development Company, Inc.

**Applicants’
Representative:** Lee Leighton, AICP, Mackenzie

Comprehensive Plan Designation: Industrial

Zone Map Classification (Current): FD-20 (Future Development – 20 Acre)

Zone Map Classification (Proposed): PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area)

Staff Reviewer: Philip Bradford, Associate Planner

Staff Recommendation: Approve the requested annexation.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
Coffee Creek Master Plan	
<u>Regional and State Law and Planning Documents:</u>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

Vicinity Map



Background / Summary:

The subject area has long been rural / semi-rural adjacent to the growing City of Wilsonville. Metro added the 216 +/- gross acre area now known as the Coffee Creek Industrial Area to the Urban Growth Boundary in 2002 to accommodate future industrial growth. To guide development of the area, the City of Wilsonville adopted the Coffee Creek Industrial Master Plan in 2007. In 2018, the City adopted the Coffee Creek Industrial Area Form-based Code and accompanying Pattern Book for future development in Coffee Creek. Annexation of the 5.85-acre subject area will enable development consistent with the Coffee Creek Master Plan.

All property owners have consented in writing to the annexation. No electors reside within the area proposed for annexation.

Conclusion and Conditions of Approval:

Staff recommends the City Council annex the subject property with the following condition:

Request: DB20-0017 Annexation

<p>PDA 1. The annexation ordinance will expire in 120 days without approval of a Stage II Final Plan for the subject property.</p>

Findings of Fact:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. Panattoni Development Company, Inc. initiated the application with their approval.

Request A: DB20-0017 Annexation

Comprehensive Plan

Allowed Annexation Implementation Measure 2.2.1.a.

A1. The land proposed for annexation is located within the UGB and within the Coffee Creek Master Plan area. This area has been identified for industrial development and the applicant proposes to construct public services including roadway improvements, necessary infrastructure, and utility services to the site in accordance with City of Wilsonville standards.

Annexation Review Standards Implementation Measure 2.2.1.e.

A2. Metro and the City of Wilsonville have identified the Coffee Creek area for industrial and employment land uses. The City has undertaken years of planning work to adopt zoning and other regulations to guide and direct such annexation, development, and land use. The applicant responds to applicable approval standards, guidelines, and criteria to demonstrate that the proposal is consistent with all the applicable Metro and State policies, plans, and regulations. The project will be developed with public facilities and services as identified in the City's Capital Improvement Plan, and which are adequate to serve the site. The project type and use matches the goals and objectives of the city within the Coffee Creek Industrial Area.

Development Code

Authority to Review Annexation

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, and 4.033 (.01) F.

- A3.** The subject annexation request has been determined to be quasi-judicial and is being reviewed by the City Council consistent with these subsections.

Annexation

Section 4.700

- A4.** The applicant has met all submittal requirements and procedures described in this including submission of a petition, legal descriptions describing the land to be annexed, an analysis of the relationship with the Comprehensive Plan, state statutes, Statewide Planning Goals, and Metro plans.

Annexations in the Coffee Creek Industrial Design Overlay District

Subsection 4.700 (.02) A.

- A5.** The subject property is located within the Coffee Creek Industrial Design Overlay District and the applicant requests an annexation concurrently with a quasi-judicial Zone Map Amendment consistent with the requirements of Subsection 4.197 (.02) A. The annexation will be reviewed by City Council without prior review or recommendation by the Development Review Board. The ordinance adopting the annexation request states that the annexation expires 120 days after adoption unless a Stage II Final Plan receives final approval for the area subject to annexation. A Public Hearing is currently scheduled for September 28, 2020 for the Stage II Final Plan to be reviewed by the Development Review Board.

Metro Code

Local Government Boundary Changes

Chapter 3.09

- A6.** A public hearing was scheduled within 45 days of completeness. Notice has been mailed and posted on the property 20 days prior to the hearing and includes the required information. The decision will be mailed to Metro and other required parties. A petition has been submitted including property owner information, jurisdictional information, and a legal description of the property.

Oregon Revised Statutes

Authority and Procedure for Annexation

ORS 222.111

- A7.** The owners of the property have initiated the annexation. An election is not required pursuant to ORS 222.120.

