

PROCLAMATION

NATIONAL READ ACROSS AMERICA DAY 2008

MARCH 3, 2008

WHEREAS, the citizens of the City of Woodburn stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

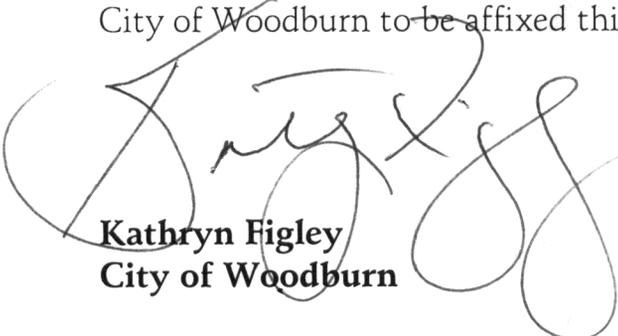
WHEREAS, the Woodburn Public Library has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well being and long-term quality of life; and

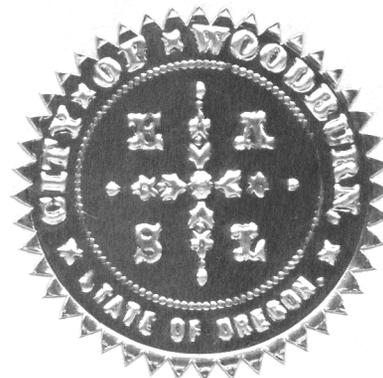
WHEREAS, National Endowment for the Art's "**Read Across America**" initiative, a national celebration of Dr. Seuss's 104th birthday on March 3, 2008, promotes reading and adult involvement in the education of our community's students;

NOW, THEREFORE, be it proclaimed by the City of Woodburn that March 3, 2008 is National Read Across America Day, and, as Mayor, I call upon the citizens of Woodburn to ensure that every child is in a safe place reading together with a caring adult on March 3, 2008;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses National Endowment for the Art's "**Read Across America**" initiative and invites our community's families to engage in programs and activities at the Woodburn Public Library on Saturday, March 1st, in celebration of this important literacy event.

IN WITNESS WHEREOF, I hereunto set my hand and caused the seal of the City of Woodburn to be affixed this 25th day of February 2008.


Kathryn Figley
 City of Woodburn



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0001 **DATE. COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN,
COUNTY OF MARION, STATE OF OREGON, FEBRUARY 11, 2008.**

CONVENED. The meeting convened at 7:00 p.m. with Mayor Figley presiding.

0015 **ROLL CALL.**

Mayor	Figley	Present
Councilor	Bjelland	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Nichols	Present
Councilor	Sifuentez	Present

Staff Present: City Administrator Brown, City Attorney Shields, Asst. City Administrator Stevens, Public Works Director Brown, Community Development Director Allen, Police Chief Russell, Finance Director Gillespie, Public Works Manager Rohman, Recorder Tennant

Mayor Figley stated that the Mayor and Council are now using computers to access their agenda materials in an effort to reduce the amount of paper used to generate the agenda packet and, with this being the first meeting the computers are in use, she requested that the public be patient with them in the event some time is necessary during the meeting for staff assistance.

0035 **ANNOUNCEMENTS.**

A) Office Closures: City offices and the Library will be closed on Monday, February 18, 2008, in observance of the President's Day holiday.

B) City Council Public Workshop regarding proposed changes to the animal control ordinance will be held on Tuesday, February 19, 2008, 7:00 pm., in the City Hall Council Chambers and interested residents are encouraged to attend.

C) Public Hearings before the City Council will be held on February 25, 2008, 7:00 p.m, City Hall Council Chambers, regarding the proposed final assessments of the West Lincoln Street and Country Club Road local improvement districts.

0075 **APPOINTMENT: BUDGET COMMITTEE.**

Mayor Figley appointed Eric Swenson to serve on the Budget Committee, Position I, with a term expiration date of 12/31/2010.

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COX/MCCALLUM... approve the appointment of Eric Swenson to the Budget Committee. The motion passed unanimously.

0095 PROCLAMATION: WOODBURN TULIP FESTIVAL, MARCH 20 THROUGH APRIL 20, 2008.

Mayor Figley read a proclamation declaring March 20 through April 20, 2008 as Woodburn Tulip Festival Month and encouraged local citizens and Oregonians to participate and support this event which promotes Woodburn throughout the country.

0137 CHAMBER OF COMMERCE REPORT.

Don Judson, Interim Executive Director, provided information on the following upcoming Chamber events :

1) Chamber Forum will be held on February 20, 2008, 12:00 noon, at Country Meadows with ODOT Regional Director Tim Potter as guest speaker who will be addressing state highway transportation issues relating to the Highway 99E and the I-5 interchange improvements.

2) Annual Distinguished Service Award Banquet will be held on March 14, 2008 and he encouraged the public to submit their nominations of individuals deserving of an award for Senior First Citizen, Junior First Citizen, Service Club Member of the Year, or Special Award for Service.

Mr. Judson thanked City Administrator Brown for working with him over the last few months to keep the Chamber afloat and get it into a better financial situation.

0206 WOODBURN SCHOOL DISTRICT REPORT.

Anthony Veliz, School District Parent and Community Outreach Program representative, stated that the District is currently in their 10-year Strategic Planning Review Process which sets direction for schools for the next seven to ten years. On February 26, 2008, the second Community Forum will be held which is an opportunity for Superintendent Walt Blomberg to provide an overview on the "State of the School District" and on the status of a proposed facilities bond issue to be placed on the November ballot. The second half of the meeting is an opportunity for community members to have a question & answer period with interpreters available in Russian and Spanish and a questionnaire will also be made available in all three languages for those individuals who do not like to speak in public. The Forum will be held at the Woodburn High School Lectorium beginning at 7:00 p.m..

0279 LETTER FROM MARION COUNTY SHERIFF'S OFFICE.

An invitation was extended to the Council to participate in the process to address the use of Deadly Physical Force by law enforcement personnel during their performance of their duties as required under Oregon Senate Bill 111 adopted by the legislature in 2007. The

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Planning Authority will be conducting meetings to develop a plan that will work for Marion County and serve the expectation of Marion County citizens. Once the plan is developed, the City Council is requested to review and approve the plan.

300 CONSENT AGENDA.

- A)** approve the City Council minutes of January 28, 2008;
- B)** approve the City Council workshop minutes of January 28, 2008;
- C)** receive the Building Activity report for January 2008;
- D)** receive the Planning Project Tracking Sheet report dated February 5, 2008;
- E)** receive the Claims report for January 2008;
- F)** receive the Wastewater Facility Planning update report; and
- G)** receive the proposed Natural Gas Pipelines status report.

Mayor Figley stated that she had a telephone message from a Palomar project representative who has offered to brief the Mayor, Council and staff on their project. She stated that she had let the representative know that she was interested in a meeting and would be contacting her within the next few days to set up a meeting date and time. Mayor Figley requested that any Councilor interested in attending this meeting let her know within the next couple of days so that a meeting can be scheduled. She stated that this is the gas line company which is still talking about bisecting the southerly portion of the urban growth boundary expansion area.

Councilor Bjelland stated that in the Council workshop minutes of January 28, 2008, page 2 regarding his comment about calculating maximum occupancy of habitable space, he did not recall putting in the age 18 or older in his statement.

COX/NICHOLS... adopt the Consent Agenda as presented with correction to the minutes of the January 28, 2008 workshop as mentioned by Councilor Bjelland. The motion passed unanimously.

0405 PUBLIC HEARING: 2007-08 SUPPLEMENTAL BUDGET.

Mayor Figley declared the public hearing open at 7:16 pm.

Finance Director Gillespie stated that the supplemental budget had been presented to the Budget Committee at their January 25, 2008 workshop. The staff report in the agenda packet summarized the material submitted to the Budget Committee and he did not have any additional information to share with the Council on the proposed budget.

No one in the audience spoke either for or against the proposed supplemental budget.

Mayor Figley declared the public hearing closed 7:17 p.m.

LONERGAN/NICHOLS....direct staff to prepare an ordinance on the supplemental budget for Council consideration. The motion passed unanimously.

A few minutes was taken between these two agenda items to provide Council with computer assistance.

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0623 PUBLIC HEARING: TRAFFIC IMPACT FEES.

Mayor Figley declared the public hearing open at 7:23 pm.

Public Works Manager Rohman stated that a short presentation will be made prior to taking public testimony on the proposed updates to the traffic impact fee methodology. He stated that the City did receive a letter from Capital Development Company prior to the date of this hearing which has been submitted to the City Recorder for entering into the Council record.

John Ghilarducci, FSC Group Consultant, stated that his presentation would provide background information, key policy recommendations, key assumptions reflected in the numbers, summarization of calculations that have resulted in the proposed charges, and a table of comparable transportation system development charges from selected communities within the state.

Mr. Ghilarducci stated that the purpose of the study is to update existing transportation system development charges (SDC) and to develop an interchange development charge (IDC) to separately recover eligible city-share costs related to the costs of the interchange. He stated that SDC law is covered under Oregon State Statute and are (1) one time charges and not on-going charges, (2) for capital projects only and calculated on cost of capital projects, (3) properties assessed SDC's are new development or re-development of property adding demand on the system, (4) SDC's include future a component based on cost of planned capital projects and an existing cost component based on unused capacity in the City's existing system, and (5) SDC's are for general facilities not local facilities. The fee components involve the reimbursement fee (existing cost component) and the improvement fee (future cost component) to total the system development charge which will then equal a per-unit of capacity. The SDC fee being proposed is predominately the improvement fee based on planned capital projects. He stated that the existing Transportation SDC is based on average daily trip and a policy recommendation, which is reflected in the proposed charges, is to change the charge basis from average daily trip to peak-hour trip. Other policy recommendations include (1) growth-related planned costs for alternate modes of transportation such as bicycle, pedestrian, and transit facilities with these costs being very small portions of these alternate modes; (2) trip estimates adjusted for retail land uses to deduct for pass-by trips so that commercial customers are not charged for interim trip on their way from home to work or vice-versa; (3) SDC's be indexed to annual cost escalation due to inflation; (4) provide SDC credits as required under state law and, in the case of developers constructing improvements on the SDC project list and over sizing those improvements, those credits be limited to the amount of the improvement fee and those credits earned could be redeemed for cash but only for cash earned from SDC's paid from subsequent building on that development site; and (5) an additional SDC be adopted to apply only in

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the Interchange Management Overlay District (IDC). Key technical assumptions reflected in the proposed charges are (1) planned projects from the 2005 Transportation Plan and 2007 TIF project list will provide system capacity to the year 2020; (2) identified anticipated developer responsibility for each project which have been taken out of the SDC charge basis; (3) a 49% deduction in traffic volume has been taken into account since this amount originates and ends outside of the City limits; and (4) in looking at the IDC, eligible interchange costs were split 50/50 between Citywide SDC and IDC. He reviewed the calculations used to derive at the proposed SDC peak-hour trip rate of \$3,466 per peak-hour trip that would be applied to all types of land uses. He then reviewed the calculations on the proposed IDC rate of \$1,108 per peak-hour trip that would be applied to properties within the Interchange Management Overlay District in addition to the SDC charge. Lastly, he provided a SDC comparison survey of system development charges in the area and along the I-5 corridor and do not include the proposed interchange development charge.

- 1069 Will Denecke, representing OPUS, stated that he had just recently received the proposed system development charge methodology and questioned if OPUS is allowed 1,250 peak-hour trips for the entire parcel in the proposed IDC for the industrial park, what would be the total IDC that would be paid by OPUS for its development. He stated that he was trying to understand what the total fee is for this parcel of land and whether or not it generates the \$2.7 million referred to in the report or some dollar amount in excess of this figure.

Councilor Cox also questioned if a development is built in phases when would the IDC and SDC fees become payable.

Mr. Ghilarducci stated that the fees become payable when the building permits are pulled.

Mel Counts, Woodburn area Realtor, stated that the fee is a form of tax and questioned how that fee would affect clients and realtors. Additionally, he questioned why the City's fee is near the top of the comparison survey and if traffic volume is the reason for the fee adjustment.

- 1285 John Donaldson, Capital Development Company, stated that his company has been working since the 1990's on the Woodburn Town Center project located south of Wal-Mart. They are now down to working on the development of their general commercial area but they have been having a great deal of difficulty in attempting to attract some quality tenants. One of the major issues that has been a stumbling block is the system development charges that currently exist and they were planning on meeting with the City on this very issue. They have been working with national tenants with one potential client stating that the SDC's were more than what they were willing to pay for ground in a setting similar to what would be available at the Woodburn site. He encouraged the Council not to take action at this time and allow the property owners to meet with staff and the City's consultant to see if there is a more equitable way to spread the charges. He also mentioned that his company has installed more than a \$1 million worth of

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infrastructure beyond what was required for their site in oversized roads, storm drain lines, and sanitary sewer lines which were designed to go to property to the south of their land. They feel that they have paid their share as it relates to growth paying for itself. On another issue, he understood that there is a state statute that does not require the City to notify property owners about these kinds of charges but he feels that the City has a morale obligation to notify anybody who is going to be impacted by the kind of dollars that is being proposed with the change in methodology.

