

WOODBURN SENIOR CENTER  
700 N Cascade Dr.  
Woodburn, Oregon 97071

Hello to all committee members!

We are your Woodburn Senior Center, we have been in existence for 3 ½ years and we exist to make life more meaningful and enjoyable for the city's older residents.

We are making a positive impact on the city and we are growing. We rent from the Woodburn United Methodist Church where we meet three times a week.

We provide lunch once a week on a donation basis with various presenters and speakers.

We have been involved with the following:

City Connection Day  
Mayors Prayer Breakfast  
Greeters

Relay for Life  
Fire Dept Open House  
Facebook Page

We have received donations through the following:

Go Fund Me page

Plant Sales

Private Donors

Funds are raised through various activities and classes:

TaiChi  
Memberships(new and renewals)

Chair Exercise

Bake Sales

Donation Jars

Table outside Walmart

We do all this and more, but not enough to keep growing our Center!

We need equipment and a larger space.

As we are the Woodburn Senior Center, we need the city's support!

We are requesting funding from the city, please take this request into careful consideration.

Thank you for your support.

  
Connie Lum

Director, Woodburn Senior Center

700 N Cascade Dr.

]Woodburn, OR 97071

## **WOODBURN SENIOR CENTER.**

City Members:

On a daily basis the Center requires everyone who comes to visit the Senior Center to sign in, members and non-members alike.

We average # 220 sign-ins a month.

We do not require that folks be a member to come to the Center.

Thank you,

A handwritten signature in cursive script, appearing to read "Connie Lum".

Connie Lum

Director, Woodburn Senior Center

**North Marion Adult Center Inc**  
**dba Woodburn Senior Center**  
quarterly Revenue/expense report  
1st quarter 2019 - c

**Revenue**

	<b>January</b>	<b>February</b>	<b>March</b>
1. Annual membership fee - \$15/yr	\$ 165.00	\$ 45.00	\$ 45.00
2. Founder member fee - \$100/yr	\$ 0.00	\$ 0.00	\$ 0.00
3. Donations	\$ 90.00	\$100.00	\$ 50.00
4. Luncheon donations- held weekly	\$ 296.00	\$ 137.00	\$ 142.95
5. (subtract) lunch service support	\$ ( 69.00)	\$ (46.00)	\$ (46.00)
6. Bingo fund	\$ 47.05	\$ 13.50	\$ 29.31
7. Canasta fund	\$ 8.25	\$ 3.00	\$ 5.00
8. Coffee fund	\$ 14.20	\$ 12.05	\$ 17.88
9. Bottled water fund	\$ 5.00	\$ 0.00	\$ 4.01
10. Tai Chi fund	\$ 28.00	\$ 16.00	\$ 25.00
11. (subtract) petty cash replenish	\$ 0.00	\$ 0.0	\$ (45.57)
12. Baked sale & other		<u>\$141.50</u>	
<b>Total Revenue</b>	<b>\$ 584.50</b>	<b>\$422.05</b>	<b>\$ 227.58</b>

**Expenses**

1. Manager fee - \$300/month	\$ 300.00	\$ 300.00	\$ 300.00
2. Rent - Church - \$250/mon	\$ 250.00	\$ 250.00	\$ 250.00
3. Supplies	\$ 494.20	\$ 0.00	\$ 205.28
<b>Total Expense</b>	<b>\$1,044.20</b>	<b>\$ 550.00</b>	<b>\$ 755.28</b>

Bank reconciliation - Operating Acct			
bank balance beginning of period	\$3,584.96	\$3,125.26	\$2,997.31
Add revenue	\$ 584.50	\$ 422.05	\$ 227.58
Subtract expenses	<u>(\$1,044.20)</u>	<u>\$ (550.00)</u>	<u>\$ (755.28)</u>
bank balance end of period	\$3,125.26	\$2,997.31	\$2,469.61
Reserve acct. (Go-fund-me) mon-end	\$2,316.81	\$2,316.81	\$2,385.58

## **SENIOR CENTER WISH LIST**

VIDEO EQUIPMENT

TV AND STAND

CARTS (2)

COMPUTER

✓ RIDGE WITH FREEZER

NEW DESK

PRINTER

CREDIT CARD SQUARE

HARD PHONE LINE & WI FI

ADDITIONAL PAID SPACE AT CURRENT LOCATION (METHODIST CHURCH)

FUNDS FOR INCREASING COST OF FOOD AND SUPPLIES

TRANSPORTATION TO AND FROM THE SENIOR CENTER WITH PAID DRIVER





# FRIENDS & NEIGHBORS

The North Marion Adult Center/Woodburn Senior Center  
needs your help.

**We need funding!!**

We are located at 700 N. Cascade Dr .  
Our entrance is on the south side of the building.

Coffee Time Anytime comes with Treats – no charge!

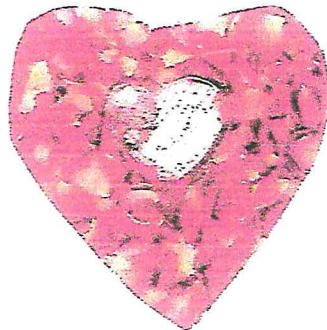
**We now have a GoFundMe page!**

Please pull it up and take a look:

***<https://www.gofundme.com/woodburn-senior-center>***

We will also accept walk in donations.

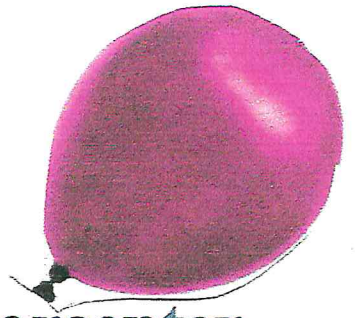
Caring is the



of who we are.

Connie Lum  
Director  
503-989-9927

# WOODBURN SENIOR CENTER FACEBOOK PAGE



[www.facebook.com/woodburnseniorcenter](http://www.facebook.com/woodburnseniorcenter)

Caring is the Heart of Who We Are

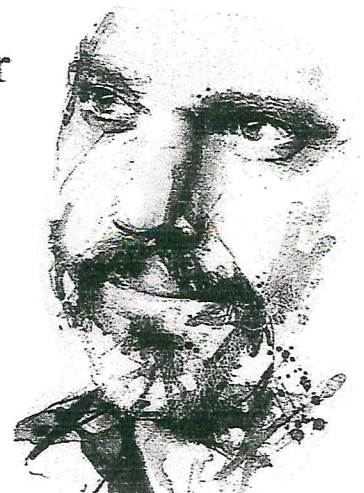
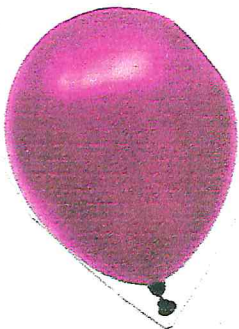
## OLDIES BUT GOODIES!

Coffee Time Anytime!

50+ Monthly Schedule      Weekly Lunch

Snacks      Exercise

Speakers      Games      Laughter



**NORTH MARION ADULT CENTER/WOODBURN SENIOR CENTER** — They need funding! They now have a GoFundMe page at: [gofundme.com/Woodburn-senior-center](https://www.gofundme.com/Woodburn-senior-center). Please

consider a donation that will help fund our activities and future growth. The seniors enjoy weekly Wednesday lunches and free coffee, bingo and canasta, exercise and craft classes, visits from health providers, and more. Your donations make these programs possible, they also accept walk-in donations. Located at 700 N. Cascade Drive in Woodburn, the entrance is on the south side of the building.

# Woodburn Senior Center

## Woodburn Senior Center

Woodburn Senior Center is a safe, attractive place for adults to socialize and engage in meaningful activities that will enhance and enrich their lives.

503-989-9927

**TO DONATE**  
[www.facebook.com/  
woodburnseniorcenter](http://www.facebook.com/woodburnseniorcenter)



# SENIOR CENTER Wednesday LUNCH

12:00 to 1:00

(All lunches served at the Woodburn Senior Center)

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June 5

Lunch provided by Cascade Park  
Speaker: **New Doctor in Town !**



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June 12

Lunch provided by Senior Center

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June 19

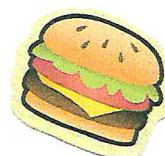
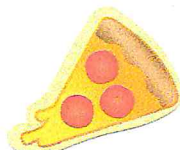
Lunch provided by Emerald Gardens  
Speaker: **Chuck Smith, AARP**

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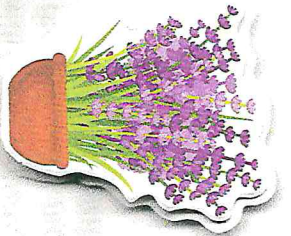
June 26

Lunch by Senior Center  
Speaker: **Project NW Cancer Screening**

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# Woodburn Senior Center



## WOODBURN SENIOR CENTER JUNE 2019 SCHEDULE

### MONDAYS

#### June 3

10am Tai Chi for Balance  
11am Fitness for Active Seniors  
12:30 Canasta

### WEDNESDAYS

#### June 5

10am Video Exercise  
11am Sharin' Our Stories  
Noon Lunch by Cascade Park  
Speaker: New Dr. in Town

### THURSDAYS

#### June 6

10am Coffee Time Anytime  
10am Functioning Fitness **NEW!**  
11am Fitness for Active Seniors  
1pm Bingo

#### June 10

10am Tai Chi for Balance  
10am Woodburn Public Library  
11am Fitness for Active Seniors  
12:30 Canasta

#### June 12

10am Video Exercise  
11am Sharin' Our Stories  
Noon Lunch: Senior Center  
Speaker: Judea Eden, Singer

#### June 13

10am Functioning Fitness  
10am Coffee Time Anytime  
11am Fitness for Active Seniors  
1pm Bingo

#### June 17

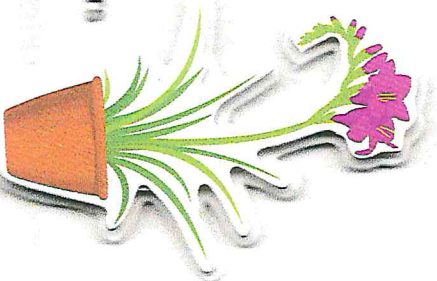
10am Tai Chi for Balance  
11am Fitness for Active Seniors  
2:30 Canasta

#### June 19

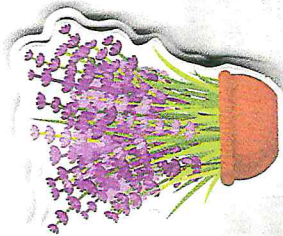
10am Video Exercise  
11am Sharin' Our Stories  
Noon Lunch by Emerald Gardens  
Speaker: Chuck Smith, AARP

#### June 20

10am Coffee Time Anytime  
10am Functioning Fitness  
11am Fitness for Active Seniors  
1pm Bingo



# Woodburn Senior Center



## WOODBURN SENIOR CENTER JUNE 2019 SCHEDULE

### MONDAYS

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10am Tai Chi for Balance  
11am Fitness for Active Seniors  
12:30 Canasta

#### June 10

10am Tai Chi for Balance  
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11am Fitness for Active Seniors  
12:30 Canasta

#### June 17

10am Tai Chi for Balance  
11am Fitness for Active Seniors  
2:30 Canasta

### WEDNESDAYS

#### June 5

10am Video Exercise  
11am Sharin' Our Stories  
Noon Lunch by Cascade Park  
Speaker: New Dr. in Town

#### June 12

10am Video Exercise  
11am Sharin' Our Stories  
Noon Lunch: Senior Center  
Speaker: Judea Eden, Singer

#### June 19

10am Video Exercise  
11am Sharin' Our Stories  
Noon Lunch by Emerald Gardens  
Speaker: Chuck Smith, AARP