Procedure Without Election by City Electors

ORS 222.120

A8. The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and request meets the applicable requirements in state statute including the facts that all property owners within the annexed area consent in writing to the annexation. No electors reside within the territory proposed to be annexed. Annexation of the subject property thus does not require an election.

Annexation by Consent of All Owners of Land and Majority of Electors

ORS 222.125

A9. All property owners of territory proposed to be annexed have provided their consent in writing. No electors reside within the territory proposed to be annexed. However, a public hearing process is being followed as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

Oregon Statewide Planning Goals

Goals 1, 2, 5, 6, 8, 9, 11, 12, 13

A10. The area requested to be annexed will be developed consistent with the City's Comprehensive Plan and the Coffee Creek Master Plan, both which have been found to meet the statewide planning goals.

ORDINANCE NO. 845

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT, 20-ACRE (FD-20) ZONE TO THE PLANNED DEVELOPMENT INDUSTRIAL – REGIONALLY SIGNIFICANT INDUSTRIAL AREA (PDI-RSIA) ZONE ON APPROXIMATELY 5.85 ACRES ON THE SOUTH SIDE OF SW CLUTTER STREET JUST WEST OF SW GARDEN ACRES ROAD; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 2100, SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. PANATTONI DEVELOPMENT COMPANY, INC., APPLICANT.

WHEREAS, certain real property within the Coffee Creek Industrial Area is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the property zoned consistent with the Wilsonville Comprehensive Plan Map designation of “Industrial” and the Metro Title 4 Map Designation of Regionally Significant Industrial Area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the property is located within the Coffee Creek Industrial Area for which the City adopted the Coffee Creek Master Plan on October 17, 2016 and the Coffee Creek Industrial Design Overlay District on February 22, 2018 intended for application to the Master Plan area; and

WHEREAS, pursuant to Section 4.197 of the Development Code the City Council shall review quasi-judicial Zone Map Amendments in the Coffee Creek Industrial Design Overlay District without prior review or recommendation by the Development Review Board where only one option exists for a Zone Map Amendment consistent with the Comprehensive Plan Map; and

WHEREAS, pursuant to Section 4.197 of the Development Code this Zone Map Amendment ordinance expires 120 days from its effective date unless a Stage II Final Plan for the subject area is approved by the City; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for City Council, finding that the application met the

requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, included as Exhibit B; and

WHEREAS, on September 10, 2020, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record, including the City Council staff report; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB20-0018, attached hereto as Exhibit A, from the Washington County Future Development, 20-Acre (FD-20) Zone to the Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) zone.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 10th day of September 2020, and scheduled the second reading on the 21st day of September, 2020 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 21st day of September, 2020 by the following votes:

Yes: ____ No: ____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 21st day of September, 2020.

TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Exhibits:

- A. Zoning Order DB20-0018 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings

**BEFORE THE CITY COUNCIL OF
THE CITY OF WILSONVILLE,
OREGON**

In the Matter of the Application of)
Panattoni Development Company, Inc.)
for a Rezoning of Land and Amendment) **ZONING ORDER DB20-0018**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB20-0018, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Washington County zoning map Future Development, 20-Acre (FD-20).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 5.85 acres on the south side of SW Clutter Street just west of SW Garden Acres Road comprising Tax Lots 2100, of Section 3D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order. This Zone Map Amendment expires 120 days from adoption unless a Stage II Final Plan for the subject area is approved by the City.

Dated: This 21st day of
September, 2020.

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

Barbara A. Jacobson, City Attorney

EXHIBIT A

ATTEST:

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

**NORTHWEST
SURVEYING, INC.**

EXHIBIT A
BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL
Licensed in OR & WA

1815 NW 169TH PLACE, SUITE 2090
BEAVERTON, OR 97006

TELEPHONE: (503) 848-2127
FAX: (503) 848-2179

PROPERTY DESCRIPTION

March 5, 2020
NWS Project No. 2017
Annexation Description

A tract of land located in the southeast one-quarter of Section 3, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being a portion of that property conveyed to Chris Bickford and Sonya Bickford, husband and wife, by deed recorded March 26, 1986 as Document No. 86-012591, Washington County Deed Records, being more particularly described as follows:

Commencing at a an aluminum disk located at the southeast corner of the southeast one-quarter of said Section 3; thence along the south line of said southeast one-quarter, South 89°41'49" West a distance of 20.00 feet to a point on the westerly right-of-way line of County Road No. 557 and the Point of Beginning; thence continuing along the south line of said southeast one-quarter, South 89°41'49" West a distance of 649.21 feet to the southwest corner of said Bickford property; thence along the westerly line of said Bickford property, North 15°34'42" East a distance of 524.01 feet to the northwest corner thereof, said point being on the southerly right-of-way line of SW Clutter Road, 20.00 feet southerly of the centerline thereof, when measured at right angles; thence along said southerly right-of-way line, South 74°37'07" East a distance of 524.68 feet to its intersection with the westerly right-of-way line of that portion of County Road No. 557 being the southerly extension of SW Garden Acres Road (County Road No. 1309), said point being 20.00 feet westerly of the centerline thereof, when measured at right angles; thence along said westerly right-of-way line, South 00°24'33" East a distance of 362.16 feet to the Point of Beginning.

Said described tract of land contains 5.85 acres, more or less.



EXHIBIT A

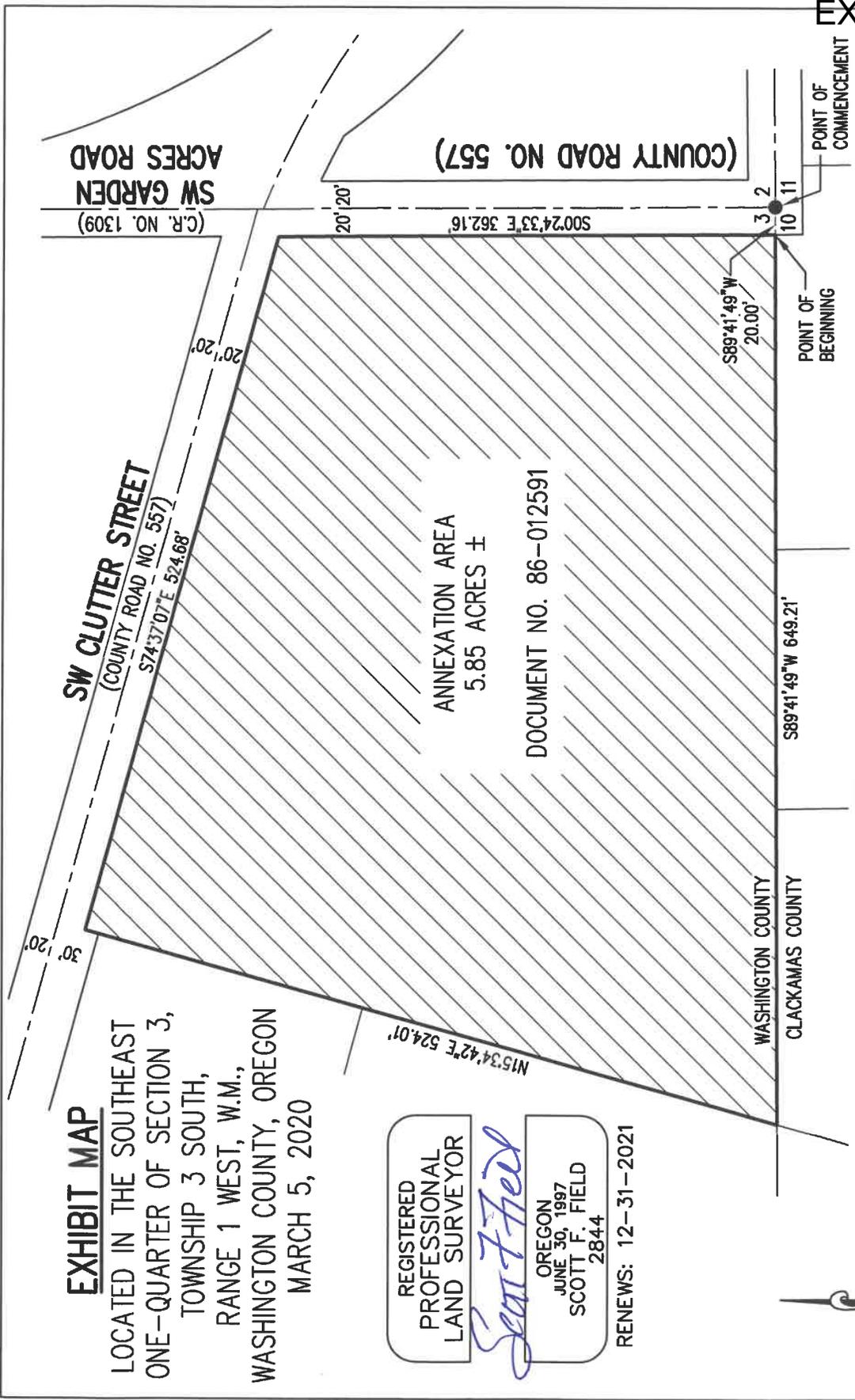


EXHIBIT MAP

LOCATED IN THE SOUTHEAST
 ONE-QUARTER OF SECTION 3,
 TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, W.M.,
 WASHINGTON COUNTY, OREGON
 MARCH 5, 2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Scott F. Field
 OREGON
 JUNE 30, 1997
 SCOTT F. FIELD
 2844

RENEWS: 12-31-2021

ANNEXATION AREA
 5.85 ACRES ±

DOCUMENT NO. 86-012591

GRAPHIC SCALE



(IN FEET)

1 INCH = 100 FT.

JOB NAME:	PANATTONI - CLUTTER
JOB NUMBER:	2026
DRAWING NAME:	2026 DED
DRAWN BY:	SFF
CHECKED BY:	CHS

1815 NW 169TH PLACE
 SUITE 2090
 BEAVERTON, OR 97006
 PHONE: (503) 848-2127
 FAX: (503) 848-2179

NORTHWEST

SURVEYING, Inc.

EXHIBIT B



Ordinance No. 845 Exhibit B
Zone Map Amendment Findings

Coffee Creek Logistics Center

City Council
Quasi-Judicial Public Hearing

Hearing Date:	September 10, 2020
Date of Report:	August 18, 2020