George Wilhelm, Wilhelm Engineering representing Capital Development, expressed his opinion that the study is clear and concise and attempts to equitably apportion \$18,900,000 of proposed project costs. However, the IDC applies to selected undeveloped properties near the I-5 interchange. He stated that the study intends to fund 50% of the City's cost of the interchange improvement and 100% of the City's share of the interchange development is allocated to growth. It is his belief that in peak hour the existing interchange is well below an average rating and that a significant portion of the cost should be allocated to existing development to bring the interchange up to at least an average rating during peak hours. Also, existing development in the area of the interchange will significantly benefit from the improved capacity of the interchange. Therefore, 50% of the City's costs of the proposed interchange should be paid by other revenues to spread the cost to existing properties with 25% to be allocated to the SDC's and 25% to IDC's. According to Capital Development, one of the biggest hurdles they face in marketing their commercial property is the cost of development and, in particular, the SDC costs. The proposed study requires selected properties in the Interchange Management Area to pay for \$11,435,000 of the total \$18,836,000 which is proposed to be recovered by SDC and IDC which is 61% of the cost, excluding the improvement fee fund balance, of the total projects that are SDC eligible throughout City. The study indicates that the Interchange Management Area is required to pay not only the 50% of the City's cost of the interchange improvement but they are also required to pay an additional \$8,685,000 of the other improvement projects in the City. He also questioned the estimated costs of projects used within the study that are in close proximity of the Town Center project because he has recent knowledge of construction costs in that area. For example, in 2006, Capital Development paid \$1,050,000 for infrastructure costs to extend Evergreen Road by 1,850 lineal feet. However, there is less than 1,000 ft yet to be constructed to connect Evergreen Rd to Parr Rd and the study's estimated cost for this transportation improvement is \$4,878,000. He would expect the cost to have increased since 2006 but feels that the estimates are either too high or Capital Development is being asked to pay for infrastructure twice. He reiterated that he had done a cursory review of the proposed study and Capital Development's property is located in the proposed Interchange Management Area. His client is concerned that the proposed rates will significantly reduce the marketability of their property. He feels that Capital Development has some legitimate concerns regarding the proposed rate study and, on behalf of Capital Development, requested that the proposal be tabled until Capital

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Development has had an opportunity to go over the calculation and allocation of the costs with staff.

- 1709 John Bauer, attorney representing a landowner within the IDC, submitted a letter into record and stated that his client did not receive notification but he did obtain a copy of the methodology last Thursday. He is trying to find consultants to assist them with the review of the methodology and requested an additional 90 days to complete their review of the study. He stated that his client owns 13 acres which is 2% of the entire IMA and the potential cost is to his client is \$500,000 of the \$2.75 million interchange fee. Administrator Brown stated that individual notices had not been sent out to property owners, however, notices were sent to those people on the list who had been asked to be notified when this issue came up which is a requirement of the law. A notice of this hearing was also published in the newspaper which is not a requirement of the law. Mr. Donaldson expressed his opinion that property owners affected by increases of this magnitude should be formally notified so that they can be aware of pending action. Don Judson, Interim Chamber Executive Director, stated that the Chamber Board has not seen this proposal nor to the best of his knowledge, has the Chamber membership seen the proposal so he is not speaking on behalf of the Chamber. However, as a former banker, he does know that the under the peak hour trip cost for a commercial activity, it would be cost prohibitive to build a local bank branch. The cost comparator list shows Woodburn as the third highest along I-5 and these development costs could be a major reason as to why building activity has slowed down. He suggested that he would like to see examples of cost for different types of commercial activity and then be able to discuss this issue with the Chamber Board and membership since this will affect the whole City and not just the property owners in the Interchange Management Area. He expressed his support of any delay to let businesses know the impact of costs. Public Works Manager Rohman stated that the fees are due when a building permit is issued. Within the Interchange Management Area (includes proposed urban growth boundary expansion area), there are 2,500 peak hour trips and the total amount allocated to those 2,500 peak hour trips is \$2,750,000. He estimated that the most peak hour trips to be allocated to OPUS will be about 400 which would equate to an estimated \$430,000 if all were used for general and light industrial development. The proposed fee for single family residential has been in effect for several years and would increase from \$3,286 to \$3,501. In regards to the comment made by Mr. Donaldson on oversized roads, he stated that the roads were built to the standards outlined in the Transportation System Plan for the functional classification of the road. The sewer and storm drain lines may be larger as a result of future development but he would need to check on that issue. In regards to notification requirements, he stated that he has a list of individuals who have asked to be notified of proposed development charge increases and notices were mailed to those individuals 90 days in advance as required under state law. The estimated costs for projects were taken out of the 2005 Transportation System Plan and staff may

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need to look at the costs of the projects mentioned earlier to verify the estimated amount. Mr. Ghilarducci stated that the study forecasts that 53% of the City's growth will be in the interchange management area and the additional burden that is being asked of commercial enterprises in the interchange area is 8% which totals the 61% figure previously mentioned by Mr. Wilhelm. On the SDC comparison survey, the cities of Tigard, Forest Grove, Tualatin, Hillsboro, and Beaverton all fall under the Washington County TIF which was a voted upon system development charge. Washington County is undergoing an extensive review at this time with one of their stated objectives is to more than double their TIF. For example, their existing single family residence SDC would increase from \$3,200 to well over \$6,000.

- 2214 Councilor Sifuentz questioned as to why the property owners in this case were not notified of the proposed rate change while notices are provided to surrounding property owners when a proposed development is being reviewed. Public Works Manager Rohman stated that staff had followed the State's statutory requirements in addition to providing a public notice in the local paper. City Administrator Brown stated that notice requirements are different, for example, a local improvement district requires mailed notification to property owners since Council action would place a lien on a person's property obligating them to pay for an improvement once it is approved by the Council. Councilor Cox also stated that a local improvement district would list a known fixed amount proposed to be assessed to a property but, in this case, the City does not know what development will take place on these properties. The same notice that was published in the newspaper could be sent out to every property owner in the City at a huge expense and would, in many cases, be a useless notice because the SDC's would only apply to undeveloped or underdeveloped properties. For those property owners that would be affected, providing a cost estimate would be very difficult since the SDC amount is dependent upon on the property use.

- 2347 City Administrator Brown stated that the Council did hold a workshop on this issue last November which had been a noticed public meeting followed by an article in the newspaper. He stated that the study totaled those project costs in the City's approved Transportation System Plan that have been deemed necessary in order to support the City's growth over the planning period that ends in 2020. The presumption is that the current facilities are not sufficient to take care of the demand that growth would place on the facilities therefore facilities will either need to be expanded or built. Even if there is no more growth within the community, most people would agree that the current facilities are not sufficient to deal with the traffic flow that currently exists, in particular the interchange. Council options are to establish system development charges to help collect the funds that growth needs to support itself or to place that burden back onto the community. Some contention has been made that fees are driving business away but he reminded the Council that they have established an Economic Development Plan that identifies a certain kind of business that is most appropriate to try and raise the standard

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of living within our community. Over the last 10 years, the City has experienced unprecedented building despite the fees and, if you provide the infrastructure and the land there will be a number businesses who will want to come to Woodburn and not be put off by the proposed fees. In regards to the Interchange Management fee, the City had to enter into an agreement with ODOT to fund the City's share of the interchange improvement which totals \$5.5 million in addition to the \$2.5 million already paid to ODOT from previously collected system development charges. This agreement was necessary in order for the State to approve the City's Transportation System Plan. Without the Transportation System Plan, the urban growth boundary expansion would not be happening and the businesses within the urban growth boundary area would not have the ability to potentially develop their property. Instead of charging future development within the Interchange Management Area 100% of the fees for future improvements, staff felt that a 50% charge would be a more equitable charge with development in the rest of the city pay the remaining 50%. Staff believes that this is a defensible plan and he did not feel that much would be gained by waiting another 90 days before the Council takes this item up again. He appreciated concerns expressed on how they felt they had not been properly noticed but staff has met the notification requirements and, in his opinion, provided a good plan that is well conceived, satisfies the various Council goals, and will not be a hindrance to good quality development in the future.

Will Denecke, representing OPUS, stated that he would generally support the City Administrator's comments, however, a developer does not want to pay anymore than necessary and the Council needs to come up with an equitable formula. The City had spent a lot of time working with ODOT on the Interchange Management Area and this agreement is the first in the State. He felt that asking developers in this area to contribute 50% is equitable. Escalating construction costs is being faced by all developers and amortizing infrastructure costs over time is a big challenge. He questioned if developers in this area would be paying additional system development charges over the interchange development charge and, if so, what would those fees be.

Public Works Manager Rohman stated that for general light industrial the city-wide fee is \$3,397 per 1,000 sq. feet of gross floor area.

2726 John Donaldson stated that he did not have a problem with the housing system development charge but development of commercial property has a different impact and the charges need to be balanced against this market. He expressed his opinion that the properties in the overlay district should have been notified and given a chance to respond since the proposed fees have a greater impact on the development of their property. Councilor Cox stated that several people have asked for more time, therefore, options are to close the public hearing and keep the record open for written comments or to keep the public hearing open. He suggested that the hearing be closed but keep the record open for 30 days to receive written comments.

Councilors McCallum and Sifuentez stated that they would support closing the hearing

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and keeping the record open for written comments.

Mayor Figley felt that there should be sufficient time given allow interested individuals to review the documents utilizing accurate information.

Mr. Wilhelm stated that the interchange management area is a very small area compared to the City and the \$11 million figure he mentioned previously was derived from taking 2500 trips times the \$4,000 figure and felt that the property owners in this area should have an opportunity to meet with staff to go over how the numbers were calculated since he believes that there are some inconsistencies which directly relate to the amount of the charge.

Councilor Bjelland stated that either (1) the hearing can be closed completely, (2) the hearing can be closed hearing and allow written testimony, or (3) continue the hearing until some future date. In his opinion, this is a critical issue that would affect a lot a people within the community and supported continuance of the hearing until some future date since it is important to hear opinions or interpretations after interested property owners have had a chance to discuss it. There may still be differences in opinions between staff and their experts and he would be interested in hearing their interpretations.

He stated that there are issues related to whether or not the total amount of money to be raised by the IDC and SDC is correct and agreed that transportation infrastructure costs has experienced a significant increase. He also felt continuing the hearing until the first meeting in March will give enough time to both staff and interested parties to be aware of this issue, talk to staff, and come back to the Council with sufficient information so that the Council can make a decision on how to deal with the SDC's and IDC's.

City Attorney stated that this is a legislative matter and all of the options discussed by Councilors Cox and Bjelland are open to the Council with no set time line to complete. Councilor Cox stated that if more testimony is received at a future meeting then it may involve more analysis and further postponing a decision. Even though it is acceptable, he would like to see a final decision being made as soon as possible. He also stated that he would be agreeable to the continuation of the hearing.

Following a brief discussion on how to proceed with this issue,

BJELLAND/NICHOLS... continue the public hearing to the first regular meeting in March and allow both oral and written testimony.

Administrator Brown stated that the interchange management area is limited in size and most of which is in the urban growth expansion area. Staff will send out notices to those property owners, run another notice in the local paper, a follow-up newspaper article will by Mr. Gervais will provide additional exposure, and he will discuss with Mr. Judson how the Chamber might be able to assist in getting information out to their membership.

Councilor Bjelland mentioned that the public needs to be aware that unless there are some changes in the total costs of the capital improvements that are going into the calculations for the fees involved, any reduction in one place will generate more fees in another place.

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The motion to continue the hearing passed unanimously.

At 8:45 p.m., Mayor Figley continued the hearing until the first meeting in March 2008.

3392 **PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS.**

A) Community Development Director's Approval of Zoning Adjustment 2007-03 located at 591 Gatch Street (Mid-Valley Community Church).

Zoning adjustment approval was given to authorize joint use parking for a new parking lot that was constructed on the property for the church and school (Arthur Academy) in order to meet the previous land use approval for the parking lot construction which required 65 parking spaces under the Woodburn Development Ordinance.

No action was taken by the Council to bring this land use item up for review.

3412 **CITY ADMINISTRATOR'S REPORT.**

A) Administrator Brown stated that he had been reminded of the annual Relay for Life event and he will be requesting the Mayor and Council for their contributions towards funding a team on the City's behalf.

B) He also stated that he had submitted a resignation letter last week with his last day of employment being March 21, 2008. He has been having some conversation with the Mayor and several Councilors on how to handle the continuity for the coming months. A suggestion had been made to ask Assistant City Administrator Stevens to serve as interim City Administrator but he asked that they not ask her to do it because of her short tenure with the City and she is currently doing personnel work that needs to be addressed at this time. He also discussed the interim position with a couple of department heads and the general consensus is that they will serve if asked but prefer not to because they are concerned about the long-term detrimental effects on their own departments of their not being at the helm in their department. He proposed that a recruitment be done by a professional recruitment firm and ask a recruiter to bring an interim City Administrator to the City while doing the recruitment. He put together a Request For Proposal (RFP) for consulting services which will be ready for distribution by tomorrow and, in this document, he is suggesting a turnaround for their proposals by March 7th so that the Council could potentially review the proposals at their first meeting in March. In the event there is some additional interviewing that needs to be done or a delay in bringing in an interim Administrator, Police Chief Russell is willing to serve as interim Administrator on a very limited basis. Mayor Figley agreed that using a professional recruitment firm is the route to take, however, she and Council President Sifuentez would like to meet with Administrator Brown on Wednesday to discuss options and then discuss this issue with the entire Council either before or after the Council workshop scheduled for February 19th. She requested that the RFP include 3 options – one for a full-time interim, one for a part-time interim, and one with no interim.