### THURSDAYS

#### June 6

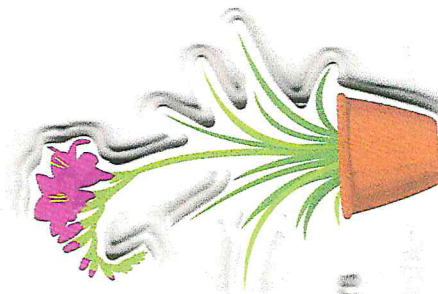
10am Coffee Time Anytime  
10am Functioning Fitness **NEW!**  
11am Fitness for Active Seniors  
1pm Bingo

#### June 13

10am Functioning Fitness  
10am Coffee Time Anytime  
11am Fitness for Active Seniors  
1pm Bingo

#### June 20

10am Coffee Time Anytime  
10am Functioning Fitness  
11am Fitness for Active Seniors  
1pm Bingo



# **PROCLAMATION**

## **NATIONAL HIV TESTING DAY**

**WHEREAS**, the medical condition known as HIV and AIDS is still a prominent and national concern, with 39,000 new infections each year. In the United States alone, 680 youth on average are diagnosed monthly with HIV. Over 10,000 Oregonians were diagnosed with HIV in the last 34 years, with approximately 230 new cases of HIV occurring each year in the state; and

**WHEREAS**, One in seven individuals are unaware that they are HIV positive, with a new HIV infection occurring every 10.5 minutes; and

**WHEREAS**, Testing is critical to HIV prevention. Getting tested and actively managing HIV through treatment can not only reduce mortality and improve quality of life, but also reduces the risk of the spread of HIV from an infected person to their partner by 96%; and

**WHEREAS**, Each year, on June 27, the Centers for Disease Control and Prevention (CDC), AIDS.gov and other national and local entities across the United States, organize National HIV Testing Day. This initiative is a national challenge for all individuals to, “Take the Test, Take Control”; and

**WHEREAS**, City Officials are exceptionally situated to increase awareness and understanding among their constituents that all Americans need to be tested for HIV infections, to not only protect their own health, but to also work towards eradicating HIV and AIDS,

**NOW, THEREFORE**, I, Eric Swenson, Mayor of the City of Woodburn do hereby proclaim June 27, 2019, as

### **“NATIONAL HIV TESTING DAY”**

As a day for all residents to, “Test Your Way. Do it Today”

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Woodburn to be affixed this 24<sup>th</sup> day of June 2019.

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Eric Swenson, Mayor  
City of Woodburn



# COUNCIL MEETING MINUTES

## JUNE 10, 2019

**DATE** WOODBURN POLICE DEPARTMENT, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JUNE 10, 2019

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

### **ROLL CALL**

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present
Councilor Schaub	Absent
Councilor Morris	Present
Councilor Ellsworth	Present
Councilor Cabrales	Present

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Police Chief Ferraris, Community Development Director Kerr, Economic Development Director Johnk, Finance Director Montoya, Sr. Management Analyst Moore, Recreation Manager Cuomo, Communications Coordinator Moore, City Recorder Pierson

### **MOMENT OF SILENCE FOR DICK PUGH**

City Administrator Derickson asked for a moment of silence for Dick Pugh who previously served on the City Council and made significant contributions to the City of Woodburn.

### **APPOINTMENTS**

**Carney/Morris...** appoint Katrina Charfauros and Cynthia Branger Munoz to the Woodburn Public Library Board. The motion passed unanimously.

### **PRESENTATIONS**

- A. Recognize WHS Band Leader** - Mayor Swenson mentioned that earlier in the evening he presented the key to the City to long time Woodburn High School band teacher, Brian Gingerich.
- B. Grand Marshal Announcement** – Mayor Swenson announced that Elias Villegas was selected as this year's Fiesta Mexicana Grand Marshal.
- C. Community Center Presentation** – Greg Carter, with Consumer Opinion Services provided the results of the community center bond measure telephone survey to the City Council. Assistant City Administrator Row stated that at the June 24 City Council meeting he hopes to bring a contract award for the first phase of the design work of this project.
- D. Recycling Presentation** – KJ Lewis with Republic Services provided a presentation on recycling and shared the challenges they are seeing.
- E. Mayor Presentation - Park Enhancements** - Mayor Swenson stated that he is not ready to present on the park enhancement plan but he would like to discuss the Council's interest in Woodburn becoming a part of the Sister City Program.

# COUNCIL MEETING MINUTES

**JUNE 10, 2019**

Councilor Cabrales stated that she thought it was a good idea and Councilor Cornwell concurred. Councilor Carney stated that he supports applying to the Sister City program for the purpose of acquiring information regarding other cities in the world, to determine which cities share productive similarities with Woodburn. **Ellsworth/Cabrales...**approve the spending of \$440 to apply to the Sister City Program and after which we explore what cities we might want to partner with. The motion passed unanimously.

## **CONSENT AGENDA**

- A.** Woodburn City Council minutes of May 13, 2019,
- B.** OLCC Liquor License Application for J&B Liquidators Inc. (Wheeler Dealer),
- C.** Crime Statistics through April 2019,
- D.** Building Activity for May 2019.

Councilor Ellsworth wanted to clarify that the OLCC License application for J& B Liquidators is to sell bottles of beer and wine to go, not for consumption in the building. Chief Ferraris confirmed that was correct. **Morris/Ellsworth...** adopt the Consent Agenda. The motion passed unanimously.

## **PUBLIC HEARINGS**

### **Legislative Amendments related to multiple-family dwellings in the Commercial General ("CG") Zoning District (LA 2019-01)**

A Public Hearing to consider input on LA 2019-01, Legislative Amendments related to multiple-family dwellings in the Commercial General ("CG") Zoning District. Mayor Swenson declared the hearing open at 8:03 p.m. for hearing public input on LA 2019-01, Legislative Amendments related to multiple-family dwellings in the Commercial General ("CG") Zoning District. Community Development Director Kerr provided a staff report on the proposed amendments and entered Ordinance 2391 and Ordinance 2530 into the record. Mayor Swenson asked if anyone from the public would like to speak on this subject. Becky Hayes, 950 Evergreen Road, stated that she purchased a condo at Panor 360 in January and that with the code change she has concerns about her security if something were to happen to the building and whether or not they would be able to rebuild them. She added that it is really hard to find a place that you can afford to live as a senior and that the security that she did have will go away when the use is changed from Permitted Use to Conditional Use. She requested that they possibly put in an addendum to grandfather in Panor 360, so we can have a little bit more security and keep it as a Permitted Use. She explained that Panor 360 was built in 1973 and the original complex wasn't developed until 1978 and that it has gone through quite a few zone changes. She added that she has no idea what the history is and why nobody spoke up for it before but she is speaking up now and thinks we need some security for people like her. Mayor Swenson declared the hearing closed at 8:26 p.m.

**Carney/Morris...** tentatively approve the proposed legislative amendment to Table 2.03C of the Woodburn Development Ordinance (as recommended by the Planning Commission) and direct staff to prepare the appropriate ordinance. The motion passed unanimously.

### **Fiscal Year (FY) 2018-2019 Supplemental Budget Request #4 for Closure of Museum Endowment Fund**

A Public Hearing to consider input on the FY 2018-2019 Supplemental Budget Request #4 for Closure of Museum Endowment Fund. Mayor Swenson declared the hearing open at 8:33 p.m. for hearing public input on the FY 2018-2019 Supplemental Budget Request #4 for

# **COUNCIL MEETING MINUTES**

**JUNE 10, 2019**

Closure of Museum Endowment Fund. Finance Director Montoya provided a staff report. Mayor Swenson asked if anyone from the public would like to speak on this subject. No members of the public wished to speak in either support or opposition of the FY 2018-2019 Supplemental Budget Request #4 for Closure of Museum Endowment Fund. Mayor Swenson declared the hearing closed at 8:35 p.m.

## **Fiscal Year (FY) 2019-20 City Budget Adoption**

A Public Hearing to consider input on the Fiscal Year (FY) 2019-20 City Budget Adoption. Mayor Swenson declared the hearing open at 8:36 p.m. for the purpose of hearing public input on the Fiscal Year (FY) 2019-20 City Budget Adoption. City Administrator Derickson provided a staff report. Mayor Swenson asked if anyone from the public would like to speak on this subject. No members of the public wished to speak in either support or opposition of the Fiscal Year (FY) 2019-20 City Budget Adoption. Mayor Swenson declared the hearing closed at 8:38 p.m.

## **Fiscal Year (FY) 2019-20 State Revenue Sharing**

A Public Hearing to consider input on Fiscal Year (FY) 2019-20 State Revenue Sharing. Mayor Swenson declared the hearing open at 8:38 p.m. for the purpose of hearing public input on Fiscal Year (FY) 2019-20 State Revenue Sharing. City Administrator Derickson provided a staff report. Mayor Swenson asked if anyone from the public would like to speak on this subject. No members of the public wished to speak in either support or opposition of Fiscal Year (FY) 2019-20 State Revenue Sharing. Mayor Swenson declared the hearing closed at 8:39 p.m.

## **COUNCIL BILL NO. 3097 - A RESOLUTION APPROVING TRANSFERS OF FY 2018-2019 APPROPRIATIONS AND APPROVING A SUPPLEMENTAL BUDGET**

**Ellsworth** introduced Council Bill No. 3097. City Recorder Pierson read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3097 duly passed.

## **COUNCIL BILL NO. 3098 - A RESOLUTION ADOPTING THE FISCAL YEAR (FY) 2019-20 BUDGET; MAKING BUDGET APPROPRIATIONS; AND CATEGORIZING TAXES**

**Ellsworth** introduced Council Bill No. 3098. City Recorder Pierson read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3098 duly passed.

## **COUNCIL BILL NO. 3099 - A RESOLUTION DECLARING THE CITY OF WOODBURN'S ELIGIBILITY AND ELECTION TO RECEIVE STATE REVENUE SHARING**

**Ellsworth** introduced Council Bill No. 3099. City Recorder Pierson read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3099 duly passed.

## **COUNCIL BILL NO. 3100 - A RESOLUTION APPROVING OF THE SALE OF THE CONTROLLING INTEREST IN WOODBURN AMBULANCE SERVICE, INC. AND ASSIGNMENT OF ITS NON-EXCLUSIVE AMBULANCE FRANCHISE TO METRO WEST AMBULANCE SERVICE, INC.; AND SETTING AN EFFECTIVE DATE**

**Ellsworth** introduced Council Bill No. 3100. City Recorder Pierson read the bill by title only since there were no objections from the Council. Shawn Baird with Woodburn Ambulance

# COUNCIL MEETING MINUTES

**JUNE 10, 2019**

and J.D. Fuiten with Metro West provided information on the sale. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3100 duly passed.

## **2019 OREGON MAIN STREET REVITALIZATION GRANT HISTORIC CITY HALL - 550 N. FIRST STREET**

Economic Development Director Johnk provided a staff report. **Ellsworth/Carney**... approve the Oregon Main Street Revitalization grant for \$200,000 for the Historic City Hall Building Redevelopment Project and authorize the City Administrator to sign the Grant Agreement. The motion passed unanimously.

## **CITY ADMINISTRATOR'S REPORT**

City Administrator Derickson provided the City Council with the Taste of Woodburn coupon books.

## **MAYOR AND COUNCIL REPORTS**

Councilor Cornwell stated that she attended the Taste of Woodburn and added that there was a good turn out and it was really well done.

Councilor Carney concurred with Councilor Cornwell and stated that he brought his family along and they really enjoyed the dancers.

Councilor Ellsworth stated that she also attended the Taste of Woodburn but would like to see if it is possible to provide a beer garden for those who would like to enjoy an adult beverage responsibly while also enjoying the event.

Mayor Swenson stated that he attended the Rotary International Conference last week and added that he and Councilor Cabrales would be meeting with the Mexican Consulate.