Application Nos.:	DB20-0018 Zone Map Amendment

Request/Summary: City Council Approval of a quasi-judicial zone map amendment of approximately 5.85 acres.

Location: 10680 SW Clutter Street. The property is specifically known as Tax Lots 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon

Owner: Chris & Sonya Bickford

Applicant: Brendan Mason, Panattoni Development Company, Inc.

Applicants' Representative: Lee Leighton, AICP, Mackenzie

Comprehensive Plan Designation: Industrial

Zone Map Classification (Current): FD-20 (Future Development – 20 Acre)

Zone Map Classification (Proposed): PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area)

Staff Reviewer: Philip Bradford, Associate Planner

Staff Recommendation: Adopt the requested Zone Map Amendment.

EXHIBIT B

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.110	Zones
Section 4.134	Coffee Creek Industrial Design Overlay District
Section 4.135.5	Planned Development Industrial – Regionally Significant Industrial Area Zone
Section 4.197	Zone Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
Coffee Creek Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Statewide Planning Goals	

Vicinity Map



EXHIBIT B

Summary:

The applicant, Panattoni Development Company, Inc., requests a zoning designation consistent with the proposed Comprehensive Plan Map designation of "Industrial". In addition to the Comprehensive Plan Map designation of "Industrial", Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area." Consistent with this designation the applicant proposes the property be zoned as Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA).

Conclusion and Conditions of Approval:

Staff recommends approval with the following conditions:

Request: DB20-0018 Zone Map Amendment

PDB 1.	This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB20-0017).
PDB 2.	The Zoning Order adopting this zone map amendment will expire in 120 days without approval of a Stage II Final Plan for the subject property.

EXHIBIT B

Findings of Fact:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The owners of all property included in the application signed the application forms. Panattoni Development Company, Inc. initiated the application with their approval.