Administrator Brown also recommended that the Council follow a similar screening process that he has used in more recent hirings of department heads since he has built this

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process into the RFP so that respondents will give the City a quote for doing that level of work.

It was the consensus of the Council to follow the recommended screening / interviewing process and to call a special meeting for February 19, 2008 at 6:30 p.m..

MCCALLUM/NICHOLS...accept City Administrator's resignation with regret and with thanks for almost 10 years of extremely high quality service. The motion passed unanimously.

3772 MAYOR AND COUNCIL REPORTS.

McCallum stated that over the last week he has had an opportunity to work with IS staff on computer training and, even though there has been a lot to learn, he did get through it.

Additionally, he had visited our Library last week and complimented staff on their excellent service to patrons. He also thanked the Police Department for their quick work on the criminal incident last week. He expressed concern on the amount of time it had taken to develop and adopt a new sign ordinance and he is noticing that the signs are now coming back on Hwy 99E / Mt. Hood Avenue. These signs include sandwich boards and canopies and he requested that a review be done on the sign ordinance to see what can be done reduce or eliminate the these signs.

Councilor Bjelland stated that his reign as Chair of MWACT is nearly over after 3 successive terms but he will continue to serve on the steering committee as the Past Chair of MWACT. Other items of interest to the Woodburn area specifically involve funding for the Park n Ride facility near the I-5 interchange and project work will probably be in conjunction with the redevelopment of Woodburn Crossing shopping center. As reported previously on the ODOT project cost overruns, different regions have been asked to reduce the 2008-2011 STIP funding to address these increased costs. This resulted in a reduction of more than \$20 million to our region in previously funded projects. With only \$11.5 million within our region for modernization , MWACT would receive about \$2,750,000 and, of that amount, at least \$2 million will be allocated to the Woodburn interchange project. Most of the reductions have come from other areas, primarily the Newberg-Dundee bypass project. A little more promising is that MWACT was asked to prepare a list of projects in case the legislature approves some additional financing for transportation projects in Oregon. If funding of up to a potential \$120 million over the 2010-2013 time period is received, MWACT has recommended 3 primary projects to move forward totaling \$99 million with the Woodburn Interchange being one of the projects as well as the widening of Highway 214 from the interchange to Park Street. He also mentioned that within our region which consists of 3 counties, identified project needs for infrastructure improvements total \$1.2 billion and, with the rate of inflation and costs increasing, something has to be done by the State legislature to address transportation financing needs.

Councilor Sifuentz thanked the IS staff for their assistance in training her to use the new computer.

**COUNCIL MEETING MINUTES
FEBRUARY 11, 2008**

**TAPE
READING**

In regards to the sign ordinance, Councilor Cox stated that he has seen somewhat successful efforts to clean-up certain areas but he feels that a more proactive enforcement of the regulations may resolve the sign issues that we are currently experiencing. There may be a need to fine tune the ordinance but additional staff had been authorized a few years ago to assist with the enforcement process but does not see where this has been happening as he had envisioned. He feels that staff members who are responsible for enforcement of the ordinance should be taking more initiative.

Councilor McCallum stated that he had asked staff those questions and was somewhat surprised to find out that what he thought they had adopted was different than what he had envisioned. The ordinance is being enforced as written and did not realize that the people could play games with the number of temporary signs, length of time to be displayed, and location of signs.

City Administrator agreed with Councilor Cox that the enforcement of this ordinance could use some improving and he continues to ask various City departments to help collect signs that are not allowed under the ordinance. However, there is a strong desire to get this problem under control and they have found that there is a problem with the ordinance that needs to be corrected. The City has a right to deal with signs that are placed in the City's and ODOT's rights-of-way but signs are being displayed just outside rights-of-way which include A-frame signs or flag advertising signs. The ordinance does have a provision for temporary sign permits to be issued for 15 consecutive days and it can be 4 times per year. The intention was for seasonal sales but an applicant could get a temporary sign permit for up to four 15-day periods in a row and, if it is done toward the end of the calendar year, an applicant could come in the beginning of the next calendar year and apply for another four 15-day periods. There is also an exclusion in the ordinance that allows for the placement of two signs under a certain size to be displayed at the business as long as they are not in the right-of-way without any sign permit. This seems to be what is happening along Highway 99E and Highway 214.

Community Development Director Allen stated that the Sign Ordinance is on the work program list that was adopted by the council last month and Senior Planner Labossiere has begun work on this issue. The Focus Group and Planning Commission will be reviewing this issue over the next few months and the Council will most likely see proposed changes to the ordinance.

4501 EXECUTIVE SESSION.

Mayor Figley entertained a motion to adjourn into executive session under the authority of ORS 192.660(2)(i).

MCCALLUM/SIFUENTEZ... adjourn into executive session under the statutory authority cited by the Mayor.

City Attorney declared that this executive session is a six month follow-up on his evaluation and he waives his right to an open hearing and, secondly, he is unable to give

**COUNCIL MEETING MINUTES
FEBRUARY 11, 2008**

**TAPE
READING**

the Council legal advice on this executive session issue due to a conflict of interest.
The motion passed unanimously.

The Council adjourned into executive session at 9:15 p.m. and reconvened at 9:59 p.m..

Mayor Figley stated that no decisions were made by the Council while in executive session.

4545 COX/MCCALLUM... approve an amendment to the City Attorney's employment contract to increase base rate compensation by 3% effective January 1, 2008 and the contract also be amended to provide that in lieu of the administrative leave provisions that are in his existing contract be instead an executive leave provision allowing him up to 15 days per year executive leave with a use it or lose it cap of 30 days and it is also understood that this will not change his cycle of the normal annual review period which is August 1st. The motion passed unanimously.

4646 ADJOURNMENT.
BJELLAND/MCCALLUM.... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 10:03 p.m..

APPROVED _____
KATHRYN FIGLEY, MAYOR

ATTEST _____
Mary Tennant, Recorder
City of Woodburn, Oregon

**Executive Session
COUNCIL MEETING MINUTES
February 11, 2008**

DATE. CONFERENCE ROOM, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, FEBRUARY 11, 2008.

CONVENED. The Council met in executive session at 9:22 p.m. with Mayor Figley presiding.

ROLL CALL.

Mayor	Figley	Present
Councilor	Bjelland	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Nichols	Present
Councilor	Sifuentez	Present

Staff Present: City Attorney Shields (9:46 pm - 10:00 pm), City Recorder Tennant

Mayor Figley reminded the Councilors and staff that information discussed in executive session is not to be discussed with the public.

The executive session was called pursuant under the statutory authority of ORS 192.660(2)(i) to review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing.

ADJOURNMENT.

The executive session adjourned at 10:00 p.m..

APPROVED _____

KATHRYN FIGLEY, MAYOR

ATTEST _____

Mary Tennant, Recorder
City of Woodburn, Oregon

Minutes
 Woodburn Recreation and Parks Board
 Tuesday, February 12, 2008
 7:00 p.m.

DRAFT

1. **Call to Order**

With the Chair absent, Rosetta Wangerin, Board Secretary called the meeting to order at 7:00 p.m.

2. **Roll Call**

Board Chair	Bruce Thomas	Absent
Board Secretary	Rosetta Wangerin	Present
Member	Vacant	Vacant
Member	Joseph Nicoletti	Present
Member	Judy Wesemann	Absent
Member	Eric Morris	Present
Member	Charlene Williams	Present

Staff present: Jim Row, Community Services Director; Debbie Wadleigh, Aquatic and Facilities Manager; Stu Spence, Recreation Services Manager; Paulette Zastoupil, A.A.

3. **Approval of Minutes from November 13, 2007.**

Approval of Minutes from Workshop January 8, 2008.

Joseph Nicoletti/Charlene Williams - Motion to accept the minutes as written. The motion passed unanimously.

4. **Business from the Audience**

None

5. **Introduction of Stu Spence, Recreation Services Manager**

Jim Row introduced Stu Spence, Recreation Services Manager. Jim stated that Stu has a significant amount of experience in the field, specifically with youth, and has already been out in the community forging partnerships to enhance the program. Jim also took the opportunity to introduce Eric Morris and Charlene Williams, new members on the Park and Recreation Board.

6. **Mill Creek Greenway Project**

Jim reported that the design team had staked and flagged the project area. They are staking out a preliminary rough alignment and delineating the wetlands. Once the design team determines the impact the project will have on the wetlands, permits will be requested from the Department of State Lands and the Army Corp of Engineers. The State grant we received last year requires that substantial work begin on the ground within the first year. To meet this requirement, we will most likely replace the playground in Hermanson Park I this spring and begin trail construction in 2009.

7. **Playground Restoration Projects**

Jim reported that Burlingham Park replacement project is in the planning stages. We will replace all but the newer structure in the middle of the play area. He explained that Woodburn Academy of International Studies High School will likely commit

their 300 students to help with the volunteer playground build in May. Questions were raised regarding the process for neighborhood and community involvement, and Jim assured the Board that the same process would take place for each of the playground replacement projects.

8. **Park and Recreation Master Plan Update**

Jim reported that the community survey has been sent out to 3,000 random Woodburn residents. The consulting firm is hoping for 300-400 returned surveys. We also hope that the returned surveys will be demographically and geographically representative of the community. The consultants will make a findings presentation in the spring.

9. **Weed and Seed**

Jim gave a brief history on the Weed and Seed Program and explained that the City has received federal funding in support of the program. Weed and Seed is a Department of Justice initiative. The focus of the program is to weed out drug abuse and criminal activity in the community and to seed in social services, prevention, intervention, treatment, and neighborhood revitalization, with community policing linking the two. Jim shared that hiring a Weed and Seed Coordinator is a requirement of the grant. We are currently recruiting for the Coordinator and the position will close February 22, 2008. This position will be responsible for coordinating resources that already exist in the community and bring them together in support of combating the drug and crime issue. The Weed and Seed Steering Committee, which has been inactive since the grant was submitted, will meet within the next two weeks to design program bylaws, establish timelines, and revise their work plan and budget. The Steering Committee will also be involved in the selection of the Weed and Seed Coordinator.

10. **Review of January Workshop**

The Board further discussed the Centennial Park, Aquatic Center Expansion and the Community Arts and Cultural Center projects.

11. **Business from the Department
Recreation – Stu Spence**

Stu shared that he had been out shaking hands with the community, and has received overwhelming support with partnership opportunities and in providing a well-rounded experience in recreation for Woodburn residents. He reported that 226 youth registered for basketball which breaks down to 22 teams, with 22 volunteer coaches. The Adult City Basketball League and 15 teams, and the January Adult Basketball Jamboree had 13 teams play. The recreation department will offer girl's softball and youth T-ball that will start in April. Stu shared with the Board, a daily calendar of activities including a monthly field trip for the teen program. He is working on concrete, food, tools and other donations for the Burlingham Playground build in May. Senior trips is one of his goals, to eventually increase this program and the revenue would offset the cost of some youth programs. Stu is in preliminary partnership talks with the Glatt House to offer classes in art and dance, Chemeketa Community College to offer classes in soccer, heritage and genealogy classes,

Minutes
Woodburn Recreation and Parks Board
Tuesday, February 12, 2008
7:00 p.m.

Chamber of Commerce and Woodburn Independent who will be great supporters of the departments marketing piece.

Aquatics – Debbie Wadleigh

Debbie reported that this January's attendance of 4,900 was up 515 over January 2007's attendance. She believed that the 20% memberships discount and other new tear's promotions might have accounted for the increase. In fact, January's \$7,000 in membership revenue was equal to the amount of membership revenue received during the entire six-month period prior.

Debbie shared that 18 people are taking advantage of the Fitness Challenge, with one person trying to reach the summit of Mt Hood by early March. This month is also Bring a Friend Free Month, and Discover Scuba Saturday. On February 5th, and sponsored a Red Cross Blood Drive held at the Woodburn Armory that was very successful. Earn While You Learn Program; a paid training program for lifeguards and water safety instructors is starting in March. Swimming Lessons had 111 registrations, 4th grade swimming program serviced 418 kids. Debbie is starting her Safety in the Water Campaign this Friday which will continue through May. There will be a Leap Day event on February 29, and her staff is planning a big surprise for participants. Her goal is to get people motivated and excited to come to the Aquatic Center.

12. **Future Board Business**
Parks and Recreation Master Plan
Playground Restoration Program
Weed and Seed
Mill Creek Greenway
13. **Board Comments**
None.
14. **Adjournment**
8:35 p.m.