## **ADJOURNMENT**

**Morris/Ellsworth** ... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 9:02 p.m.

APPROVED \_\_\_\_\_  
ERIC SWENSON, MAYOR

ATTEST \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

June 24, 2019

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Director

SUBJECT: **Acceptance of Four Easements at 591 Gatch Street, Woodburn, OR 97071 (Tax Lot 051W18AA05700)**

**RECOMMENDATION:**

That City Council accept three public utility easements and one bicycle & pedestrian easement granted by Mid-Valley Community Church, owners of the property located at 591 Gatch Street, Woodburn, OR 97071 (Tax Lot 051W18AA05700).

**BACKGROUND:**

The property owner is required to provide three 5-foot public utility easements and one variable width public bicycle & pedestrian easement in order to satisfy the conditions of approval of Design Review (DR 2017-01).

**DISCUSSION:**

The first 5-foot wide public utility easement dedication is located along the northern property boundary, adjacent to E. Lincoln Street. The second 5-foot wide public utility easement dedication is located along the eastern property boundary, adjacent to Gatch Street. The third 5-foot public utility easement dedication is located along the southern property boundary, adjacent to Young Street. The 5-foot wide public utility easements provide a permanent easement and right-of-way to construct, reconstruct, and operate public and franchised utilities.

The variable width public bicycle & pedestrian easement is located along the western property boundary and provides a permanent easement and right-of-way to construct, reconstruct, and maintain a public bicycle & pedestrian easement.

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Agenda Item Review: City Administrator ☒ City Attorney ☒ Finance ☒

**FINANCIAL IMPACT:**

There is no cost to the City for the Public Easements.

Attachments

A Copy of the four Public Easement documents is included as Exhibit "A" and Exhibit "B" for each dedication.

**AFTER RECORDING RETURN TO:**

Woodburn City Recorder  
 City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

**CITY OF WOODBURN, OREGON  
 PUBLIC UTILITY EASEMENTS**

MID-VALLEY COMMUNITY CHURCH, GRANTOR, grants to the CITY OF WOODBURN, OREGON, hereinafter called CITY, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain PUBLIC UTILITIES on the following described land:

*See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement which are by this reference incorporated herein*

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of CITY.

Upon completion of the construction, CITY shall restore the surface of the property to its original condition and shall indemnify and hold GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is ZERO (\$0.00), and other valuable consideration, the receipt of which is acknowledged by GRANTOR.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under GRANTOR.

DATED this 11<sup>th</sup> day of June, 2019.

BY: \_\_\_\_\_

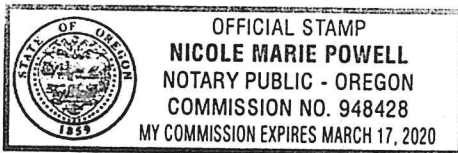
*Jose Dominguez*  
 Pastor

*Mid Valley Community Church*

## CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion ss.

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of June 2019 by Jesse Hamberger,  
 as pastor of Mid valley community church a corporation and the  
 foregoing instrument was signed and sealed on behalf of said corporation by authority of  
 its Board of Directors; and each of them acknowledged said instrument to be its voluntary  
 act and deed.



[Signature]  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: March 17, 2020

City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn, Oregon,  
 Approves and Accepts this Conveyance Pursuant to  
 ORS 93.808.

City Recorder:

Heather Pierson



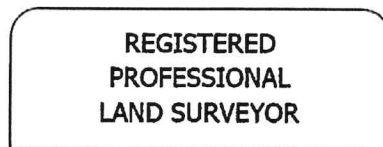
EXHIBIT A

5' PUBLIC UTILITY EASEMENT (GATCH STREET)

AN 5' WIDE STRIP IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON; LYING WESTERLY OF AND THE EAST LINE OF WHICH IS DESCRIBED BELOW:

BEGINNING AT A POINT WHICH BEARS SOUTH 21°37'25" EAST 556.54 FEET AND NORTH 81°09'00" WEST 13.0 FEET FROM THE NORTHEAST CORNER OF DLC NO. 64; THENCE NORTH 8°43'56" EAST 244.40 FEET; THENCE NORTH 0°08'07" WEST 159.53 FEET; THENCE NORTH 10°09'43" WEST 198.64 FEET TO THE SOUTH LINE OF EAST LINCOLN STREET.

MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.



*Kyle W. Latimer*  
OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
80442

EXPIRES 12-31-2020

# EXHIBIT 'B'

PG 8 OF 8

E. LINCOLN STREET

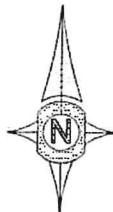
GATCH STREET

5.00' PUBLIC UTILITY EASEMENT

VARIABLE WIDTH RIGHT OF WAY TO CITY OF WOODBURN

"AREA A"  
PER MCSR 38711

TAX LOT 5700  
MAP 05-1W-18AA



SCALE:



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Kyle W. Latimer*

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

5.00' PUBLIC UTILITY EASEMENT

NEW RIGHT OF WAY

OLD RIGHT OF WAY

40.00'

[N10°09'43"W 198.64']

[N10°10'08"W 74.62']

[N0°08'07"W 159.53']

13.00' RIGHT OF WAY TO  
CITY OF WOODBURN

[N0°08'07"W 87.04']

[N8°34'56"E 244.40']

[S8°34'56"W 245.45']

[N81°09'00"W 13.00']

5/19/2019

16-171

DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
GATCH ST. RIGHT OF WAY  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 1  
of 1

AFTER RECORDING RETURN TO:

Woodburn City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, OR 97071

**CITY OF WOODBURN, OREGON  
PUBLIC UTILITY EASEMENTS**

MID-VALLEY COMMUNITY CHURCH, GRANTOR, grants to the CITY OF WOODBURN, OREGON, hereinafter called CITY, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain PUBLIC UTILITIES on the following described land:

*See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement which are by this reference incorporated herein*

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of CITY.

Upon completion of the construction, CITY shall restore the surface of the property to its original condition and shall indemnify and hold GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is ZERO (\$0.00), and other valuable consideration, the receipt of which is acknowledged by GRANTOR.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under GRANTOR.

DATED this 11<sup>th</sup> day of June, 2019.

BY: Jesse Dan Givens  
Pastor, President  
Mid Valley Community Church

## CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion ss.

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of June 2019 by Jesse G Hamberger,  
 as pastor of Mid Valley Community Church a corporation and the  
 foregoing instrument was signed and sealed on behalf of said corporation by authority of  
 its Board of Directors; and each of them acknowledged said instrument to be its voluntary  
 act and deed.



Nicole Marie Powell  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: March 17, 2020

City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn, Oregon,  
 Approves and Accepts this Conveyance Pursuant to  
 ORS 93.808.

City Recorder:

Heather Pierson

EXHIBIT A

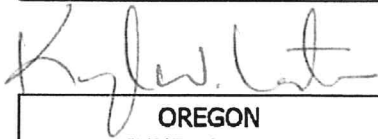
5' PUBLIC UTILITY EASEMENT (E. LINCOLN STREET)

AN 5' WIDE STRIP IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON; LYING SOUTHERLY OF AND THE NORTH LINE OF WHICH IS DESCRIBED BELOW:

BEGINNING AT A POINT WHICH BEARS NORTH 85°44'03" EAST 11.46 FEET AND NORTH 0°24'42" WEST 59.83 FEET FROM THE NORTHEAST CORNER OF DLC NO. 64; THENCE NORTH 88°46'18" EAST 92.60 FEET; THENCE NORTH 78°14'34" EAST 91.64 FEET TO THE WEST LINE OF GATCH STREET.

MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.

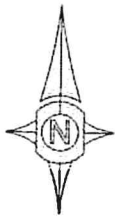
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



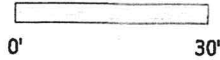
OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
80442

EXPIRES 12-31-2020

# EXHIBIT 'B'



SCALE:



## E. LINCOLN STREET

11.00' RIGHT OF WAY TO CITY OF WOODBURN

EXISTING CURB

[S10°09'43"E 11.00']

[N78°14'34"E 90.93']

[N78°14'34"E 91.64']

[N88°46'18"E 91.43']

[11.00']

[N88°46'18"E 92.60']

[5.00']

[N88°46'18"E 93.13']

[N78°14'34"E 86.96']

5.00' PUBLIC UTILITY EASEMENT

[N0°24'42"W 70.83']

'AREA A'  
PER MCSR 38711

TAX LOT 5700  
MAP 05-1W-18AA

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Kyle W. Latimer*

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

5/19/2019

16-171

DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
E. LINCOLN ST. RIGHT OF WAY  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 1  
of 1

## AFTER RECORDING RETURN TO:

Woodburn City Recorder  
 City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

**CITY OF WOODBURN, OREGON  
 PUBLIC UTILITY EASEMENTS**

MID-VALLEY COMMUNITY CHURCH, GRANTOR, grants to the CITY OF WOODBURN, OREGON, hereinafter called CITY, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain PUBLIC UTILITIES on the following described land:

*See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement which are by this reference incorporated herein*

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of CITY.

Upon completion of the construction, CITY shall restore the surface of the property to its original condition and shall indemnify and hold GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is ZERO (\$0.00), and other valuable consideration, the receipt of which is acknowledged by GRANTOR.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under GRANTOR.

DATED this 11<sup>th</sup> day of June, 2019.

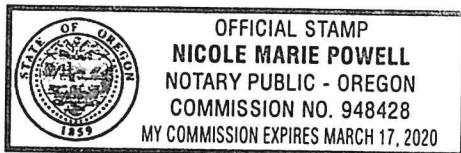
BY: \_\_\_\_\_

*Jon Chung*  
*Jon Chung*  
 Pastor, President  
 Mid Valley Community Church

## CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion ) ss.

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of June 2019 by Jesse G Hamberger,  
 as pastor of Mid valley community church a corporation and the  
 foregoing instrument was signed and sealed on behalf of said corporation by authority of  
 its Board of Directors; and each of them acknowledged said instrument to be its voluntary  
 act and deed.



[Signature]  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: March 17, 2020

City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn, Oregon,  
 Approves and Accepts this Conveyance Pursuant to  
 ORS 93.808.

City Recorder:

Heather Pierson



## EXHIBIT A

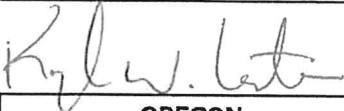
## 5' PUBLIC UTILITY EASEMENT (YOUNG STREET)

AN AREA IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON:

BEGINNING AT A POINT WHICH BEARS NORTH 22°42'47" EAST 7.36 FEET FROM A 5/8" IRON ROD AS SET ON MARION COUNTY SURVEY RECORD (MCSR) NO. 36336 WHICH BEARS SOUTH 47°00'00" WEST 1283.82 FEET FROM THE NORTHEAST CORNER OF DLC. NO. 64 AND IS NEAR THE RIGHT OF WAY OF YOUNG STREET; THENCE SOUTH 59°53'55" EAST 32.51 FEET; THENCE SOUTH 74°12'27" EAST 14.05 FEET; THENCE SOUTH 40°30'04" WEST 5.50 FEET THENCE NORTH 74°12'27" WEST 12.38 FEET; THENCE NORTH 59°53'55" WEST 32.49 FEET; THENCE NORTH 22°42'47" EAST 5.04 FEET TO THE POINT OF BEGINNING.

MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
80442

EXPIRES 12-31-2020

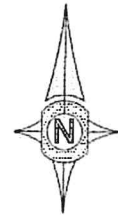
# EXHIBIT 'B'

PG 8 OF 8

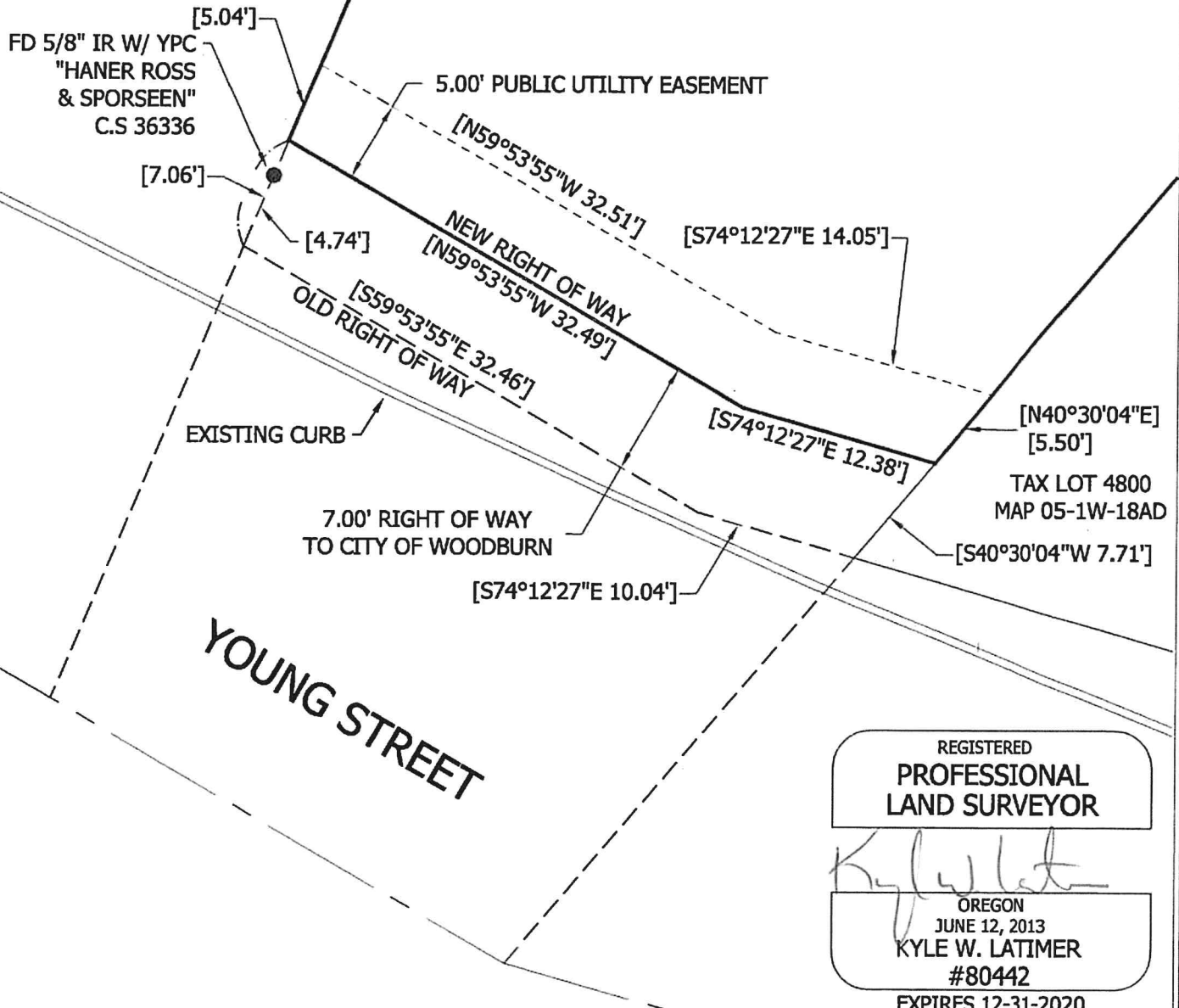
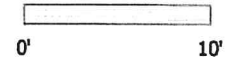
TAX LOT 2500  
MAP 05-1W-18AA

"AREA A"  
PER MCSR 38711

TAX LOT 5700  
MAP 05-1W-18AA



SCALE:



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Kyle W. Latimer*

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

5/19/2019  
16-171  
DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
YOUNG STREET RIGHT OF WAY  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 1  
of 1

BICYCLE AND PEDESTRIAN ACCESS EASEMENT

AFTER RECORDING RETURN TO:

PAGE 1 OF 5

Woodburn City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, OR 97071

**CITY OF WOODBURN, OREGON  
PUBLIC PEDESTRIAN AND BICYCLE PATHWAY & PUBLIC UTILITY EASEMENTS**

MID-VALLEY COMMUNITY CHURCH, *GRANTOR*, grants to the CITY OF WOODBURN, OREGON, hereinafter called *CITY*, permanent easements, including unrestricted ingress and egress rights for the purposes of (i) construction, reconstruction, operation, maintenance, repair, and use of a public pedestrian and bicycle pathway and its lateral and supporting structures; and (ii) construction, reconstruction, operation, maintenance, and repair of public utilities, over, across, in and through the real property ("property") owned by *GRANTOR* located in Marion County, State of Oregon, and more particularly described as follows:

*See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement, which are by this reference incorporated herein.*

The easement results from Variance VAR 2018-03 Conditions V6 and V-2035.

*CITY* shall have the exclusive right to construct, install, maintain, operate and access the pathway and public utilities, and all related facilities within the easement. *GRANTOR* may use the surface of the easement provided such use does not interfere with *CITY's* rights contained in this easement. Prohibited uses shall consist of, but are not limited to, permanent structures, buildings, fences, or any excavation or alteration within the easement area. *GRANTOR* shall not permit any other utilities to be located in the easement without the written consent of *CITY*.

*CITY* shall not construct the segment of the Mill Creek Greenway Trail as a capital improvement project over and across *GRANTOR's* property as described above earlier than January 2, 2035 pursuant to Condition V-2035. The easement and all rights granted herein shall perpetually encumber the property.

Upon completion of any public improvements, the *CITY* shall be responsible for the maintenance of the pathway and public utilities, and related facilities located within the easement. *CITY's* use of the easement shall not unreasonably interfere with *GRANTOR's* use of its property.

Upon completion of any public improvements, the *CITY* shall indemnify and hold *GRANTOR* harmless against any and all loss, cost, or damage arising out of the existence of the rights granted herein.

The true consideration of this conveyance is zero dollars (\$0.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by *GRANTOR*.

BICYCLE AND PEDESTRIAN ACCESS EASEMENT

PAGE 2 OF 5

*GRANTOR* covenants to *CITY* that *GRANTOR* is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that *GRANTOR* and its heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to *CITY* against the lawful claims and demands of all person claiming by, through, and under *GRANTOR*.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

MID-VALLEY COMMUNITY CHURCH,  
an Oregon Non-Profit Corporation

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

State of Oregon, County of \_\_\_\_\_) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019 by

\_\_\_\_\_. As \_\_\_\_\_ of \_\_\_\_\_. a  
Corporation and the foregoing instrument was signed and sealed on behalf of said corporation by  
authority of its Board of Directors: and each of them acknowledged said instrument to be its voluntary  
act and deed.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

City of Woodburn  
270 Montgomery Street  
Woodburn, OR 97071  
\_\_\_\_\_

By Signature below, the City of Woodburn, Oregon,  
Approves and Accepts this Conveyance Pursuant to  
ORS 93.808

City Recorder:

\_\_\_\_\_  
Heather Person

## EXHIBIT A

## VARIABLE WIDTH, PUBLIC BICYCLE AND PEDESTRIAN EASEMENT

AN AREA IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST,  
WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON:

BEGINNING AT A POINT ON THE RECENTLY DEDICATED NORTH RIGHT OF WAY OF YOUNG STREET,  
WHICH BEARS NORTH 22°42'47" EAST 2.32 FEET FROM A 5/8" IRON ROD AS SET ON MARION COUNTY  
SURVEY RECORD NO. 36336, ROD BEARS SOUTH 47°00'00" WEST 1283.82 FEET FROM THE NORTHEAST  
CORNER OF DLC NO. 64; THENCE SOUTH 59°54'44" EAST 32.49 FEET; THENCE SOUTH 74°12'27" EAST  
12.38 FEET; THENCE NORTH 40°30'04" EAST 157.10 FEET; THENCE NORTH 07°44'05" EAST 102.98 FEET;  
THENCE NORTH 33°03'49" EAST 44.47 FEET; THENCE NORTH 49°10'47" EAST 85.12 FEET; THENCE  
NORTH 70°24'31" EAST 113.77 FEET; THENCE SOUTH 54°02'15" EAST 82.75 FEET; THENCE NORTH  
15°19'55" EAST 31.45 FEET; THENCE NORTH 41°38'45" EAST 33.33 FEET; THENCE NORTH 73°37'46" EAST  
45.41 FEET; THENCE SOUTH 89°50'00" EAST 82.94 FEET; THENCE NORTH 68°45'09" EAST 211.06 FEET;  
THENCE NORTH 20°22'17" EAST 209.65 FEET; THENCE NORTH 38°50'43" EAST 104.18 FEET; THENCE  
SOUTH 84°08'42" EAST 96.39 FEET; THENCE NORTH 24°38'10" EAST 61.28 FEET; THENCE NORTH  
10°22'01" WEST 43.89 FEET; THENCE NORTH 39°42'09" EAST 18.64 FEET; THENCE NORTH 80°07'26"  
EAST 20.52 FEET; THENCE NORTH 09°52'30" WEST 102.59 FEET; THENCE SOUTH 86°53'08" WEST 55.89  
FEET; THENCE NORTH 00°00'14" WEST 23.64 FEET TO THE SOUTH LINE OF EAST LINCOLN STREET;  
THENCE SOUTH 88°46'18" WEST 34.00 FEET; THENCE SOUTH 0°24'42" EAST 59.83 FEET; THENCE SOUTH  
85°44'03" WEST 11.46 FEET; THENCE SOUTH 20°30'00" WEST 165.48 FEET; THENCE SOUTH 51°15'27"  
WEST 93.52 FEET; THENCE SOUTH 73°23'17" WEST 464.27 FEET; THENCE SOUTH 59°34'36" WEST 82.41  
FEET; THENCE SOUTH 52°35'27" WEST 120.02 FEET; THENCE SOUTH 43°57'52" WEST 132.10 FEET;  
THENCE SOUTH 26°43'47" WEST 89.34 FEET; THENCE SOUTH 16°42'13" WEST 144.03 FEET; THENCE  
SOUTH 13°10'59" EAST 30.16 FEET; THENCE SOUTH 22°42'47" WEST 76.26 FEET TO THE POINT OF  
BEGINNING.