Request: DB20-0018 Zone Map Amendment

Development Code

Zoning Consistent with Comprehensive Plan

Section 4.029

B1. The applicant is applying for a zone change concurrently with a Stage I Master Plan for the entirety of the subject property and Stage II Final Plan for a planned development on the property. The property is designated "Industrial" by the Comprehensive The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Planned Development- Regionally Significant Industrial Area is consistent with the Comprehensive Plan "Industrial" Designation. Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area."

Base Zones

Subsection 4.110 (.01)

B2. The requested zoning designation of Planned Development Industrial-Regionally Significant Industrial Area "PDI-RSIA" is among the base zones identified in this subsection.

Overlay Zones

Subsection 4.110 (.02)

B3. The Coffee Creek Industrial Design Overlay District applies to properties zoned PDI-RSIA in the Coffee Creek Industrial Area and will apply to the subject property upon rezoning.

EXHIBIT B

Standards for Planned Development Industrial-Regionally Significant Industrial Area Zone

Purpose of PDI-RSIA
Subsection 4.135.5 (.01)

B4. The zoning will allow only industrial uses consistent with the purpose stated in this subsection.

Uses Typically Permitted
Subsection 4.135.5 (.03)

B5. The proposed zoning will allow only uses consistent with the list established in this subsection.

Zone Map Amendment Criteria

Zone Change Procedures
Subsection 4.197 (.02) A. 1.-3.

B6. The request for a zone map amendment has been submitted as set forth in the applicable code sections. The property is located within the Coffee Creek Industrial Design Overlay district and will be reviewed by City Council without prior review or recommendation by the Development Review Board. The Zoning Order adopting this zone map amendment will expire in 120 days without approval of the Stage II Final Plan. Expiration is not anticipated as a public hearing is scheduled for September 28, 2020 before the Development Review Board to approve the Stage II final plan and other development related approvals.

Conformance with Comprehensive Plan Map, etc.
Subsection 4.197 (.02) B.

B7. The proposed zone map amendment is consistent with the Comprehensive Map designation of "Industrial".

Public Facility Concurrency
Subsection 4.197 (.02) C. 4. and 8.

B8. As part of Stage II Final Plan reviews, concurrency standards are or will be applied to projects in the area being rezoned. Based on existing nearby utilities and utility master plans, the transportation master plan, and the Coffee Creek Master Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning.

Impact on SROZ Areas
Subsection 4.197 (.02) E.

B9. No SROZ is within the area to be rezoned.

EXHIBIT B

Development within 2 Years

Subsection 4.197 (.02) F.

- B10.** Concurrently submitted land use approvals for Coffee Creek Logistics Center expire after two (2) years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years, allowing related land use approvals to expire, the zone change shall remain in effect. The applicant indicates they will begin development within two (2) years.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) G.

- B11.** As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.

**Ordinance No. 844:
Annexation
Ordinance No. 845:
Zone Map Amendment
Coffee Creek
Logistics Center**

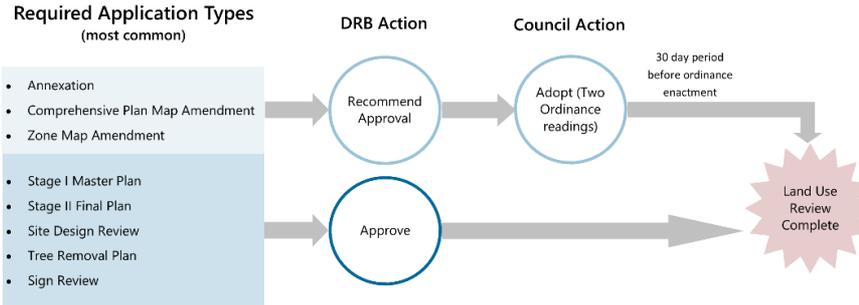
City Council Public Hearing
September 10, 2020
Presented by: Philip Bradford,
Associate Planner