Rosetta Wangerin, Board Secretary

Paulette Zastoupil, Recording Secretary

Date_____

Date_____

PLANNING PROJECT TRACKING SHEET

Revised: Thursday, February 21, 2008

Project	Applicant	Description Site/Location:	Status:	Date Received	Deemed Complete	120 Day Comp Date	Planner	Referrals	Facilities Meeting	Mail Notice for PC	Notice to Paper	Post Property	Stf Rpt Due	PC Hearing Admin Dec.	PC Final Order	Appeal Deadline
DR 2007-10,	King's Moy Management	Site upgrade, install new fire hydrant, landscaping & restripe parking for new furniture store. 770 N. Pacific Hwy	Approved- Appeal Period	10/04/2007	12/26/2007	04/24/2008	Jim Allen	01/09/2008		01/26/2008			02/15/2008	02/15/2008	02/15/2008	02/27/2008
DR 2007- 12, VAR 2007- 07, EXCP 2007-08	Mark Grenz, P.E. / Multitech	Multiple-family dwellings 845 East Lincoln Street	Received	11/13/2007	01/23/2008	05/22/2008	Don Dolenc	12/17/2007		02/08/2008		02/08/2008	02/21/2008	02/28/2008		
DR 2007-13,	Varvisiotis Architecture (JCK Restaurants)	Carl's Jr. fast food restaurant 1755 Mt. Hood Ave.	Received	11/20/2007	01/04/2008	05/03/2008	Natalie Labossiere	12/07/2007		02/08/2008		02/08/2008	02/07/2008	02/28/2008		
DR 2007-14,	Scott Beck, Architect	Kerr Contractors office addition. 395 Shenandoah Ln	Received	12/13/2007	01/15/2008	05/14/2008	Sam Gollah	12/13/2007		02/08/2008		02/08/2008	02/21/2008	02/28/2008		
EXCP 2008- 01, DR 2007-11	John Baker (Cuppy's Drive- Thru)	Type II Exception to Street ROW & Improvements 987 Lawson Avenue	Received	01/16/2008			Don Dolenc									
LA 2007-02,	City of Woodburn	Legislative Amendment Period Review Remand City of Woodburn	Received	11/26/2007			Jim Allen									
LA 2007-03,	City of Woodburn	Legislative Amendment 270 Montgomery St.	Received	11/26/2007			Jim Allen									

PLANNING PROJECTS (INCOMPLETE / HOLD)

Revised: Thursday, February 21, 2008

Project	Applicant	Site Location:	Description	Status:	Date Received	120-App Received	180-Expiration:	Planner
PUD 2006-01ZC 2006-01, CU 2006-04, CPC 2007-01	Boones Crossing, LLC - Mike Hanks	Parcels 1, 2 & 3 of Partition Plat 2006-55	Modifications to Boones Crossing PUD	Incomplete	10/31/2006	2/28/2007	04/29/2007	Jim Allen
ZA 2008-02	Lisa Petersen	1275 Cooley Rd.	Change of lot orientation	Incomplete	02/08/2008	6/7/2008	08/06/2008	Don Dolenc

Activity Report - February 6 through February 21

<i>Folder Name</i>	<i>Applicant</i>	<i>Project</i>	<i>SiteLocation</i>	<i>Description</i>	<i>Date Rec'd:</i>	<i>App Comple</i>	<i>Status:</i>	<i>Planner:</i>
BL 2008-014	Del-J. Inc.	Double R. Products	Contractor	Contractor	02/06/2008	02/12/2008	Approved	Don Dolenc
BL 2008-016	Mario Jose Sisto	Tractor Time	253 E. Lincoln St.	Field Mowing	02/12/2008			Natalie Labossie
BL 2008-15	Nancy Muitron/ Teofila Aguilar	Devine Decorations	1385 Greenview Dr.		02/13/2008			Don Dolenc
BL 2008-017	Ann Taylor Retail	Ann Taylor Factory Store #1260	1001 Arney Rd, Ste 800	Retail Clothing store	02/15/2008			Don Dolenc
PAPP 2008-03	Jesse Lovrien	Cascadia Self Storage 1, LL	2400 N. Pacific Hwy	Pre-application to discuss an annexation of subject property into the City limits	02/06/2008			Don Dolenc
SIGN 2008-05	Big Foot Signs/James Waker	Hair Express	1537 Mt. Hood Ave.	Electrical wall sign 31.15 sq. ft.	02/07/2008	02/12/2008	Approved	Don Dolenc
SIGN 2008-06	Peterson Electric Inc.	Woodburn Liquor	1519 N. Pacific Hwy	2 1/2 x 2 1/2 lottery wall sign	02/15/2008			Don Dolenc



Agenda Item

February 25, 2008

TO: Mayor and City Council through City Administrator

FROM: Scott D. Russell, Chief of Police

SUBJECT: **2007 Crime Statistics Review**

RECOMMENDATION:

Receive the report.

BACKGROUND:

The Woodburn Police information System (WPS) allows for the capture of incident based crime data that can easily be combined to generate Index Crime data, which is comparable both to local cities and on a regional and national basis. This 2007 crime data represents the fifth complete year of WPS system operation and provides comparative data for 2004 through 2007. This allows for statistical comparison with both historical local data and data from other Oregon cities, the West Coast, and the entire United States. This years Crime Analysis Report combines local, state, regional, and national data to provide a snapshot of crime here in Woodburn.

DISCUSSION:

In calendar year 2007 the City of Woodburn observed a significant decrease in overall crime reports. There was an increase of three (3) total violent index crimes (from 56 to 59) amounting to a 5.36% statistical increase, while Property Index crime reports fell by 12.79%. Consequently the Modified Total Index Crimes (the sum of Violent Index Crimes and Property Index Crimes) fell by 11.85%.

However, when adjusted for population growth violent index crimes rose by only 4.45% and property crimes fell by 13.78%, together all index crimes fell by 12.84% when adjusted for population increases.

These rates compare with the January to June 2007 FBI averages in the west (the latest available at this time) which show a 1.6% reduction in Violent Crime and a 4.1% reduction in Property Crime for agencies in the Western United States.

Agenda Item Review: City Administrator  City Attorney  Finance 

Clearance rates for the department for 2007 are 47.46% for violent index crimes and 15.12% for property index crimes. These compare favorably with our previous year's clearance rates (35.71% and 10.94% respectively for 2006) and with the average of clearance rates for Pacific Region agencies which in 2006 were 42% for violent crime and 13.15% for property crime.

A specific area of concern for us, as well as all law enforcement in the greater Portland Metro area, is the increase in gang violence. In 2007 the Portland Metro area observed a significant increase in gang violence, and we have also had several cases in the last year. While we are far below levels seen in the past, any increase in this type of senseless violence is unacceptable.

In the aftermath of gang related violence we have repeatedly observed an increase in gang activity especially from individuals coming into our community from other areas who seek to escalate the situation. This has become a predictable occurrence and our staff has developed a proactive response that mobilizes CRT officers on the street in a gang enforcement role whenever increased gang activity is observed. This mission has proven successful in reducing gang violence and preventing additional incidents. However, these missions continue to tax our manpower and resources, and limit CRT's availability for other proactive and preventative missions. Unfortunately, as long as gang behavior and the gang lifestyle are tolerated, accepted, and even promoted by popular culture we will continue to see ebbs and flows in gang behavior and its associated violence. One area of hope in this area is the Weed & Seed project that the City is embarking upon in an effort to try and address gang behavior at or before its outset.

Another key area of concern is the relation between property crime and Methamphetamine abuse. While we have seen a tremendous reduction in local clandestine meth labs due to passage of new statutes, we continue to encounter meth abuse directly tied to all types of property crime and fraud schemes. As long as meth use continues at its current level, users will continue to seek criminal endeavors to obtain the means to purchase it.

The causes and reasons for increase and/or decrease in crime rates are varied and complex. The performance of the local criminal justice system as a whole is just one component in the greater equation. Locally, the men and women of Woodburn Police Department, our partners in the criminal justice system, and the community at large have worked very hard this year to attack both the influence of Meth abuse on property crime, and the nexus between gang behavior and violence. This has included aggressive investigation and prosecution, as well as persistent street patrols in problem areas by district

officers. These efforts, along with those of concerned neighbors and citizens who took the time to get involved and report what was going on, have helped us see another significant reduction in property crime this year, and have limited the increase in violent crime.

In addition to this Staff Report I will be making a presentation on "Index Crime Report for Woodburn in 2007", which provides more detail on definitions, statistics, and analysis of our local crime picture. If you have any questions or need additional information after reviewing this data Police Department Staff is ready to assist you.

FINANCIAL IMPACT:

None.



Agenda Item

February 25, 2008

TO: Mayor and City Council through City Administrator

FROM: Scott Russell, Chief of Police

SUBJECT: **Police Department Statistics – January 2008**

RECOMMENDATION:

Receive the report.

BACKGROUND:

The attached report lists year to date reported offenses and arrests displayed by month.

DISCUSSION:

The statistics have been gathered from the Police Departments Records Management System. The Previous year's crime statistics are also displayed for comparison purposes.

FINANCIAL IMPACT:

None.

Agenda Item Review: City Administrator  City Attorney  Finance 

Woodburn Police Dept.

Offenses 01.txt

DATE: 2/20/2008

PAGE 1

TIME: 8:42:20
2008

PL6860

MONTHLY CRIMINAL OFFENSES FOR JANUARY

ORI #: OR0240500 WPD
DATE USED: OFFENSE DATE
CHARGE DESCRIPTION

SCOTTRU

RESULTS FOR ALL OFFENSES

	TOTAL	JAN
AGGRAVATED ASSAULT	4	4
ANIMAL ORDINANCES	4	4
ASSAULT SIMPLE	15	15
BURGLARY - BUSINESS	2	2
BURGLARY - OTHER STRUCTURE	1	1
BURGLARY - RESIDENCE	8	8
CHILD NEGLECT	1	1
CRIME DAMAGE-NO VANDALISM OR ARSON	16	16
CUSTODY - MENTAL	2	2
DISORDERLY CONDUCT	6	6
DRIVING UNDER INFLUENCE	13	13
DRUG LAW VIOLATIONS	12	12
DWS/REVOKED-MISDEMEANOR	1	1
ELUDE	1	1
FAIL TO DISPLAY OPERATORS LICENSE	3	3
FORCIBLE RAPE	1	1
FORGERY/COUNTERFEITING	6	6
FRAUD - BY DECEPTION/FALSE PRETENSES	1	1
FRAUD - IMPERSONATION	2	2
FUGITIVE ARREST FOR ANOTHER AGENCY	33	33
GARBAGE LITTERING	1	1
HIT AND RUN FELONY	1	1
HIT AND RUN-MISDEMEANOR	10	10
ILLEGAL ALIEN - INS HOLD	1	1
INTIMIDATION /OTHER CRIMINAL THREAT	3	3
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	1

Offenses 01.txt

MINOR IN POSSESSION	1	2
MISCELLANEOUS	2	6
MOTOR VEHICLE THEFT	6	6
OTHER	6	12
PROPERTY - FOUND LOST MISLAID	12	6
PUBLIC HEALTH AND SAFETY ORDINANCES	6	3
RECKLESS DRIVING	3	1
ROBBERY - SERVICE STATION	1	1
RUNAWAY	1	3
SEX CRIME - EXPOSER	3	1
SEX CRIME - MOLEST (PHYSICAL)	1	1
STALKER	1	1
THEFT - BICYCLE	1	2
THEFT - BUILDING	2	1
THEFT - FROM MOTOR VEHICLE	1	22
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	22	3
THEFT - OTHER	3	11
THEFT - PURSE SNATCH	11	1
THEFT - SHOPLIFT	1	10
TRAFFIC ORDINANCES	10	1
TRAFFIC VIOLATIONS	1	12
TRESPASS	12	4
VANDALISM	4	39
VEHICLE RECOVERD FOR OTHER AGENCY	39	1
	1	

 Woodburn Police Dept.

DATE: 2/20/2008

TIME: 8:42:20
 2008

ORI #: OR0240500 WPD
 DATE USED: OFFENSE DATE
 CHARGE DESCRIPTION

PAGE 2

PL6860

SCOTTRU

MONTHLY CRIMINAL OFFENSES FOR JANUARY

RESULTS FOR ALL OFFENSES

JAN

TOTAL

Offenses_01.txt
TOTAL: 299
299

0	0	0	0	0	0	0	2008 TOTAL:	299	0	0	0	0
							299					
0	0	0	0	0	0	0	2007 TOTAL:	386	0	0	0	0
							386					
0	0	0	0	0	0	0	2006 TOTAL:	444	0	0	0	0
							444					

Woodburn Police Dept.