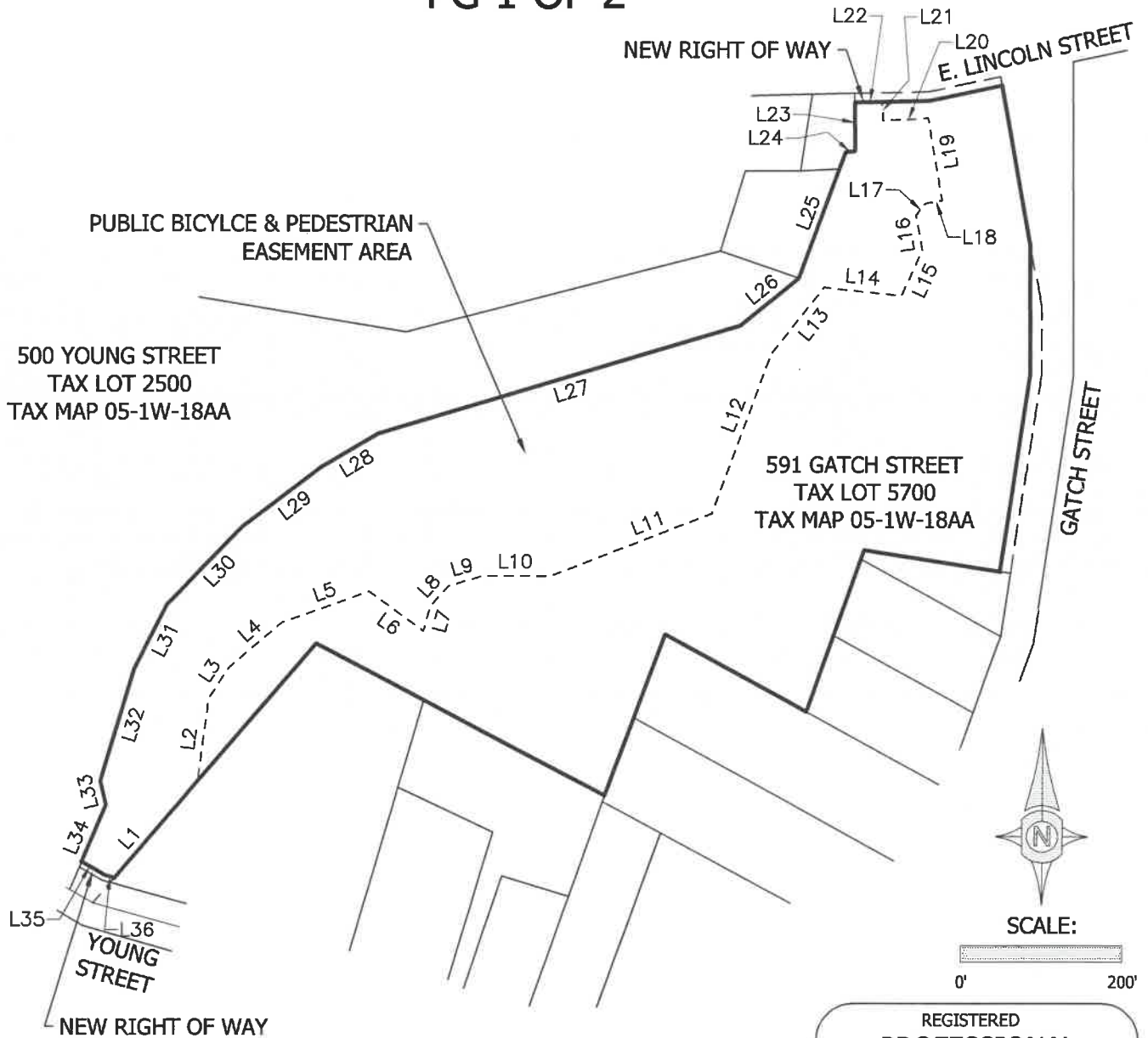
MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.



# EXHIBIT 'B'

PG 4 OF 5

PG 1 OF 2



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Kyle W. Latimer*

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

6/17/2019  
16-171  
DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
PEDESTRIAN EASEMENT  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 1  
of 2

# EXHIBIT 'B'

PG 5 OF 5

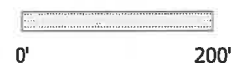
PG 2 OF 2

LINE TABLE		
LINE #	BEARING	LENGTH
L1	N40° 30' 04"E	157.10
L2	N07° 44' 05"E	102.98
L3	N33° 03' 49"E	44.47
L4	N49° 10' 47"E	85.12
L5	N70° 24' 31"E	113.77
L6	S54° 02' 15"E	82.75
L7	N15° 19' 55"E	31.45
L8	N41° 38' 45"E	33.33
L9	N73° 37' 46"E	45.41
L10	S89° 50' 00"E	82.94
L11	N68° 45' 09"E	211.06
L12	N20° 22' 17"E	209.65
L13	N38° 50' 43"E	104.18
L14	S84° 08' 42"E	96.39
L15	N24° 38' 10"E	61.28
L16	N10° 22' 01"W	43.89
L17	N39° 42' 09"E	18.64
L18	N80° 07' 26"E	20.52
L19	N09° 52' 30"W	102.59
L20	S86° 53' 08"W	55.89

LINE TABLE		
LINE #	BEARING	LENGTH
L21	N00° 00' 14"W	23.64
L22	S88° 46' 18"W	34.00
L23	S00° 24' 42"E	59.83
L24	S85° 44' 03"W	11.46
L25	S20° 30' 00"W	165.48
L26	S51° 15' 27"W	93.52
L27	S73° 23' 17"W	464.27
L28	S59° 34' 36"W	82.41
L29	S52° 35' 27"W	120.02
L30	S43° 57' 52"W	132.10
L31	S26° 43' 47"W	89.34
L32	S16° 42' 13"W	144.03
L33	S13° 10' 59"E	30.16
L34	S22° 42' 47"W	76.26
L35	S59° 54' 44"E	32.49
L36	S74° 12' 27"E	12.38



SCALE:



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Kyle W. Latimer*

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

6/17/2019  
16-171  
DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
PEDESTRIAN EASEMENT  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 2  
of 2

June 24, 2019

TO: Honorable Mayor and City Council through City Administrator  
FROM: Eric Liljequist, Public Works Director  
SUBJECT: **Acceptance of Three Warranty Deeds at 591 Gatch Street,  
Woodburn, OR 97071 (Tax Lot 051W18AA05700)**

**RECOMMENDATION:**

That City Council accept three warranty deeds granted by Mid-Valley Community Church for their property located at 591 Gatch Street, Woodburn, OR 97071 (Tax Lot 051W18AA05700).

**BACKGROUND:**

The property owner is required to provide three warranty deeds to the City in order to satisfy the conditions of approval of Design Review (DR 2017-01).

**DISCUSSION:**

The first public right-of-way dedication is located along the northern property boundary, adjacent to E. Lincoln Street. This 11-foot wide public right-of-way provides the required proportional dedication for compliance with the service collector street classification width per the Woodburn Transportation System Plan (WTSP). The second public right-of-way dedication is located along the eastern property boundary, adjacent to Gatch Street. This variable width public right-of-way provides the required proportional dedication for compliance with the access street classification width per the WTSP. The third public right-of-way dedication is located along the southern property boundary, adjacent to Young Street. This 7-foot public right-of-way provides the required proportional dedication for compliance with the minor arterial street classification width per the WTSP.

**FINANCIAL IMPACT:**

There is no cost to the City for the Warranty deeds.

---

Agenda Item Review: City Administrator \_\_\_\_x\_\_\_\_ City Attorney \_\_\_\_x\_\_\_\_ Finance \_\_\_\_x\_\_\_\_



Attachments

A Copy of the three Warranty Deed documents is included as Exhibit "A" and Exhibit "B" for each dedication.

**After Recording Return to:**  
City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, Oregon 97071

**Send Tax Statements to:**  
City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, Oregon 97071

### STATUTORY WARRANTY DEED

MID-VALLEY COMMUNITY CHURCH, Grantor, conveys and warrants to CITY OF WOODBURN, a municipal corporation of the State of Oregon, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Description: AS DESCRIBED IN EXHIBITS "A" AND "B"

Exceptions: NONE

The true and whole consideration for this conveyance is \$ 0.00.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

Dated this 11<sup>th</sup> day of June, 2019.

Signed: \_\_\_\_\_

GRANTOR

STATE OF OREGON )

) ss

County of Marion )

This instrument was acknowledged before me on June 11, 2019, by  
Jesse G. Hamberger.



By: \_\_\_\_\_

Notary Public for Oregon

My Commission Expires: March 17, 2020

City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn,  
 Oregon, Approves and Accepts this  
 Conveyance Pursuant to ORS 93.808.

City Recorder:

\_\_\_\_\_  
 Heather Pierson

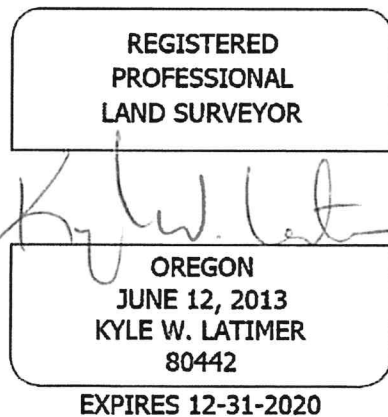
EXHIBIT A

11' ADDITIONAL RIGHT OF WAY TO EAST LINCOLN STREET

AN AREA OF LAND IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON:

BEGINNING AT A POINT WHICH BEARS NORTH 85°44'03" EAST 11.46 FEET AND NORTH 0°24'42" WEST 70.83 FEET FROM THE NORTHEAST CORNER OF DLC NO. 64; THENCE NORTH 88°46'18" EAST 91.43 FEET; THENCE NORTH 78°14'34" EAST 90.93 FEET; THENCE SOUTH 10°09'43" EAST 11.00 FEET; THENCE SOUTH 78°14'34" WEST 91.64 FEET; THENCE SOUTH 88°46'18" WEST 92.60 FEET; THENCE NORTH 0°24'42" WEST 11.00 FEET TO THE POINT OF BEGINNING.

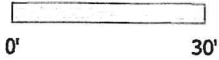
MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.



## EXHIBIT 'B'



SCALE:



E. LINCOLN STREET

[S10°09'43"E 11.00']

11.00' RIGHT OF WAY TO CITY OF WOODBURN

EXISTING CURB

[N88°46'18"E 91.43']

[N78°14'34"E 90.93']

[N78°14'34"E 91.64']

[11.00']

[N88°46'18"E 92.60']

[N78°14'34"E 86.96']

[5.00']

[N88°46'18"E 93.13']

5.00' PUBLIC UTILITY EASEMENT

[N0°24'42"W 70.83']

'AREA A'  
PER MCSR 38711TAX LOT 5700  
MAP 05-1W-18AAREGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

5/19/2019

16-171

DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
E. LINCOLN ST. RIGHT OF WAY  
WOODBURN, OREGONUDELL ENGINEERING  
AND  
LAND SURVEYING, LLC63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125SHEET 1  
of 1

**After Recording Return to:**  
**City Recorder**  
**City of Woodburn**  
**270 Montgomery Street**  
**Woodburn, Oregon 97071**

**Send Tax Statements to:**  
**City Recorder**  
**City of Woodburn**  
**270 Montgomery Street**  
**Woodburn, Oregon 97071**

### STATUTORY WARRANTY DEED

MID-VALLEY COMMUNITY CHURCH, Grantor, conveys and warrants to CITY OF WOODBURN, a municipal corporation of the State of Oregon, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Description: AS DESCRIBED IN EXHIBITS "A" AND "B"

Exceptions: NONE

The true and whole consideration for this conveyance is \$ 0.00

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

Dated this 11<sup>th</sup> day of June, 2019.

Signed: \_\_\_\_\_

GRANTOR

STATE OF OREGON )

) ss

County of Marion )

This instrument was acknowledged before me on June 11<sup>th</sup>, 2019, by  
Jesse G. Hamberger.



By: \_\_\_\_\_

Notary Public for Oregon

My Commission Expires: March 17, 2020

City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn,  
 Oregon, Approves and Accepts this  
 Conveyance Pursuant to ORS 93.808.

City Recorder:

\_\_\_\_\_  
 Heather Pierson

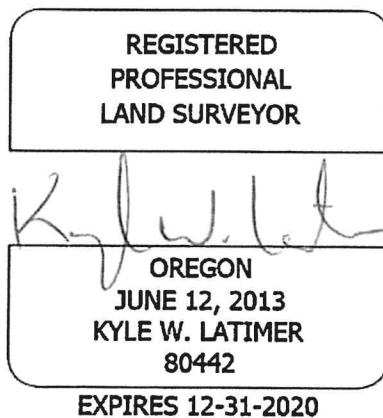
## EXHIBIT A

## 7' ADDITIONAL RIGHT OF WAY TO YOUNG STREET

AN AREA OF LAND IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON:

BEGINNING AT A POINT WHICH BEARS SOUTH 22°42'47" WEST 4.74' FROM A 5/8" IRON ROD AS SET ON MARION COUNTY SURVEY RECORD (MCSR) NO. 36336 WHICH BEARS SOUTH 47°00'00" WEST 1283.82 FEET FROM THE NORTHEAST CORNER OF DLC. NO. 64 AND IS NEAR THE RIGHT OF WAY OF YOUNG STREET; THENCE SOUTH 59°53'55" EAST 32.46 FEET; THENCE SOUTH 74°12'27" EAST 10.04 FEET; THENCE NORTH 40°30'04" EAST 7.71 FEET; THENCE NORTH 74°12'27" WEST 12.38 FEET; THENCE NORTH 59°53'55" WEST 32.49 FEET; THENCE SOUTH 22°42'47" WEST 7.06 FEET TO THE POINT OF BEGINNING.

MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.





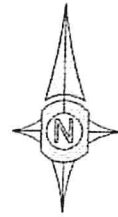
# EXHIBIT 'B'

PG 4 OF 8

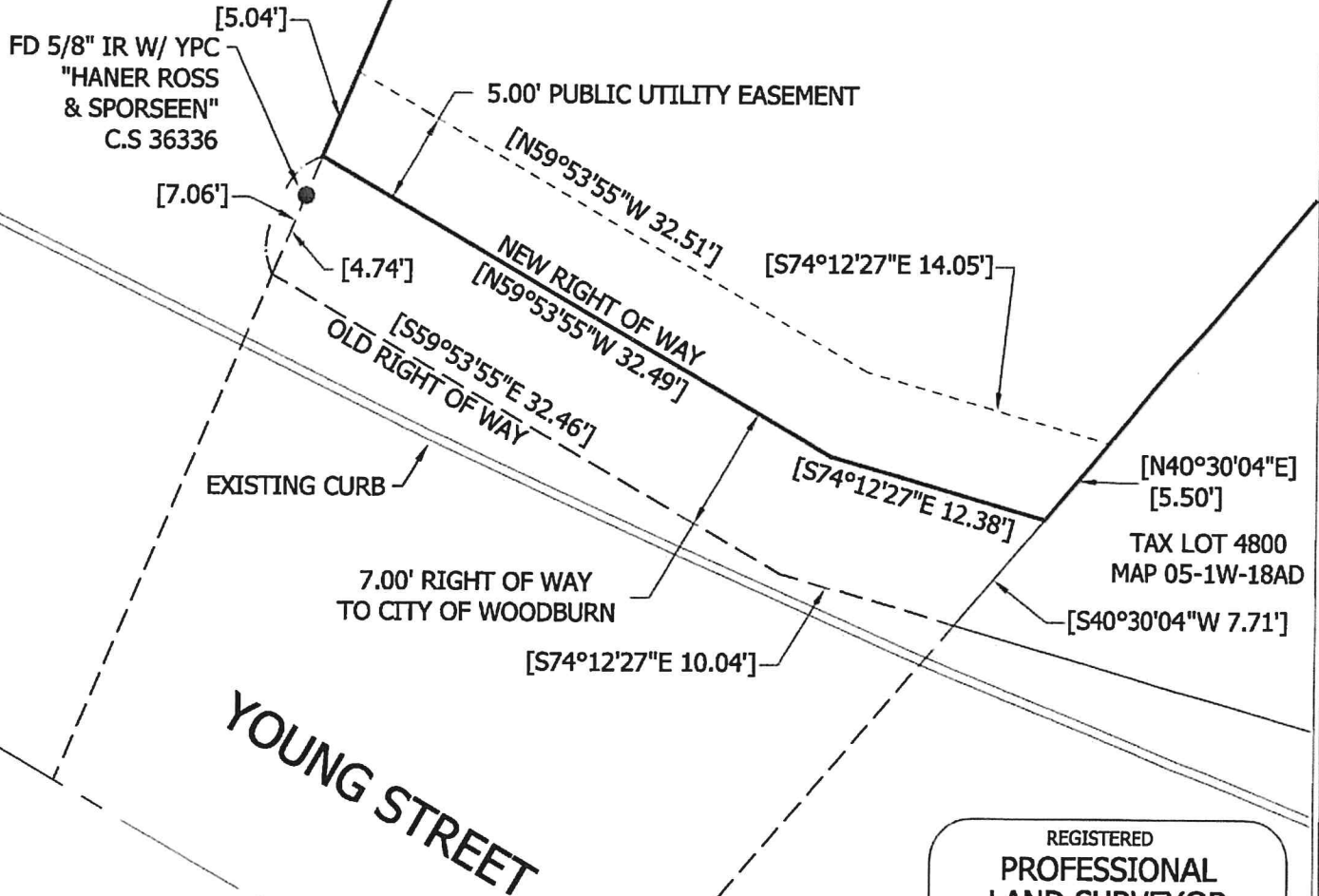
TAX LOT 2500  
MAP 05-1W-18AA

"AREA A"  
PER MCSR 38711

TAX LOT 5700  
MAP 05-1W-18AA



SCALE:



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Kyle W. Latimer*

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

5/19/2019  
16-171  
DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
YOUNG STREET RIGHT OF WAY  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 1  
of 1

**After Recording Return to:**  
**City Recorder**  
**City of Woodburn**  
**270 Montgomery Street**  
**Woodburn, Oregon 97071**

**Send Tax Statements to:**  
**City Recorder**  
**City of Woodburn**  
**270 Montgomery Street**  
**Woodburn, Oregon 97071**

### STATUTORY WARRANTY DEED

MID-VALLEY COMMUNITY CHURCH, Grantor, conveys and warrants to CITY OF WOODBURN, a municipal corporation of the State of Oregon, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Description: AS DESCRIBED IN EXHIBITS "A" AND "B"

Exceptions: NONE

The true and whole consideration for this conveyance is \$ 0.00

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

Dated this 11<sup>th</sup> day of June, 2019.

Signed: \_\_\_\_\_

GRANTOR

STATE OF OREGON )

) ss

County of Marion )

This instrument was acknowledged before me on June 11<sup>th</sup>, 2019, by  
Jesse Hamberger.



By: \_\_\_\_\_

Notary Public for Oregon

My Commission Expires: March 17, 2020

City of Woodburn  
 270 Montgomery Street  
 Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn,  
 Oregon, Approves and Accepts this  
 Conveyance Pursuant to ORS 93.808.

City Recorder:

\_\_\_\_\_  
 Heather Pierson

## EXHIBIT A

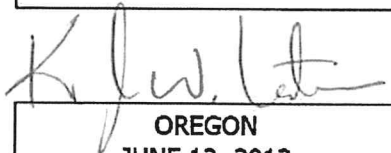
## ADDITIONAL RIGHT OF WAY TO GATCH STREET

AN AREA OF LAND IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON:

BEGINNING AT A POINT ON THE WEST LINE OF GATCH STREET AND BEING THE NORTHEAST CORNER OF THE LAND DESCRIBED IN REEL 3183, PAGE 280 AND WHICH BEARS SOUTH 21°37'25" EAST 556.54 FEET FROM THE NORTHEAST CORNER OF DLC NO. 64; THENCE NORTH 81°09'00" WEST 13.00 FEET; THENCE NORTH 8°34'56" EAST 244.40 FEET; THENCE NORTH 0°08'07" WEST 159.53 FEET TO THE WEST LINE OF GATCH STREET; THENCE SOUTH 10°10'08" EAST 74.62 FEET; THENCE SOUTH 0°08'07" EAST 87.04 FEET; THENCE SOUTH 8°34'56" WEST 245.45 FEET TO THE POINT OF BEGINNING.

MCSR # 38711 WAS USED AS A REFERENCE FOR THIS DESCRIPTION.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
80442

EXPIRES 12-31-2020

# EXHIBIT 'B'

PG 4 OF 8

E. LINCOLN STREET

GATCH STREET

5.00' PUBLIC UTILITY EASEMENT

VARIABLE WIDTH RIGHT OF WAY TO CITY OF WOODBURN

"AREA A"  
PER MCSR 38711

TAX LOT 5700  
MAP 05-1W-18AA



SCALE:

0' 80'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 12, 2013  
KYLE W. LATIMER  
#80442

EXPIRES 12-31-2020

5.00' PUBLIC UTILITY EASEMENT

NEW RIGHT OF WAY

OLD RIGHT OF WAY

40.00'

[N10°09'43"W 198.64']

[N10°10'08"W 74.62']

[N0°08'07"W 159.53']

13.00' RIGHT OF WAY TO  
CITY OF WOODBURN

[N0°08'07"W 87.04']

40.00'

[N8°34'56"E 244.40']

[S8°34'56"W 245.45']

[N81°09'00"W 13.00']

5/19/2019

16-171

DRAWN BY: KWL

MID-VALLEY COMMUNITY  
CHURCH  
GATCH ST. RIGHT OF WAY  
WOODBURN, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125



SHEET 1  
of 1

# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES

### 2019 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Total
AGGRAVATED ASSAULT	2	1	1	3	5	12
ANIMAL CRUELTY	0	0	0	1	0	1
ANIMAL ORDINANCES	6	1	4	0	3	14
ARSON	0	2	0	0	0	2
ASSAULT SIMPLE	10	9	1	9	10	39
ATTEMPTED MURDER	0	0	0	1	0	1
BURGLARY - BUSINESS	0	0	1	0	0	1
BURGLARY - OTHER STRUCTURE	0	0	0	0	1	1
BURGLARY - RESIDENCE	1	0	3	0	4	8
CRIME DAMAGE-NO VANDALISM OR ARSON	2	1	1	4	1	9
CURFEW	1	0	0	1	0	2
CUSTODY - MENTAL	9	6	8	5	5	33
CUSTODY - PROTECTIVE	0	0	0	2	0	2
DISORDERLY CONDUCT	3	10	3	5	14	35
DRIVING UNDER INFLUENCE	5	6	8	5	9	33
DRUG LAW VIOLATIONS	9	6	13	16	10	54
DWS/REVOKED-MISDEMEANOR	1	1	1	2	1	6
ELUDE	0	0	2	0	1	3
ESCAPE FROM YOUR CUSTODY	0	0	2	0	0	2
FAIL TO DISPLAY OPERATORS LICENSE	1	0	0	0	0	1
FORCIBLE RAPE	3	0	0	2	1	6
FORGERY/COUNTERFEITING	2	0	3	1	2	8
FRAUD - BY DECEPTION/FALSE PRETENSES	1	0	3	0	1	5
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0	1	0	0	1
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	1	0	1
FRAUD - WIRE	0	0	0	1	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	45	26	37	37	38	183
FURNISHING	0	0	1	0	0	1
GARBAGE LITTERING	1	0	0	0	0	1
HIT AND RUN FELONY	0	0	1	0	1	2
HIT AND RUN-MISDEMEANOR	6	2	3	5	3	19
IDENTITY THEFT	2	0	1	0	2	5
INTIMIDATION /OTHER CRIMINAL THREAT	1	2	1	5	2	11
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	0	0	1
MINOR IN POSSESSION	0	0	5	1	2	8
MOTOR VEHICLE THEFT	1	1	0	0	2	4
OTHER	7	2	5	4	7	25
RECKLESS DRIVING	1	4	3	3	5	16
RECKLESSLY ENDANGERING	2	2	2	0	5	11
RESTRAINING ORDER VIOLATION	1	1	0	3	0	5
ROBBERY - CONV.STORE	0	0	0	0	1	1
RUNAWAY	0	0	0	0	1	1
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	1	0	1	0	0	2
SEX CRIME - EXPOSER	1	0	1	0	0	2
SEX CRIME - FORCIBLE SODOMY	2	0	0	0	0	2
SEX CRIME - INCEST	2	0	0	0	0	2
SEX CRIME - MOLEST (PHYSICAL)	1	0	0	0	0	1
SEX CRIME - NON-FORCE RAPE	0	0	1	0	0	1
SEX CRIME - OTHER	1	0	0	0	0	1
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	0	1	0	2
STALKER	0	1	1	0	2	4
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	1	0	0	0	1
THEFT - BUILDING	1	0	0	1	0	2
THEFT - FROM MOTOR VEHICLE	4	1	3	0	0	8