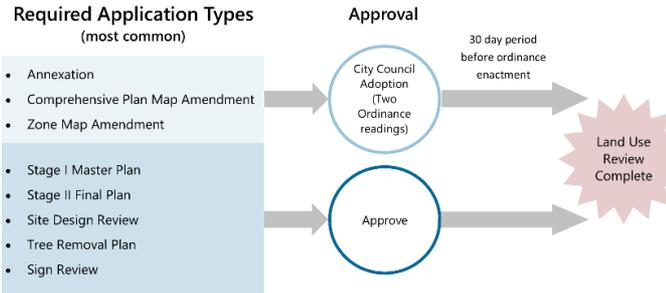


Coffee Creek Industrial Design Overlay Design Process

CURRENT DEVELOPMENT REVIEW PROCESS: PLANNED DEVELOPMENT PROCESS



PROPOSED DEVELOPMENT REVIEW PROCESS: COFFEE CREEK INDUSTRIAL DESIGN OVERLAY DISTRICT



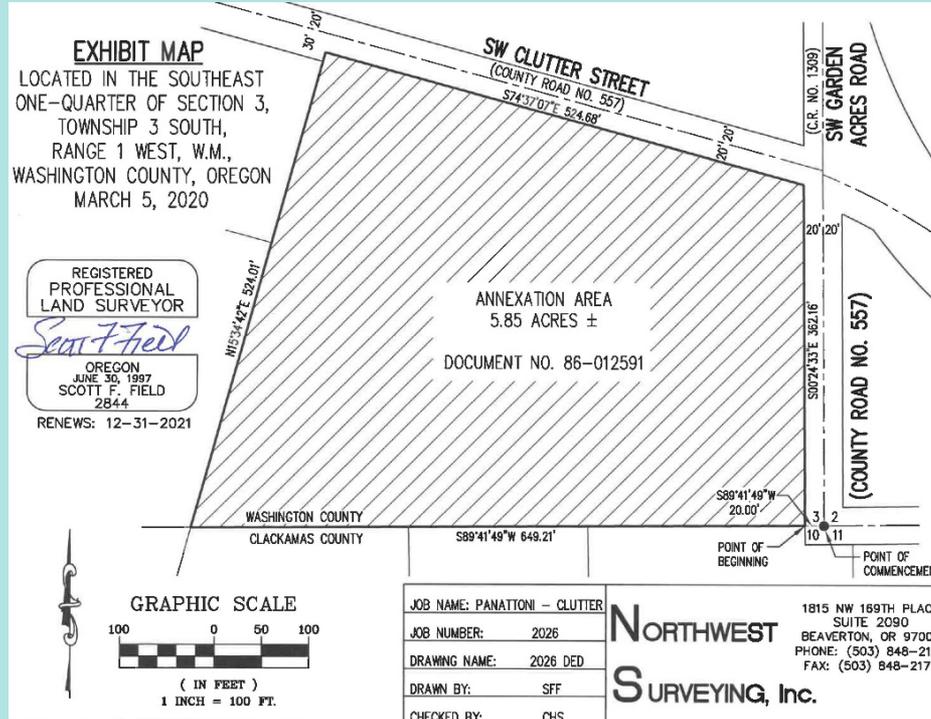


Location





Annexation



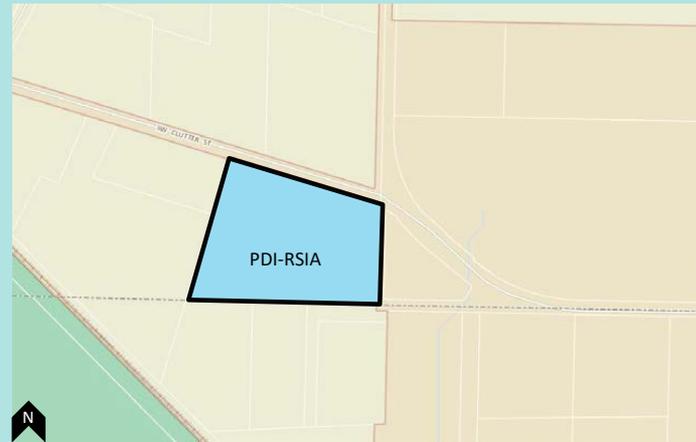


Zone Map Amendment

Existing Zoning



Proposed Zoning





Applications for DRB Approval

- Stage I Master Plan
- Stage II Final Plan
- Site Design Review
- Type C Tree Removal Plan
- 5 Waivers
- Class 3 Sign Permit



Questions?