Arrests 01_1.txt

DATE: 2/20/2008

PAGE 1

TIME: 8:42:34
2008

PL6850

MONTHLY ARRESTS BY OFFENSE FOR JANUARY

ORI #: ORO240500 WPD
CHARGE DESCRIPTION

SCOTTRU

RESULTS FOR ALL CHARGES
JAN

TOTAL

CHARGE DESCRIPTION	TOTAL	JAN
AGGRAVATED ASSAULT	4	4
AGGRAVATED MURDER	0	0
ANIMAL ORDINANCES	3	3
ARSON	0	0
ASSAULT SIMPLE	20	20
ATTEMPTED MURDER	0	0
BOMB THREAT	0	0
BRI BERY	0	0
BURGLARY - BUSINESS	0	0
BURGLARY - OTHER STRUCTURE	0	0
BURGLARY - RESIDENCE	1	1
CHILD ADBANDONMENT	0	0
CHILD NEGLECT	1	1
CITY ORDINANCE	0	0
CRIME DAMAGE-NO VANDALISM OR ARSON	2	2
CURFEW	0	0
CUSTODIAL INTERFERENCE	0	0
CUSTODY - DETOX	0	0
CUSTODY - MENTAL	3	3
CUSTODY - PROTECI TVE	0	0
DISORDERLY CONDUCT	10	10
DOCUMENTATI ON	0	0
DRINKING IN PUBLIC	0	0
DRIVING UNDER INFLUENCE	13	13
DRUG LAW VI OLATIONS	16	16
DRUG PARAPHERNALIA	0	0

Page 1

	Arrests 01_1.txt	
DWS/REVOKED - FELONY	0	0
DWS/REVOKED-MI SDEMEANOR	1	1
ELUDE	1	1
EMBEZZLEMENT	0	0
ESCAPE FROM YOUR CUSTODY	0	0
EXTORTION/BLACKMAIL	0	0
FAIL TO DISPLAY OPERATORS LICENSE	3	3
FAMILY-OTHER	0	0
FORCIBLE RAPE	0	0
FORGERY/COUNTERFEITING	6	6
FRAUD - ACCOUNT CLOSED CHECK	0	0
FRAUD - BY DECEPTION/FALSE PRETENSES	0	0
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0
FRAUD - IMPERSONATION	0	0
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0
FRAUD - OF SERVICES/FALSE PRETENSES	0	0
FRAUD - WIRE	0	0
FRAUD-OTHER	0	0
FUGITIVE ARREST FOR ANOTHER AGENCY	35	35
FURNISHING	0	0
GAMBLING - GAMES	0	0
GAMBLING - OTHER	0	0
GARBAGE LITTERING	2	2
HIT AND RUN FELONY	0	0
HIT AND RUN-MI SDEMEANOR	1	1
ILLEGAL ALIEN - INS HOLD	1	1

Woodburn Police Dept.

PAGE 2

DATE: 2/20/2008

PL6850

TIME: 8:42:34
2008

SCOTTRU

MONTHLY ARRESTS BY OFFENSE FOR JANUARY

ORI #: OR0240500 WPD
CHARGE DESCRIPTION

RESULTS FOR ALL CHARGES
JAN

TOTAL

	Arrests 01_1. txt	
INTIMIDATION /OTHER CRIMINAL THREAT	3	3
JUSTIFIABLE HOMICIDE	0	0
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	1
KIDNAP - FOR RANSOM	0	0
KIDNAP - HI -JACK, TERRORIST	0	0
KIDNAP - HOSTAGE/SHIELD OR REMOVAL/DELAY WITNESS	0	0
LICENSING ORDINANCES	0	0
LIQUOR LAW-OTHER	0	0
LIQUOR LICENSE VIOLATIONS	0	0
MINOR IN POSSESSION	2	2
MINOR ON PREMISES	0	0
MISCELLANEOUS	0	0
MOTOR VEHICLE THEFT	2	2
NEGLIGENT HOMICIDE - TRAFFIC	0	0
NEGLIGENT MANSLAUGHTER	0	0
NON CRIMINAL DOMESTIC DISTURBANCE	0	0
OTHER	11	11
PROPERTY - FOUND LOST MISLAID	0	0
PROPERTY RECOVER FOR OTHER AGENCY	0	0
PROSTITUTION - COMPEL	0	0
PROSTITUTION - ENGAGE IN	0	0
PROSTITUTION - PROMOTE	0	0
PUBLIC HEALTH AND SAFETY ORDINANCES	0	0
RECKLESS DRIVING	2	2
ROBBERY - BANK	0	0
ROBBERY - BUSINESS	0	0
ROBBERY - CAR JACKING	0	0
ROBBERY - CONV. STORE	0	0
ROBBERY - HIGHWAY	0	0
ROBBERY - OTHER	0	0
ROBBERY - RESIDENCE	0	0
ROBBERY - SERVICE STATION	0	1

Arrests 01_1.txt

RUNAWAY	1	1
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	1	0
SEX CRIME - EXPOSER	0	1
SEX CRIME - FORCIBLE SODOMY	1	0
SEX CRIME - INCEST	0	0
SEX CRIME - MOLEST (PHYSICAL)	0	3
SEX CRIME - NON FORCE SODOMY	3	0
SEX CRIME - NON-FORCE RAPE	0	0
SEX CRIME - OBSCENE PHONE CALL	0	0
SEX CRIME - OTHER	0	0
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	0	0
STALKER	0	0
STOLEN PROPERTY - RECEIVING, BUYING, POSSESSING	0	2
SUICIDE	2	0
THEFT - BICYCLE	0	0
THEFT - BUILDING	0	0
THEFT - COIN OP MACHINE	0	0
THEFT - FROM MOTOR VEHICLE	0	2
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	2	0

Woodburn Police Dept.

PAGE 3

DATE: 2/20/2008

PL6850

TIME: 8:42:34
2008

SCOTTRU

MONTHLY ARRESTS BY OFFENSE FOR JANUARY

ORI #: OR0240500 WPD
CHARGE DESCRIPTION

RESULTS FOR ALL CHARGES
JAN

TOTAL

THEFT - OTHER	0	0
THEFT - PICKPOCKET	0	0
THEFT - PURSE SNATCH	0	0
THEFT - SHOPLIFT	0	7
TRAFFIC ORDINANCES	7	0
TRAFFIC VIOLATIONS	0	21

Page 4



Agenda Item

February 28, 2008

TO: Mayor and City Council through City Administrator

FROM: Scott Russell, Chief of Police

SUBJECT: **Code Enforcement Statistics – January 2008**

RECOMMENDATION:

Receive the report.

BACKGROUND:

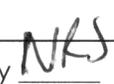
The attached reports list the Code Enforcement Incidents for the month of January 2008.

DISCUSSION:

The statistics have been gathered from the Police Departments Records Management System. Code Enforcement Statistics are displayed to show the amount of incidents handled by Code Enforcement for the month of January 2008. During the month of January 2008 we were operating with only one Code Enforcement Officer.

FINANCIAL IMPACT:

None.

Agenda Item Review: City Administrator  City Attorney  Finance 

WPD Monthly Code Enforcement Statistics January 2008

Incident Type	Total
Abandon Vehicles	11
Abate Nuisance	19
Animal Complaints	42
Business License Check	1
Tall Grass	0
Ordinance Violation	14
Area Check	0
FIR	0
Other	7
Total of All Incidents	94

COMMUNITY SERVICES DEPARTMENT STATISTICS

JANUARY 2008

Recreation Services Division

	<u>Jan-07</u>	<u>Jan-08</u>	<u>2007 YTD</u>	<u>2008 YTD</u>
<u>Revenue:</u>	14,464	17,088	65,465	78,090
<u>Expenditures:</u>	24,592	22,398	232,179	203,372
<u>Program Attendance:</u>				
Youth Sports:	2,471	226	3,072	702
Adult Sports**:		160	2,573	2,061
Youth Programs *:	933	0	3,233	1,610
Adult Programs**:	288	6	804	23
Teen Programs *:		285	0	2,737
After School Club *:		2,392	8,875	10,592
Special Events:	0	0	4,495	9,500
TOTAL:	3,692	3,069	23,052	27,225

Aquatics Division

	<u>Jan-07</u>	<u>Jan-08</u>	<u>2007 YTD</u>	<u>2008 YTD</u>
<u>Revenue:</u>	15,671.72	19,206.72	90,008.95	95,904.35
<u>Expenditures:</u>	52,570.41	41,887.52	310,965.99	320,003.72
<u>Cost Recovery:</u>	30%	46%	29%	30%
<u>Attendance:</u>	4,397	4,902	29,592	30,116
<u>Lesson Enrollment:</u>				
Group:	49	71	641	796
Adults:	0	7	3	26
Private:	0	0	5	31
4th Grade:	0	51	333	356
TOTAL:	49	129	982	1,209

Library Division

	<u>Jan-07</u>	<u>Jan-08</u>	<u>2007 YTD</u>	<u>2008 YTD</u>
<u>Revenue:</u>	\$19,133.47	\$6,220.58	\$56,674.37	\$46,923.79
<u>Expenditures:</u>	\$64,451.84	\$78,029.11	\$550,860.37	\$555,744.29
<u>Library Attendance:</u>	18,489	16,935	121,558	106,178
<u>Library Circulation:</u>	11,314	12,099	72,100	80,225
<u>Adult Program Count:</u>	0	0	11	11
<u>Adult Attendance:</u>	0	0	6,244	3,745
<u>Youth Service Program Count:</u>	36	28	204	180
<u>Youth Service Attendance:</u>	498	557	3,763	3,534
			0	0
<u>Database Usage:</u>	509	345	3,869	4,647
<u>Adult Computer Usage:</u>	4,643	4,488	31,047	29,960
<u>Youth Services Computer Usage:</u>	894	863	6,182	5,911
<u>New Adds:</u>	635	552	2,715	3,576
<u>Volunteer Hours Worked:</u>	113	81	1,039	654

*This is the combined number for Youth Programs, Teen Programs and ASC in 2007

** This is the combined number for Adult Sports and Adult Programs in 2007

JANUARY 2008



Agenda Item

February 25, 2008

TO: Honorable Mayor and City Council through City Administrator

FROM: Dan Brown, Public Works Director 

SUBJECT: **Public Hearing on Country Club Road Street Improvement between Boones Ferry Road and Astor Way LID Final Assessments**

RECOMMENDATION:

Upon completion of the public hearing, instruct staff to prepare an ordinance for council action establishing the final assessment amounts, as presented.

BACKGROUND:

The City Council initiated the Local Improvement District (LID) process for Country Club Road street improvement between Boones Ferry Road and Astor Way, approved the engineering report, held a public hearing and adopted Ordinance No. 2407 that established the legal foundation for the LID assessments. This ordinance established the Local Improvement District boundary, established the method of assessment, approved contract award and authorized the payment of costs through assessment of properties in the Local Improvement District. The ordinance was approved on July 24, 2006. The construction has been completed according to the plan and the total project cost is approximately 10% higher than the estimated cost identified in the ordinance. A public hearing is required of council to complete the LID process as a last action prior to the approval of the final assessment ordinance.

DISCUSSION:

The street improvements have been constructed in accordance with the approved engineering report. Country Club Road was improved in accordance to the Woodburn Transportation System Plan (TSP) as an Access Street providing two travel lanes, no on-street parking, and bike lanes both sides. The improvement is complete with curbs, drainage improvements, street lighting and undergrounding the existing overhead utilities. The estimated cost of the entire project was projected at \$452,500; the final construction cost is \$506,934.12. This cost does not include engineering and administration cost which will be absorbed by the city.

Agenda Item Review:

City Administrator 

City Attorney 

Finance 

The final costs are approximately 10% higher than the estimated project cost of the adopted assessment ordinance. Ordinance 2407 established the LID methodology and rules for allocating cost to developed and undeveloped properties in the district. The ordinance also fixed the maximum amount to be assessed against the properties for the said improvement. Any cost overruns will be absorbed by the city.

As identified in Ordinance 2407 the amount to be assessed against benefiting properties will remain at \$273,300. The city will fund \$179,200 of the identified cost sharing and the cost overrun in the amount of \$54,434.12.

Defined developer contributions of \$67,000 are to be used to fund the assessment amounts of all lots in Heritage Park Subdivision as per agreement.

The tax account number assigned to the property by Marion County has been used in the ordinance to describe the property in the district.

Proper legal notice has been published in the local newspaper and a letter has been mailed to each individual property owner of record.

All property owners will receive a notice of final assessment after the final assessment ordinance has been approved. The property owners with unpaid assessments will also receive a Bancroft bond information package. This information package will provide a 10-year payment plan option at 6.0% interest rate, as established by Ordinance 2407. The property owner may pay the entire amount at any time within the 10-year period.

The council options are to 1) Approve the final assessments as presented and direct staff to prepare the final assessment ordinance, or 2) Direct staff to modify the assessment amounts based on the public testimony, or 3) Postpone the decision.

It is recommended that the City Council choose Option 1.

Attachments:

- 1) Outline of LID Process
- 2) Exhibit A – Assessment Roll for Country Club Road

FINANCIAL IMPACT:

The project cost of \$506,934.12 was paid utilizing approved funds of \$54,200 from TIF, \$273,300 from Special Assessments, \$7,650 from Gas Tax and 171,784.12 from Street/Storm CIP.