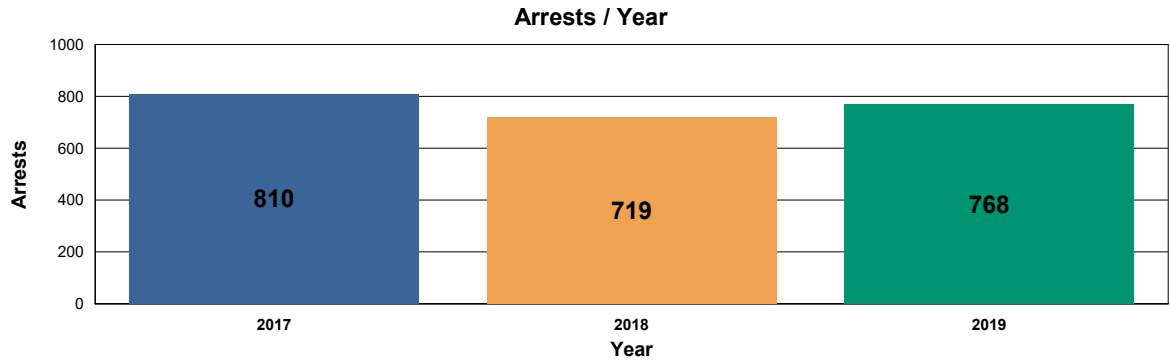
# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES

### 2019 Year to Date

	Jan	Feb	Mar	Apr	May	Total
<b>THEFT - OTHER</b>	5	1	0	2	1	<b>9</b>
<b>THEFT - PURSE SNATCH</b>	0	1	0	0	0	<b>1</b>
<b>THEFT - SHOPLIFT</b>	2	8	7	5	12	<b>34</b>
<b>TRAFFIC VIOLATIONS</b>	10	11	8	7	8	<b>44</b>
<b>TRESPASS</b>	18	3	9	6	7	<b>43</b>
<b>UNAUTHORIZED ENTRY INTO MOTOR VEHICLE</b>	1	1	2	0	0	<b>4</b>
<b>VANDALISM</b>	1	0	2	0	1	<b>4</b>
<b>VEHICLE RECOVERD FOR OTHER AGENCY</b>	1	0	5	1	1	<b>8</b>
<b>WEAPON - CARRY CONCEALED</b>	1	1	1	1	0	<b>4</b>
<b>WEAPON - EX FELON IN POSSESSION</b>	1	0	1	1	0	<b>3</b>
<b>WEAPON - POSSESS ILLEGAL</b>	0	2	1	4	3	<b>10</b>
<b>WEAPON - SHOOTING IN PROHIBITED AREA</b>	0	1	0	0	0	<b>1</b>

	Jan	Feb	Mar	Apr	May	Total
<b>2019 Total</b>	<b>178</b>	<b>115</b>	<b>157</b>	<b>146</b>	<b>172</b>	<b>768</b>
<b>2018 Total</b>	<b>187</b>	<b>111</b>	<b>138</b>	<b>136</b>	<b>147</b>	<b>719</b>
<b>2017 Total</b>	<b>135</b>	<b>169</b>	<b>176</b>	<b>166</b>	<b>164</b>	<b>810</b>



# Woodburn Police Department

## MONTHLY CRIMINAL OFFENSES

2019 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Total
AGGRAVATED ASSAULT	3	4	2	4	5	18
ANIMAL CRUELTY	0	0	0	1	1	2
ANIMAL ORDINANCES	3	1	3	0	2	9
ARSON	1	2	0	0	0	3
ASSAULT SIMPLE	12	8	7	14	13	54
ATTEMPTED MURDER	0	0	0	1	0	1
BURGLARY - BUSINESS	2	1	1	0	3	7
BURGLARY - OTHER STRUCTURE	2	1	3	1	4	11
BURGLARY - RESIDENCE	8	2	5	6	14	35
CRIME DAMAGE-NO VANDALISM OR ARSON	16	14	15	10	15	70
CRIMINAL MISTREATMENT	1	0	0	0	0	1
CURFEW	1	0	0	1	0	2
CUSTODY - MENTAL	10	6	9	5	5	35
CUSTODY - PROTECTIVE	0	0	0	1	0	1
DISORDERLY CONDUCT	3	6	5	5	11	30
DRIVING UNDER INFLUENCE	5	7	8	5	9	34
DRUG LAW VIOLATIONS	9	7	15	9	11	51
DWS/REVOKED-MISDEMEANOR	1	1	1	2	1	6
ELUDE	1	1	1	2	1	6
ESCAPE FROM YOUR CUSTODY	0	0	2	0	0	2
EXPLOSIVES	1	0	0	0	0	1
FAIL TO DISPLAY OPERATORS LICENSE	1	0	0	0	0	1
FORCIBLE RAPE	2	1	1	3	4	11
FORGERY/COUNTERFEITING	9	2	7	3	4	25
FRAUD - BY DECEPTION/FALSE PRETENSES	2	5	6	2	4	19
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	3	2	2	2	0	9
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	1	0	1
FRAUD - OF SERVICES/FALSE PRETENSES	1	0	0	0	1	2
FUGITIVE ARREST FOR ANOTHER AGENCY	27	18	28	26	29	128
FURNISHING	0	0	1	0	1	2
GARBAGE LITTERING	1	0	0	0	0	1
HIT AND RUN FELONY	1	1	1	0	3	6
HIT AND RUN-MISDEMEANOR	23	8	13	19	19	82
IDENTITY THEFT	6	5	3	3	4	21
INTIMIDATION /OTHER CRIMINAL THREAT	1	0	1	6	2	10
INVASION OF PERSONAL PRIVACY	0	0	0	0	1	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	0	0	1
MINOR IN POSSESSION	0	0	2	1	1	4
MISCELLANEOUS	19	18	25	21	23	106
MOTOR VEHICLE THEFT	8	6	13	9	15	51
NON CRIMINAL DOMESTIC DISTURBANCE	20	12	8	12	12	64
OTHER	6	3	7	5	9	30
PROPERTY - FOUND LOST MISLAID	3	4	4	2	1	14
PROPERTY RECOVER FOR OTHER AGENCY	2	2	0	0	0	4
RECKLESS DRIVING	2	6	3	5	6	22
RESTRAINING ORDER VIOLATION	2	3	0	3	1	9
ROBBERY - BUSINESS	0	0	0	0	1	1
ROBBERY - CONV.STORE	0	0	0	0	1	1
ROBBERY - OTHER	0	0	0	0	1	1
RUNAWAY	0	1	1	3	4	9
SEX CRIME - EXPOSER	1	0	0	1	0	2
SEX CRIME - FORCIBLE SODOMY	2	0	0	0	0	2
SEX CRIME - INCEST	1	0	0	0	0	1
SEX CRIME - MOLEST (PHYSICAL)	2	1	1	0	2	6
SEX CRIME - NON-FORCE RAPE	1	0	2	0	1	4
SEX CRIME - OTHER	1	0	0	0	0	1
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	0	3	3

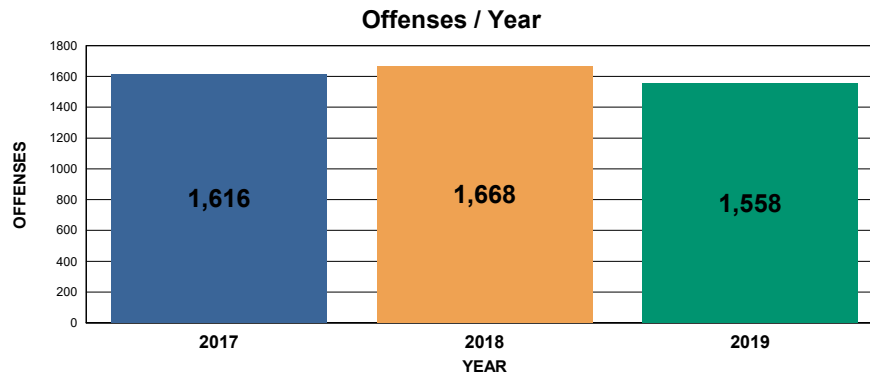


# Woodburn Police Department

## MONTHLY CRIMINAL OFFENSES 2019 Year to Date

	Jan	Feb	Mar	Apr	May	Total
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	0	0	1	1	0	2
STALKER	0	1	1	0	2	4
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	1	0	0	0	1
THEFT - BICYCLE	1	1	0	6	8	16
THEFT - BUILDING	0	2	5	3	1	11
THEFT - COIN OP MACHINE	0	1	0	1	0	2
THEFT - FROM MOTOR VEHICLE	25	18	27	8	15	93
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	2	2	1	1	3	9
THEFT - OTHER	14	7	16	24	23	84
THEFT - PICKPOCKET	1	1	1	0	1	4
THEFT - PURSE SNATCH	1	1	0	0	2	4
THEFT - SHOPLIFT	12	14	22	21	24	93
TRAFFIC VIOLATIONS	11	6	11	8	9	45
TRESPASS	8	6	10	8	12	44
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	3	0	2	1	0	6
VANDALISM	16	8	13	12	17	66
VEHICLE RECOVERD FOR OTHER AGENCY	5	3	5	3	2	18
WEAPON - CARRY CONCEALED	1	1	1	1	0	4
WEAPON - EX FELON IN POSSESSION	1	0	1	1	0	3
WEAPON - POSSESS ILLEGAL	1	0	1	4	3	9
WEAPON - SHOOTING IN PROHIBITED AREA	1	3	1	0	1	6

	Jan	Feb	Mar	Apr	May	Total
<b>2019 Total</b>	<b>330</b>	<b>235</b>	<b>325</b>	<b>297</b>	<b>371</b>	<b>1,558</b>
<b>2018 Total</b>	<b>409</b>	<b>284</b>	<b>317</b>	<b>342</b>	<b>316</b>	<b>1,668</b>
<b>2017 Total</b>	<b>322</b>	<b>292</b>	<b>355</b>	<b>317</b>	<b>330</b>	<b>1,616</b>