EXHIBIT "A"

COUNTRY CLUB ROAD IMPROVEMENT DISTRICT
ASSESSMENT ROLL

(NOTE: ~~DOUBLE STRIKETHROUGH~~ denotes tax lot or names, which have been modified since the adoption of the original ordinance)

Map/Tax Lot Numbers	Owner	Assessment Amount
051W07BA00500	SEC Ventures LLC & Others Halieus LLC & A & C Ventures LLC DBA: Village by the Green	\$65,044.38
051W07BA00600	City of Woodburn – Water Treatment Plant	\$57,442.03 \$24,996.43
051W07BA00700	City of Woodburn (Merged with TL 600)	\$32,445.60
051W07BA00800	Corporation Presiding Bishop, Church of Jesus Christ of LDS	\$48,034.77
051W07BA00900	Marty Bonn's & Others; Woodburn Senior Living LLC	\$35,203.82
051W07BA02900	Leach, Mark H & Julie	\$5,214.62
051W07BA03000	Krebeduenkel, Deiter K. & Wanda L.	\$3,289.11
051W07BA03100	Snogirov, Ivan Rios, Ana L.	\$3,946.50
051W07BA03200	Hatch, Eugene R. & Nanette	\$3,292.96
051W07BA09600	Sanchez-Ruiz, Carolina & Ruiz, Jesus, Jr.	\$3,399.96
051W07BA09700	Thompson, Archie & Roberts, Melanie Stidham, Alex	\$3,292.41
051W07BA09800	Loftin, Mary	\$3,292.41
051W07BA09900	Leon, Antonin & Leon, Marina De	\$4,403.59
051W07BA10000	Andraca, Jorge Garcia	\$4,460.11
051W07BA10100	Cancino, Valerie S. & Joel	\$3,292.41
051W07BA10200	Bernhardt, Patrick W.	\$3,292.41
051W07BA10300	Garcia-Perez, Policarpa A.	\$3,292.41
051W07BA10400	Ryan, Dale E. & Laura E. Simpson-Ryan	\$3,292.41
051W07BA10500	Cam, Ivan Gleason, Juston W. & Jessica R.	\$3,292.41
051W07BA10600	Zamora, Jose & Aida	\$3,292.41
051W07BA10700	Fernandez, Guadalupe	\$3,292.41
051W07BA10800	Fershweiler, Larry & Jolene	\$5,566.91
051W07BA10900	Awad, Maged & Zina	\$4,369.57
	TOTAL	\$273,300



Agenda Item

February 25, 2008

TO: Honorable Mayor and City Council through City Administrator
 FROM: Dan Brown, Public Works Director 
 SUBJECT: **Public Hearing on West Lincoln Street improvement between Cascade Drive and Leasure Street LID Final Assessments**

RECOMMENDATION:

Upon completion of the public hearing, instruct staff to prepare an ordinance for council action establishing the final assessment amounts, as presented.

BACKGROUND:

The City Council initiated the Local Improvement District (LID) process for West Lincoln Street street improvements between Cascade Drive and Leasure Street, approved the engineering report, held a public hearing and adopted Ordinance No. 2341 that established the legal foundation for the LID assessments. This ordinance established the Local Improvement District Boundary, established the method of assessment, approved contract award and authorized payment of costs through assessment of properties in the Local Improvement District. The ordinance was approved on July 14, 2003. The construction has been completed according to the plan and the total project cost is approximately 15% below the estimated cost identified in the ordinance. A public hearing is required of council to complete the LID process as a last action prior to the approval of final assessment ordinance.

DISCUSSION:

The street improvements have been constructed in accordance with the approved engineering report, West Lincoln was widened to 34 feet in width providing two travel lanes and parking on both sides of the street. The improvement is complete with curbs, sidewalks on both sides of street, ADA ramps at all intersections and street lighting. The estimated cost of the entire project was estimated at \$194,500; the final actual cost is \$166,074.

Agenda Item Review: _____

City Administrator 

City Attorney 

Finance 

The final cost is approximately 15% below the estimated project cost of the adopted assessment ordinance. Ordinance 2341 established the LID methodology and rules for allocating cost to developed and undeveloped properties in the district. The tax account number assigned to the property by Marion County has been used in the ordinance to describe the property in the district.

There are two different categories of tax lots that have evolved due to development of properties. Changes in property status have been fully considered in the allocation of final assessment amount. The cost allocations for these lots have been kept in proportion to the original assessment of the land under consideration. This is further explained below:

<u>Tax Lot Considered</u>	<u>Method Cost Allocation</u>
1. The tax lot configuration has not been modified from the initial ordinance.	- Assessment allocation directly proportional to the reduction of project cost.
2. Tax lot configuration has been modified by either consolidation of lots or by further subdividing of lots or both. These properties are identified as "modified properties" in the final ordinance.	- Assessment allocations directly proportional to the summation of all original estimated costs reduced in proportion to the actual cost. The cost will be distributed equally to all new lots.

In accordance with Ordinance 2341, the city is funding \$40,000 of the improvement, in addition to \$711.14 of the property assessment portion of the project for the area reduction cost associated with removing the wetland area identified on tax lot 100, 1790 West Lincoln.

Proper legal notice has been published in the local newspaper and a letter has been mailed to each individual property owner of record.

In conjunction with property transactions the city has received funds from some property owners directly or through an escrow account. The satisfactions of liens for these properties have been recorded with Marion County. Any overpayment will be refunded to the property owner.

All property owners will receive a notice of final assessment after the final assessment ordinance has been approved. The property owners with unpaid assessments will also receive a Bancroft bond information package. This information package will provide a 10-year payment plan option at 5.75% interest rate, as established by Ordinance 2341. The property owner may pay the entire amount at any time within the 10-year period.

The council options are to 1) Approve the final assessments as presented and instruct staff to prepare the final assessment ordinance, or 2) Direct staff to modify the assessment amounts based on the public testimony, or 3) Postpone the decision.

It is recommended that the city council choose option 1.

Attachments:

- 1) Outline of LID process
- 2) Exhibit A – Assessment Roll for West Lincoln LID

FINANCIAL IMPACT:

The entire project cost of \$166,074 has been paid utilizing the approved Special Assessment Fund budget.

EXHIBIT "A"

**WEST LINCOLN LOCAL IMPROVEMENT DISTRICT
ASSESSMENT ROLL**

(NOTE: ~~DOUBLE STRIKETHROUGH~~, Denotes tax lot or names, which have been modified since the adoption of the original ordinance)

UNMODIFIED PROPERTIES

Map/Tax Lot Numbers	Owner	Assessment Amount
051W07CB09000	Zamora, Jose de Jesus & Aida	\$2,768.32
051W07CB09100	Torres, Leonardo & Silva Ascensio	\$4,773.23
051W07CC04700	Schnabel, Gary & Tammy Oswell, James C & Shelby M K	\$9,491.94
052W12DD00100	Kieling, Dean & Tanya	\$9,491.94
052W12DD00500	Western Sage Management Inc.	\$13,273.61
051W07CB09300	Marion County Housing Authority	\$1,154.48

MODIFIED PROPERTIES

Certain undeveloped properties identified in Ordinance 2341, adopting the local improvement district and establishing the benefit to each property have been modified since its adoption. The following table lists the original property tax lot (denoted by a double strikethrough) and distributes the final assessment proportional to the new tax lot/properties. The calculated final assessment amount for the original tax lot is based on the methodology as outlined in Ordinance 2341.

MODIFIED PROPERTIES		Assessment Amount
Original Tax Lot and Final Assessment Amount		
Map Tax Lot Number	Property Owner	
051W07CB08400	Sandoval, George	\$9,491.94
New Map Tax Lots within Original		Proportional Final Assessment Amount
051W07CB08400	Kaszubowski, Edmund	\$1,898.39
051W07CB08401	Guzman, Ostiano	\$1,898.39
051W07CB08402	Garcia, Cesar	\$1,898.39
051W07CB08403	Kaszubowski, Michal	\$1,898.39
051W07CB08404	Kaszubowski, Edmund	\$1,898.39

Original Tax Lot and Final Assessment Amount		Assessment Amount
051W07CB08500	Lincoln Estates LLC	\$18,483.88
New Map Tax Lots within Original		Proportional Final Assessment Amount
051W07CB11400	Lindley, Ronald W. & Christine L	\$1,848.39
051W07CB11500	Winz, Michele W & Charlotte D	\$1,848.39
051W07CB11600	Zubkov, Sergey & Veniamin	\$1,848.39
051W07CB11700	Castro, Lorraine J & Scott E	\$1,848.39
051W07CB11800	Nikiforoff, Zina F & Georgi L.	\$1,848.39
051W07CB11900	Pearson, Ruth	\$1,848.39
051W07CB12000	Lee, David Kook Lim & Myung Sook	\$1,848.39
051W07CB12100	Levko, Vadim & Levko, Marina & Levko, Ludmila & Grechko, Alexandr	\$1,848.39
051W07CB12200	Trevillian, Jay R. & King, Julie A	\$1,848.39
051W07CB12300	Erma, Manette Janelle & Reynolds, Linda G.	\$1,848.39
Original Tax Lot and Final Assessment Amount		Assessment Amount
051W07CB08600	Shevchenko, Benjamin & Zina PP 2005-040	\$9,491.04
New Map Tax Lots within Original		Proportional Final Assessment Amount
051W07CB08600	Shevchenko, Ben A & Zina K, JRLT & Shevchenko, Ben A & Zina K Tre	\$1,898.39
051W07CB08601	Shevchenko, Ben A & Zina K, JRLT & Shevchenko, Ben A & Zina K Tre	\$1,898.39
051W07CB08602	Shevchenko, Ben A & Zina K, JRLT & Shevchenko, Ben A & Zina K Tre	\$1,898.39
051W07CB08603	Shevchenko, Ben A & Zina K, JRLT & Shevchenko, Ben A & Zina K Tre	\$1,898.39
051W07CB08604	Shevchenko, Ben A & Zina K, JRLT & Shevchenko, Ben A & Zina K Tre	\$1,898.39

Original Tax Lot and Final Assessment Amount		Assessment Amount
052W12DA03800	Mendenhall, David L	\$18,483.88
New Map Tax Lots within Original		Proportional Final Assessment Amount
052W12DA03900	Brandow, Darwin & Dorothy	\$1,848.39
052W12DA04000	McGregor, Yenka	\$1,848.39
052W12DA04100	Ortega, Jose & Maria & Ortega, Jesus and Calderon, Jose Guadalupe	\$1,848.39
052W12DA04200	Garcia, Maria & Gabriel C	\$1,848.39
052W12DA04300	Maughan, Leticia E & John R	\$1,848.39
052W12DA04400	Hutchinson, Bradley	\$1,848.39
052W12DA04500	Moreno, Marcos Moran & Villalvazo, Adriana Moran	\$1,848.39
052W12DA04600	Andrade, Jose Luis & Janet	\$1,848.39
052W12DA04700	Conway, Christopher Q & Lisa M	\$1,848.39
052W12DA04800	Villanueva, David & Cortes, Nancy	\$1,848.39
Original Tax Lot and Final Assessment Amount		Assessment Amount
051W07CC04400	Lincoln Estates LLC	\$9,491.94
051W07CC04500	Lincoln Estates LLC	\$9,491.94
051W07CC04600	Lincoln Estates LLC	\$9,491.94
New Map Tax Lots within Original		Proportional Final Assessment Amount
051W07CC14100	Silva Herculano & Arroyo, Marisol Lopez	\$2,033.99
051W07CC14200	Ramirez, Manuel & Maria D	\$2,033.99
051W07CC14300	Hatcher, Janet E	\$2,033.99
051W07CC14400	Musgrove, Alfred C & Anne E	\$2,033.99
051W07CC14500	Boru, Clement & Tanya	\$2,033.99
051W07CC14600	Amaral, Isaac	\$2,033.99
051W07CC14700	Bielenberg, Rachael C	\$2,033.99
051W07CC14800	Rosera, William Jonathan	\$2,033.99
051W07CC14900	Geiger, Kimberly & Matthew	\$2,033.99
051W07CC15000	Vargas, Ma Elena & Torres, Pedro	\$2,033.99
051W07CC15100	Krieske, Eric & Marina F	\$2,033.99
051W07CC15200	Rosera RLT & Rosera, Charles J Tre & Deborah A Tre	\$2,033.99
051W07CC15300	Kirwan, Kevin B & Nicole C	\$2,033.99
051W07CC15400	Funston, Gene S & Helen J	\$2,033.99
	TOTAL	\$125,362.86



Agenda Item

February 25, 2008

TO: Mayor and City Council through City Administrator

FROM: Ben Gillespie, Finance Director *Ben*

SUBJECT: **2007-08 Supplemental Budget**

RECOMMENDATION:

Council adopt the attached ordinance for a supplemental appropriation

BACKGROUND:

At its February 11 meeting the Council conducted a hearing to consider budget amendments. The attached ordinance reflects the Council's direction to staff at the conclusion of the hearing.

FINANCIAL IMPACT:

The proposed revision increases Beginning Fund Balances in all funds by \$3,692,279. Revenue in all funds is increased by \$142,867, and total appropriations are increased by \$1,545,828. Contingencies in all funds are increased \$2,289,318. Contingencies in the General Fund increase \$155,315 to \$1,052,753 , which is 10.4% of budgeted expenditures.

Agenda Item Review: City Administrator *[Signature]* City Attorney *NRS* Finance *Ben*

**COUNCIL BILL NO.
ORDINANCE NO.**

AN ORDINANCE ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2007-2008 AND DECLARING AN EMERGENCY.

WHEREAS, Oregon State Statute 294.480 allows for the adoption of a supplemental budget during a fiscal year to meet changes in financial planning, and

WHEREAS, the Notice of Supplemental Budget Hearing and Financial Summary was published in the Woodburn Independent on February 6, 2008 as required under State budget law; and

WHEREAS, the City Council held a public hearing on February 11, 2008 to give citizens an opportunity to comment on the proposed 2007-2008 supplemental budget, now, therefore,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. That the supplemental budget for fiscal year 2007-2008 is hereby adopted as set forth below.

Section 2. That fiscal year 2007-2008 revenues and appropriations are adjusted as follows:

	Revenues	Appropriations
GENERAL FUND		
Revenue Adjustments:		
Beginning Fund Balance	312,695	
Transient Occupancy Tax	(109,265)	
Investment Income	55,254	
Franchise Revenue - Qwest	(7,184)	
Planning Fees	(30,000)	
Pool Concessions	(4,000)	
Pool Admissions	(8,000)	
Pool Memberships	(23,000)	
Pool Lessons	15,000	
Youth Sports	2,500	
Adult Sports	4,000	
Youth Program	1,000	
After School Administration	1,000	
Adult Program	(800)	
Teen Program	1,825	
After School Program	17,000	
Reimbursements - Police Services	71,600	
State Grant - Police Services	15,000	
Donations - Police	1,700	

	Revenues	Appropriations
Range Use - Police	300	
Training - Police	5,265	
Training Surcharge - Police	15,282	
Weed and Seed Program	22,900	
Library - Settlements	400	
Total General Fund Revenue Adjustments	<u>360,472</u>	

Appropriation Adjustments:

City Administrator's Office:

Personnel Services		(3,000)
Materials & Services		3,000

City Recorder's Office:

Personnel Services		(380)
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Finance Department:

Personnel Services		5,200
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Non- Departmental:

Materials & Services		525
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Police Department:

Personnel Services		131,600
Materials & Services		40,687
Capital Outlay		24,125

Library:

Materials & Services		400
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Parks - Leisure Services:

Materials & Services		3,000
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Operating Contingency

155,315

Total General Fund Appropriation Adjustments

360,472

GENERAL OPERATING RESERVE FUND:

Revenue Adjustment:

Beginning Fund Balance	<u>5,668</u>
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Total General Operating Res. Fund Revenue Adjustment **5,668**

Appropriation Adjustment:

Operating Contingency	<u>5,668</u>
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Total General Operating Res. Fund Appropriation Adjustment **5,668**

TRANSIT FUND:

Revenue Adjustment:

Beginning Fund Balance	<u>77,608</u>
------------------------	---------------

Total Transit Fund Revenue Adjustment **77,608**

	Revenues	Appropriations
Appropriation Adjustments:		
Transit:		
Materials & Services		5,000
Dial-a-Ride Program:		
Materials & Services		3,000
Operating Contingency		<u>69,608</u>
Total Transit Fund Appropriation Adjustments		<u>77,608</u>
 <u>BUILDING FUND:</u>		
Revenue Adjustments:		
Beginning Fund Balance	43,273	
Building Permits	<u>(22,705)</u>	
Total Building Fund Revenue Adjustment		<u>20,568</u>
 Appropriation Adjustment:		
Operating Contingency		<u>20,568</u>
Total Building Fund Appropriation Adjustment		<u>20,568</u>
 <u>WEED AND SEED FUND:</u>		
Revenue Adjustment:		
Federal Grant	<u>79,139</u>	
Total Weed and Seed Fund Revenue Adjustment		<u>79,139</u>
 Appropriation Adjustments:		
Personnel Services		66,589
Materials & Services		9,550
Capital Outlay		<u>3,000</u>
Total Weed and Seed Fund Appropriation Adjustments		<u>79,139</u>
 STATE REVENUE SHARING FUND:		
Revenue Adjustment:		
Beginning Fund Balance	<u>90,010</u>	
Total State Revenue Sharing Fund Revenue Adjustment		<u>90,010</u>
 Appropriation Adjustments:		
Capital Outlay		43,300
Operating Contingency		<u>46,710</u>
Total State Revenue Sharing Fund Appropriation Adjustments		<u>90,010</u>
 <u>HOUSING REHABILITATION FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>10,874</u>	
Total Housing Rehab. Fund Revenue Adjustment		<u>10,874</u>

	Revenues	Appropriations
Appropriation Adjustment:		
Operating Contingency		<u>10,874</u>
Total Housing Rehab. Fund Appropriation Adjustment		<u>10,874</u>
<u>CABLE TV FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>3,706</u>	
Total Cable TV Fund Revenue Adjustment	<u>3,706</u>	
Appropriation Adjustment:		
Operating Contingency		<u>3,706</u>
Total Cable TV Fund Appropriation Adjustment		<u>3,706</u>
<u>STREET FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	248,326	
State Gas Tax	<u>(7,850)</u>	
Total Street Fund Revenue Adjustments	<u>240,476</u>	
Appropriation Adjustments:		
Street Maintenance:		
Materials & Services		193,152
Street Administration:		
Materials & Services		38
Operating Contingency		<u>47,286</u>
Total Street Fund Appropriation Adjustments		<u>240,476</u>
<u>CITY GAS TAX FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	205,276	
City Gas Tax	<u>9,800</u>	
Total City Gas Tax Revenue Adjustments	<u>215,076</u>	
Appropriation Adjustments:		
Capital Outlay		192,972
Operating Contingency		<u>22,104</u>
Total City Gas Tax Appropriation Adjustments		<u>215,076</u>
<u>BONDED DEBT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>15,522</u>	
Total Bonded Debt Fund Revenue Adjustment	<u>15,522</u>	

	Revenues	Appropriations
Appropriation Adjustment:		
Operating Contingency		<u>15,522</u>
Total Bonded Debt Fund Appropriation Adjustment		<u>15,522</u>
 <u>POLICE CONSTRUCTION FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>309,540</u>	
Total Police Construction Fund Revenue Adjustment	<u>309,540</u>	
 Appropriation Adjustment:		
Materials & Services		11,000
Construction - Capital Outlay		<u>298,540</u>
Total Police Const. Fund Appropriation Adjustments		<u>309,540</u>
 <u>GENERAL FUND CAPITAL IMPROVEMENT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>149,379</u>	
Total General Fund CIP Revenue Adjustment	<u>149,379</u>	
 Appropriation Adjustment:		
Operating Contingency		<u>149,379</u>
Total General Fund CIP Appropriation Adjustment		<u>149,379</u>
 <u>SPECIAL ASSESSMENT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>110,492</u>	
Total Special Assessment Fund Revenue Adjustment	<u>110,492</u>	
 Appropriation Adjustments:		
Capital Outlay		50,319
Operating Contingency		<u>60,173</u>
Total Special Assessment Fund Appropriation Adjustments		<u>110,492</u>
 <u>STREET/STORM CAPITAL IMPROVEMENT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>255,906</u>	
Total Street/Storm CIP Fund Revenue Adjustment	<u>255,906</u>	
 Appropriation Adjustments:		
Capital Outlay		140,475
Operating Contingency		<u>115,431</u>
Total Street/Storm CIP Fund Appropriation Adjustments		<u>255,906</u>

	Revenues	Appropriations
<u>PARKS CAPITAL IMPROVEMENT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	45,435	
Total Parks CIP Fund Revenue Adjustment	<u>45,435</u>	
Appropriation Adjustment:		
Operating Contingency		45,435
Total Parks CIP Fund Appropriation Adjustment		<u>45,435</u>
<u>TRAFFIC IMPACT FEE FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	384,046	
Total Traffic Impact Fee Fund Revenue Adjustment	<u>384,046</u>	
Appropriations Adjustment:		
Operating Contingency		384,046
Total Traffic Impact Fee Fund Appropriation Adjustment		<u>384,046</u>
<u>STORM WATER SDC FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	183,840	
Total Storm Water SDC Fund Revenue Adjustment	<u>183,840</u>	
Appropriation Adjustments:		
Capital Outlay		101,269
Operating Contingency		82,571
Total Storm Water SDC Fund Appropriation Adjustments		<u>183,840</u>
<u>SEWER CONSTRUCTION FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	102,008	
Total Sewer Construction Fund Revenue Adjustment	<u>102,008</u>	
Appropriations Adjustment:		
Operating Contingency		102,008
Total Sewer Construction Fund Appropriation Adjustment		<u>102,008</u>
WATER CONSTRUCTION FUND:		
Revenue Adjustment:		
Beginning Fund Balance	549,028	
Total Water Construction Fund Revenue Adjustment	<u>549,028</u>	

	Revenues	Appropriations
Appropriations Adjustment:		
Capital Outlay		166,650
Operating Contingency		<u>382,378</u>
Total Water Construction Fund Appropriation Adjustments		<u>549,028</u>
 WATER FUND:		
Revenue Adjustment		
Beginning Fund Balance	154,683	
Water Sales Revenue	<u>68,836</u>	
Total Water Fund Revenue Adjustments	<u>223,519</u>	
 Appropriations Adjustment:		
Administration:		
Materials & Services		38
Operating Contingency		<u>223,481</u>
Total Water Fund Appropriation Adjustments		<u>223,519</u>
 SEWER FUND:		
Revenue Adjustment:		
Beginning Fund Balance	82,636	
Sewer Revenue	<u>(32,130)</u>	
Total Wastewater Fund Revenue Adjustments	<u>50,506</u>	
 Appropriation Adjustments:		
Sewer Operations:		
Materials & Services		111
Capital Outlay		16,000
Operating Contingency		<u>34,395</u>
Total Wastewater Fund Appropriation Adjustments		<u>50,506</u>
 <u>WATER SYSTEM DEVELOPMENT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>159,966</u>	
Total Water SDC Fund Revenue Adjustment	<u>159,966</u>	
 Appropriation Adjustments:		
Capital Outlay		32,750
Operating Contingency		<u>127,216</u>
Total Water SDC Fund Appropriation Adjustments		<u>159,966</u>
 <u>SEWER SYSTEM DEVELOPMENT FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>21,090</u>	
Total Sewer SDC Fund Revenue Adjustment	<u>21,090</u>	

	Revenues	Appropriations
Appropriation Adjustment:		
Operating Contingency		<u>21,090</u>
Total Sewer SDC Fund Appropriation Adjustment		<u>21,090</u>
 <u>INFORMATION SERVICES (IS) FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>5,027</u>	
Total Information Services Fund Revenue Adjustment	<u>5,027</u>	
 Appropriation Adjustment:		
Operating Contingency		<u>5,027</u>
Total Information Services Fund Appropriation Adjustment		<u>5,027</u>
 <u>CENTRAL STORES FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>5,549</u>	
Total Central Stores Fund Revenue Adjustment	<u>5,549</u>	
 Appropriation Adjustment:		
Operating Contingency		<u>5,549</u>
Total Central Stores Fund Appropriation Adjustment		<u>5,549</u>
 <u>SELF INSURANCE FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>47,331</u>	
Total Self Insurance Fund Revenue Adjustment	<u>47,331</u>	
 Appropriation Adjustments:		
Personnel Services		2,880
Materials & Services		(2,880)
Operating Contingency		<u>47,331</u>
Total Self Insurance Fund Appropriation Adjustments		<u>47,331</u>
 <u>TECHNICAL & ENVIRONMENTAL SERVICES FUND:</u>		
Revenue Adjustment:		
Beginning Fund Balance	<u>93,361</u>	
Total T & E Services Fund Revenue Adjustment	<u>93,361</u>	
 Appropriation Adjustment:		
Engineering:		
Materials & Services		38
Capital Outlay		4,000
Operating Contingency		<u>89,323</u>
Total T & E Services Fund Appropriation Adjustments		<u>93,361</u>

Passed by the Council

Submitted to the Mayor

Approved by the Mayor

Filed in the Office of the Recorder

ATTEST: _____
Mary Tennant, Recorder
City of Woodburn, Oregon



Agenda Item

February 25, 2008

TO: Mayor and City Council

FROM: N. Robert Shields, City Attorney

SUBJECT: **City Attorney Employment Agreement**

RECOMMENDATION:

The attached Addendum "F" to the Employment Agreement with N. Robert Shields is submitted for Council action.

BACKGROUND & DISCUSSION:

I am employed pursuant to an employment agreement that requires the City Council to evaluate my job performance annually and provides for merit-based salary increases. In September 2007, the Council began my evaluation process, continued it until February 2008 in order to review my progress towards certain Council objectives, and then considered a compensation adjustment.

At your February 11, 2008 meeting, after my evaluation was completed, the Council voted to increase my base compensation by 3% effective January 1, 2008. Additionally, the Council authorized that, in lieu of any compensatory time, 15 days of annual executive leave be granted with a maximum accrual of 30 days.

DISCUSSION:

I have drafted the attached Addendum "F" for your consideration. I cannot represent the City on this matter because I have a conflict of interest.

FINANCIAL IMPACT:

The attached agreement increases the City Attorney's base compensation from \$108,036 to \$111,276 annually. Total salary and benefits will increase from \$159,057 to \$163,482. The total cost of this increase in 2007-08 is \$2,212 and will be supported primarily by the General Fund. Funding to support this increase is included in the City Attorney's budget for 2007-08.

Agenda Item Review: City Administrator  City Attorney  Finance 

ADDENDUM "F"
TO EMPLOYMENT AGREEMENT WITH
N. ROBERT SHIELDS, CITY ATTORNEY

THIS ADDENDUM TO AGREEMENT is entered into between the City of Woodburn ("City"), an Oregon municipal corporation, and N. Robert Shields ("City Attorney").

WITNESSETH

WHEREAS, City and City Attorney executed an Employment Agreement on August 29, 2000 ("the Original Agreement"); and

WHEREAS, in September 2007, the City Council began the City Attorney's evaluation process; and

WHEREAS, the City Attorney's evaluation was then continued until February 2008 in order to review progress towards certain Council objectives and consider a compensation adjustment; and

WHEREAS, the on February 11, 2008, the City Council concluded the evaluation of the City Attorney and authorized certain modifications to his Employment Agreement; and

WHEREAS, the City Council authorized that the City Attorney's base compensation be increased by 3%, effective January 1, 2008; and

WHEREAS, the Council also authorized that, in lieu of any compensatory time, 15 days of annual executive leave be granted to the City Attorney, with a maximum total accrual limit of 30 days;

NOW, THEREFORE, in consideration of the terms, conditions and covenants contained herein, the parties agree as follows:

Section 5(A) of the Employment Agreement is amended to read:

5(A) Effective January 1, 2008, base compensation of \$111,276 per year payable in monthly installments at the same place and time as other City employees are paid.

Section 7 of the Employment Agreement is amended to read:

7. **SICK LEAVE AND VACATION.** Based upon his prior years of service and this Agreement, City Attorney shall accrue vacation and sick leave in accordance with the personnel rules of City.

The Employment Agreement is further amended to add a new section, Section 7A, to read as follows:

7A. EXECUTIVE LEAVE. Effective March 1, 2008, in lieu and in place of the administrative leave applicable to other management employees, City Attorney shall accrue fifteen (15) executive leave days per year. Executive Leave may accrue to a limit of 30 days (240 hours) and all accrued executive leave is payable to City Attorney upon termination or resignation at his then current rate of pay. However, no executive leave shall accrue beyond this maximum accrual limit, nor shall City Attorney be entitled to any executive leave that would otherwise have accrued during any period where the maximum accrual limit has been reached, and is not reduced through use. Notwithstanding, City Attorney shall be credited with any administrative leave time he accumulated prior to the execution of this Addendum to a maximum of 20 hours.

This Addendum and the Original Agreement together form the entire agreement between the parties hereto relating to the subject matter of this Agreement. Unless otherwise provided for in this Addendum, all terms and conditions of the Original Agreement continue to apply. Where any of the terms of conditions of this Addendum and the Original Agreement conflict, the terms and conditions of this Addendum shall prevail.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum.

City of Woodburn

City Attorney

Kathryn Figley, Mayor

N. Robert Shields

Date

Date



Agenda Item

February 25, 2008

TO: Honorable Mayor and City Council

FROM: John C. Brown, City Administrator 

SUBJECT: **Appointment of Administrator Pro Tem**

RECOMMENDATION:

It is recommended the City Council appoint Police Chief Scott Russell as Administrator Pro Tem for the period of February 26 through February 29, 2008.

BACKGROUND:

I will be away from the office from February 26 through February 29, 2008. Pursuant to Section 21(e) of the Woodburn Charter, the City Council shall appoint an administrator pro tem whenever the Administrator is absent from the City. The Pro Tem Administrator shall possess the powers and duties of the Administrator, but may not appoint or remove a City officer or employee except with approval of the majority of the Council. Chief Russell has accepted this assignment in the past and has the skills needed to successfully complete it.

FINANCIAL IMPACT:

There is no financial impact associated with the recommended action.

Agenda Item Review:

City Administrator 

City Attorney _____

Finance 



Agenda Item

February 25, 2008

TO: Honorable Mayor and City Council through City Administrator
 FROM: Terrie Stevens, Assistant City Administrator *TS*
 SUBJECT: **Water Service Delinquent and Service Interruption Fees and Notice**

RECOMMENDATION:

It is recommended the City Council consider changes to water billing delinquency procedures and charges, and direct staff to draft ordinance amendments to reflect Council policy.

BACKGROUND:

During the City Administrator's January Brown Bag Lunch meeting, water division employees questioned the current procedure of hanging "red tags" for delinquent water services, suggesting the practice is time consuming, costly, and ought not to be necessary because of the other notices given to customers who are late with their payments. Staff also receives complaints from the public, expressing annoyance or embarrassment at receipt of a hanging red tag. For the individual who only once neglects to pay their bill timely, they feel they suffer an unfair humiliation. The public has also questioned the practice of hanging red-tags, and have suggested we discontinue the practice.

The City Administrator asked staff to calculate the labor and materials cost of hanging red tag notices, to determine what could be saved by discontinuing the practice. Staff was also asked to evaluate current notice and delinquent fee procedures and compare them to the procedures employed by other jurisdictions providing water services.

DISCUSSION:

Currently, the City's water bills are due approximately 25 days after the billing date. If the bill remains unpaid, it is included as a past due amount on the next monthly bill due. Red tags are hung at residences with unpaid past due accounts at approximately 50 days from the original billing date, with shut off

Agenda Item Review: City Administrator *TS* City Attorney _____ Finance *Ben*

occurring at approximately day 55 if the bill remains unpaid. No late fees are assessed to overdue accounts, although full payment must be made, and a \$20 fee paid by the customer before services that have been discontinued will be restored. It should be noted that the Ordinance does not currently provide for mail or hanging notices of impending service shut off; what is done has developed as practice over time.

The current process of preparing and hanging red tags is labor intensive. It requires that a billing clerk prepare the list of delinquent accounts to be shut off each week, and that two meter readers spend each Friday hanging red tags. An average of 457 red tags were hung per month in 2007, totaling almost 5,500 for the year. The estimated cost of these services, including labor and materials, is approximately \$12,300 annually (Attachment 1). Approximately 50% of delinquent accounts are repeatedly delinquent. According to customers' own comments, many wait until they receive a red tag each month before paying their bill.

To evaluate current practices in other jurisdictions, twenty local water service providers were surveyed (Attachment 2). Of those surveyed, approximately 70% charge a total of \$40 or more in fees for delinquent accounts where services were shut off. Approximately half of the providers charged \$50-65. In addition, 75% of those providers have two or three points at which fees are assessed, rather than at the one and final point where Woodburn charges.

While it may appear punitive to charge a late fee earlier in the process, the survey shows providers who charge a late fee, usually \$5 to \$15, with the first late notice have fewer late accounts. Providers who charge a fee with the second late notice also have fewer accounts requiring shut off. Finally, the survey shows that those who charge a shut-off, or reconnect fee assess amounts that more closely reflect the cost of the service. In Woodburn, the amounts collected recover only a third of the cost of door hangers; they recover none of the cost of shut off or service restoration. Those costs are borne by other rate payers.

Based on the foregoing, it is recommended that Woodburn restructure the manner in which it addresses delinquent water payments, and that the total fees assessed for delinquency, through restoration of discontinued services be increased from the current \$10, to a total fee of \$45. It is further recommended that the fee be split into three charge points: a fee of \$10.00 to be charged with the 30 day late notice, a second fee of \$10.00 charged with a mailed second late notice and a \$25.00 reconnect fee charged when services are restored after disconnection. Hanging red tags would be discontinued.

As business enterprises, Woodburn's water and wastewater operations total approximately \$7.4 million. Imposing a reasonable fee, in line with the fees charged by other jurisdictions, encourages customers to pay their bill timely and improves the Enterprises' cash flows and interest earnings. It is also more equitable for delinquent account holders to pay for the costs associated with their own delinquent accounts.

In this regard, the six local water providers supplying revenue information for our survey generated between \$32,000 and \$177,000 annually in delinquent and restoration fees, compared to \$4,400 in Woodburn. It is expected the recommended fees will decrease the number of delinquencies and shut-offs, which is the desired result. Using 2007 estimates for delinquencies at one month, two months and at shutoff/reconnect, adjusted for the increased fees, approximately \$78,900 would be generated. The additional fees would offset costs associated with bad debts and contribute to reducing the need for future rate increases.

The Water Ordinance is old, and may require significant revision. It is recommended, however, that only a minor revision be made at this time to incorporate Water Service delinquency and restoration fees in the Master Fee Schedule, for the upcoming budget cycle.

It is acknowledged that these changes will represent a significant change for those who use the red door hangers as a reminder that paying the water bill can no longer be delayed. Staff proposes to educate the public of this change through the press, radio, local access programming, and through the April addition of the quarterly newsletter.

Your approval of the recommended actions is respectfully recommended. With your direction, a minor ordinance amendment will be returned for Council action at the March 10, 2008 meeting.

FINANCIAL IMPACT:

\$86,800 annually, based on anticipated revenues of \$78,900, and cost savings of \$7,900. Cost savings reflect the current cost of red tags, \$12,300 reduced by current shut off fees of \$4,400.

Total red tags hung 5,495 in 2007 (446 total locked off in 2007)

LABOR COST

Meter Readers (Utility II):

Regular readers 42 weeks (10.5 months):

12 hrs per month x 2 readers = 24 hrs month x 10.5 months = 252 hours

Substitute reader (6 vacation/sick @ 2x reading time)

48 hrs x 1.5 = 72 hours

Readers stamping red tags prior to hanging

3 hrs per month x 2 readers = 6 hrs x 12 months = 72 hours

Total reader time 252 + 72 + 72 = 396 hrs annually

Pay rate 19.29 hourly + (37.68% benefits = \$7.268 hourly) = \$26.558

\$26.558 x 396 =

Total Reader Labor Cost \$10,516.96

Accounting Clerk II:

Regular biller 45 weeks (11.25 months):

4 hours per month x 11.25 months = 45 hours

Substitute biller 3 weeks (.75 months, 2x billing time) = 6 hour

Total billing time 51 hours annually

Pay rate \$18.669 hr + (37.68% benefits= \$6.534 hourly)= \$25.203

\$25.203 x 51 hours =

Total Biller Labor Cost \$1,285.35

Total Labor Cost \$11,802.31

MATERIALS COST

\$453.00 per 5,000 = .09 each x 5495 used in 2007 = **Tag cost \$494.55**

(\$852.00 per 10,000 red tags but current order is for 5,000)

Total Materials Cost \$494.55

Total Labor and Non-labor Costs \$12,296.86

Total Cost Per Red Tag Hung \$2.45 (overhead not included)

Water Service Delinquent and Service Interruption Fees

City	Population	# Services	1st Past Due Notice	Door Hanger/ Second Notice	Turn Off Fee	Restoration Fee	Other information	Total fees per shut off	Annual fees Collected
Woodburn	22,875	6614	None (667)	None (446)	None (37)	\$10.00		10.00	4,440.00
Tigard	46,715	18,000	None (800)	\$10.00*(500)	\$50.00 (100) charged 10:00 AM turn off day	None		60.00	120,000.00
Albany	47,470	15,165	None (1288)	\$5.00 (530)	None	\$25.00 (75) day \$60.00 after hrs		30.00	54,300.00
Forest Grove	20,775	8,971	None (1700)	\$10.00 (1175)		\$37.50 (80) day \$116.50 after hr		47.50	177,000.00
Milwaukie	20,920	7,000	\$10.00 (515)	\$30.00 (150)	None (32)	None		40.00	115,800.00
Keizer	35,435	9,500	None (1000)	None	\$32.00 (85)	None		32.00	32,640.00
Oregon City	30,060	9,500	None (700)	\$25.00 (200)	\$25.00 (50)	None		50.00	75,000.00
Beaverton	85,560		None	None	\$40.00	None		40.00	
Portland	568,380		\$5.00	\$10.00	\$40.00	None		55.00	
Tualatin	26,025		finance 18% APR on past due bal	None	\$10.00*	None	In process of establishing new fees	10.00	
Hillsboro	88,300		None	\$5.00	\$50.00 (in city) \$75.00	None		55.00	
Lake Oswego	36,345		\$5.00 or 2.5% over \$200.00	None	\$30.00	\$30.00 (\$80.00 after hours fee)		65.00	
Newberg	21,675	6,300	\$15.00	None	\$15.00	None		30.00	
West Linn	24,180		None	MAIL NO CHARGE	\$30.00	None	Can require additional deposit w/2nd shut off.	30.00	
Wilsonville	17,405	4,566	15% per year of bill	\$25.00	\$27.50	Can charge fee to restore		52.50	
Gresham	99,225		\$5.00	\$15.00	\$30.00	None		50.00	
North Plains	1,890		10% of outstanding balance	\$20.00	\$15.00	None		\$35.00+	
Clackamas River Water			\$10.00	\$10.00	None	\$35.00 day 135.00 after hours	Increase restore fee by \$10 each placed turn off list to max \$200.00	55.00	
Lake Grove Water District			\$5.00	\$10.00	\$25.00	None		40.00	
West Slope Water			None	\$10.00	\$25.00 day \$50.00 after hrs	None		35.00	
Tualatin Valley Water District			None	None	\$25.00	None	subject to 9% per yr on unpaid	25.00	
								Avg. \$43.50	



Agenda Item

February 25, 2008

TO: Honorable Mayor and City Council through City Administrator

FROM: Jim Allen, Community Development Director

SUBJECT: Community Development Director's Approval of Design Review 2007-10, located at 770 N Pacific Highway

RECOMMENDATION:

No action is recommended. This item is placed before the City Council for information purposes in compliance with the Woodburn Development Ordinance. The City Council may call up this item for review if it desires.

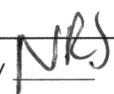
BACKGROUND/DISCUSSION:

The subject property is located on the east side of North Pacific Highway, north of Blaine Street (a private street). The property is the location of the former Portland Fruit Company, but has been vacant for approximately 2 years. The existing building was constructed on the property prior to the property being annexed into the City of Woodburn. The existing building and site improvements were completed under previous Marion County jurisdiction, and some improvements do not meet the standards of the Woodburn Development Ordinance. The design review application was submitted based on addressing a portion of the nonconforming improvements on the property pursuant to the provisions in WDO Section 1.104.05. This provision provides for a review of the parking, loading, landscaping, buffer walls, and refuse facilities on the property.

The application proposed the establishment of a furniture store in the existing building. The application was approved, subject to conditions of approval. The Community Development Director approved this Type II land use application on February 15, 2008.

FINANCIAL IMPACT:

There is no financial impact associated with the recommended action.

Agenda Item Review: City Administrator  City Attorney  Finance 