# Woodburn Police Department

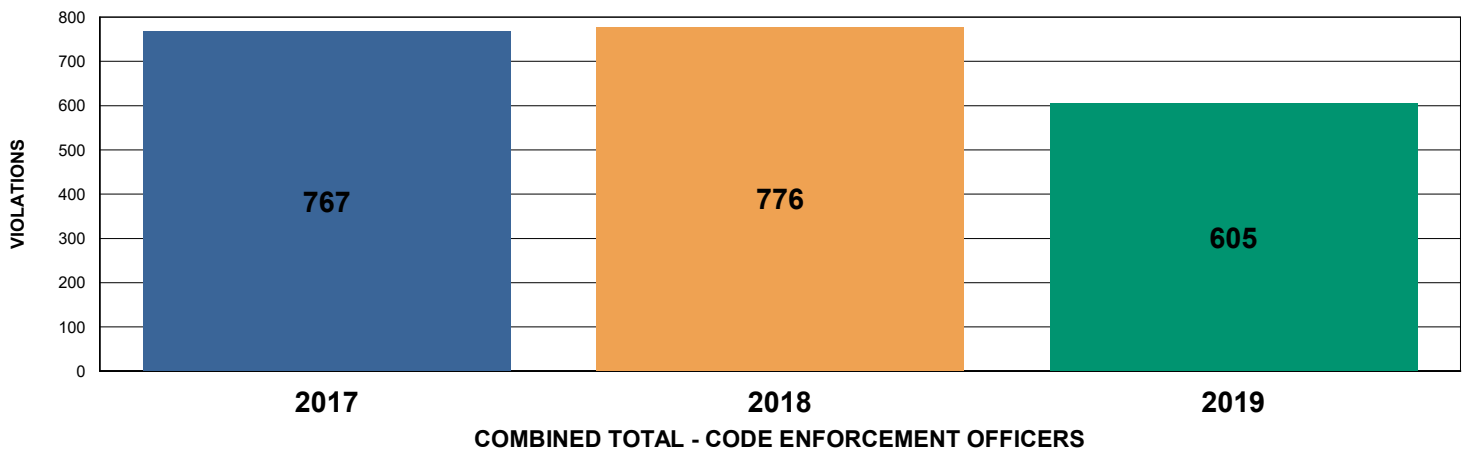
## ORDINANCE VIOLATIONS

### 2019 Year to Date

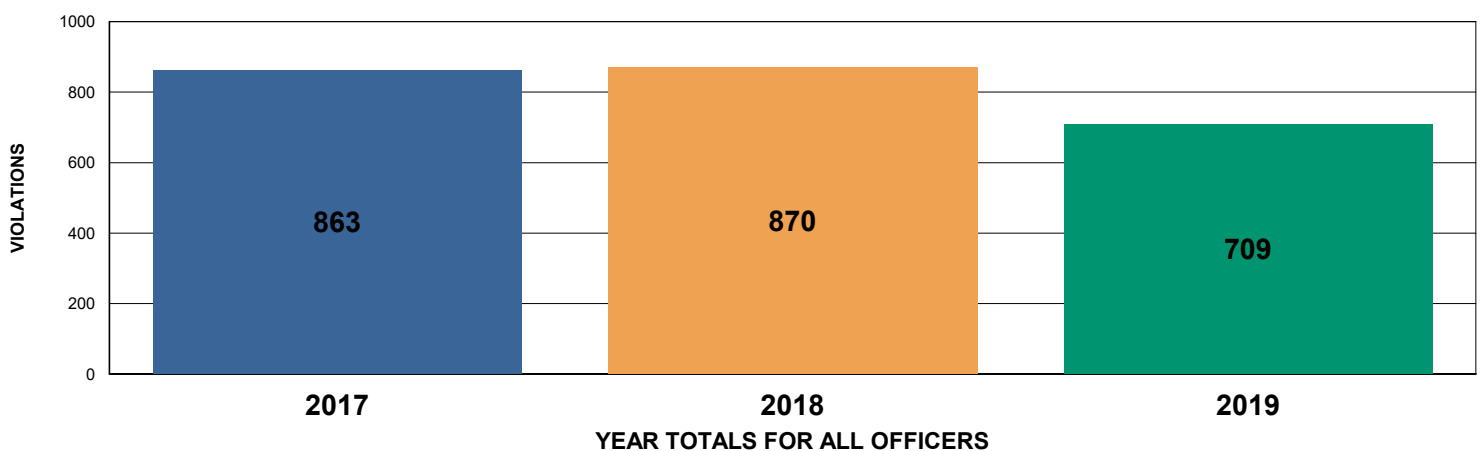
6/17/2019

Ordinance Discription	Jan	Feb	Mar	Apr	May	Total
Animal Complaint	38	29	44	36	50	197
Ordiinance - Abate/Nuisances	0	1	0	0	2	3
Ordinance - Abandoned Vehicles	66	39	50	34	18	207
Ordinance - Abate Graffiti	2	0	1	0	6	9
Ordinance - Land Use Violations	1	0	2	1	2	6
Ordinance - Oth Violation	34	30	51	45	40	200
Ordinance - Tall Grass	0	0	0	0	87	87
<b>2019 Total</b>	<b>141</b>	<b>99</b>	<b>148</b>	<b>116</b>	<b>205</b>	<b>709</b>
<b>2018 Total</b>	<b>176</b>	<b>133</b>	<b>156</b>	<b>182</b>	<b>223</b>	<b>870</b>
<b>2017 Total</b>	<b>94</b>	<b>126</b>	<b>176</b>	<b>177</b>	<b>290</b>	<b>863</b>

### Ordinance Violations / Code Enforcement Officers



### Ordinance Violations / Year





## *Agenda Item*

June 24, 2019

TO: Honorable Mayor and City Council through City Administrator  
FROM: Chris Kerr, Community Development Director  
SUBJECT: **Legislative Amendment related to uses allowed in the Commercial General ("CG") Zoning District (LA 2019-01)**

### **RECOMMENDATION:**

Staff recommends that the Council adopt the attached ordinance amending the CG Zoning District provisions in the Woodburn Development Ordinance.

### **BACKGROUND:**

On June 10, 2019, the City Council conducted a public hearing, closed the record and passed a motion directing Staff to prepare a final ordinance modifying the WDO pursuant to the recommendation of the Planning Commission and Staff. Attached is the ordinance effecting this change as well as accompanying required Legislative Findings. No changes have been made to the proposed text from what was provided to the Council at the June 10, 2019 hearing.

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Agenda Item Review: City Administrator \_\_\_\_\_ City Attorney \_\_\_\_\_ Finance \_\_\_\_\_

**COUNCIL BILL NO. 3101**

**ORDINANCE NO. 2573**

**AN ORDINANCE AMENDING THAT PORTION OF TABLE 2.03A OF THE WOODBURN DEVELOPMENT ORDINANCE WHICH IS RELATED TO RESIDENTIAL USES IN COMMERCIAL ZONES (LA 2019-01) AND DECLARING AN EMERGENCY**

**WHEREAS**, on August 12, 2013, the City Council adopted Ordinance 2509 (a 240 page document) that was an overall amendment to the Woodburn Development Ordinance ("the WDO"); and;

**WHEREAS**, as part of this WDO amendment, Table 2.03A (E-Residential) was changed to expand the residential uses permitted in commercial zones; and

**WHEREAS**, the record indicates that the Planning Staff Report and the City Council's deliberations did not address the policy or legal implications of making this change; and

**WHEREAS**, because this WDO amendment occurred with errors in the Planning process, issues are created regarding public involvement and adequate notice; and

**WHEREAS**, the City Council believed that these errors should be remedied through the land use process, and it initiated a legislative amendment by the adoption of Resolution 2131, which is attached hereto as Exhibit A; and

**WHEREAS**, on May 23, 2019, the Planning Commission, pursuant to Section 4.01.09 of the WDO, held a public hearing and recommended approval of the proposed amendment to Table 2.03A (E-Residential); and

**WHEREAS**, on June 10, 2019, the City Council conducted a public hearing, heard public testimony, closed the hearing record, deliberated and then directed Staff to prepare this Ordinance effecting the recommended WDO amendment (LA 2019-01); **NOW, THEREFORE**,

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1.** The WDO is amended as specified in Exhibit B, which is attached hereto.

**Section 2.** For purposes of this WDO amendment (see Exhibit B), all new text is shown as underlined (i.e. new text) and all deleted text is shown as stricken (i.e. ~~deleted text~~). After this ordinance amendment is adopted, the Community

Development Director shall correct the WDO to incorporate all revisions contained herein.

**Section 3.** The legislative action taken by this Ordinance is explained and justified by the Legislative Findings attached hereto and incorporated herein as Exhibit C.

**Section 4. Emergency Clause.** This Ordinance being necessary for the immediate preservation of the public peace, health and safety so that the City may remedy errors in the previous Planning process at the earliest possible time, an emergency is declared to exist and this ordinance shall take effect immediately upon passage by the City Council and approval by the Mayor.

Approved as to form: \_\_\_\_\_  
City Attorney Date

Approved: \_\_\_\_\_  
Eric Swenson, Mayor

Passed by the Council \_\_\_\_\_

Submitted to the Mayor \_\_\_\_\_

Approved by the Mayor \_\_\_\_\_

Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

## COUNCIL BILL NO. 3096

## RESOLUTION NO. 2131

**A RESOLUTION INITIATING CONSIDERATION OF LEGISLATIVE AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE AND THE WOODBURN COMPREHENSIVE PLAN**

**WHEREAS**, the Woodburn Development Ordinance (the WDO) establishes development standards and requirements that must be consistent with State law and the Woodburn Comprehensive Plan; and

**WHEREAS**, frequent amendments to the WDO are required to comply with State law, ensure consistency with the Woodburn Comprehensive Plan and to address community issues; and

**WHEREAS**, on August 12, 2013, the City Council adopted Ordinance 2509 (a 240 page document) that was an overall revision of the then existing WDO; and

**WHEREAS**, part of Ordinance 2509 expanded residential uses permitted in commercial zones; and

**WHEREAS**, the record indicates that the Planning staff report and the City Council's deliberations did not address the policy or legal implications of expanding the residential uses permitted in commercial zones; and

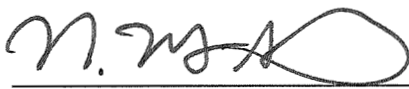
**WHEREAS**, because this WDO modification occurred with errors in the Planning process, issues are created regarding public involvement and adequate notice; and

**WHEREAS**, the City Council believes that the above-mentioned deficiencies can and should be remedied by the City's land use process; and

**WHEREAS**, Section 4.01.09 of the WDO allows for the City Council to initiate the consideration of any potential legislative amendments to the WDO by resolution;  
**NOW, THEREFORE,**

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1.** Pursuant to Section 4.01.09 of the WDO, the City Council initiates for consideration legislative amendments to the Comprehensive Plan and WDO as they relate to residential uses allowable in commercial zones and directs staff to expedite this process.

Approved as to form:  4/8/2019

City Attorney

Date

Approved: \_\_\_\_\_

~~XXXXX, Mayor~~

Robert G. Carney, Council President

April 8, 2019

April 8, 2019

April 8, 2019

Passed by the Council  
Submitted to the Mayor  
Approved by the Mayor

Filed in the Office of the Recorder

April 9, 2019

ATTEST: \_\_\_\_\_



Heather Pierson, City Recorder  
City of Woodburn, Oregon

# Exhibit B

Uses Allowed in Commercial Zones						
Table 2.03A (E-Residential)						
Use		Zone				
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		DDC	CG	CO	MUV	NNC
E	Residential					
1	Attached single-family (row houses) dwellings	P	P <sup>2</sup>		P	P
2	Child care facility, group home, and nursing home	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>
3	One dwelling unit, in conjunction with a commercial use	P	P	P	P	P
4	Multiple-family dwellings	P	<b>PCU<sup>9</sup></b>	CU	P	P
1. Not allowed in the Gateway Overlay District 2. Only allowed in the Gateway Overlay District 3. Allowed outright if not within 200 feet of residentially zoned properties 4. Within a building, no outdoor storage or repair 5. All outdoor storage and display shall be enclosed by a seven foot masonry wall. 6. Existing uses are allowed as a permitted use, new uses are not allowed in the MUV 7. Drive-throughs are not allowed 8. Child care facility for 13 or more children, group home for six or more persons <b>9. Except allowed as a permitted use in the Gateway Overlay District and prohibited in the Interchange Management Area Overlay District</b>						



**Legislative Findings**

**Amendment to the Table 2.03A (E-Residential) of the Woodburn Development Ordinance  
(LA 2019-01)**

**I. NATURE OF THESE FINDINGS**

- A. The City Council finds that, as a general matter, legislative land use decisions, unlike quasi-judicial land use decisions, need not be supported by findings. If local code provisions, however, require that the City’s legislative decision be supported by findings and the City failed to adopt adequate findings, remand would be required.
- B. The City Council finds that the Woodburn Development Ordinance (“the WDO”) provides as follows:

**4.01 Decision-Making Procedures**

**4.01.02E. Type V Decisions (Legislative):** Type V decisions involve legislative actions where the City Council enacts or amends the City’s land use regulations, comprehensive plan, Official Zoning Map or some component of these documents. Type V decisions may only be initiated by the City Council. The Planning Commission holds an initial public hearing on the proposal before making a recommendation to the City Council. The City Council then holds a final public hearing and renders a decision. Public notice is provided for all public hearings (Section 4.01.14). The City Council’s decision is the City’s final decision and is appealable to LUBA within 21 days after it becomes final.

- C. The City Council finds that local code provisions were met because Section 4.01.02E of the WDO was complied with. Specifically, LA 2019-01 was initiated by the City Council on April 8, 2019 by the adoption of Resolution 2131. The Planning Commission held a public

hearing on May 23, 2019 prior to making a formal recommendation to the City Council on this matter.

Despite the lack of any applicable state or local requirement that this legislative land use decision be supported by findings, the City Council finds that findings are necessary in this case to determine if the challenged decision is consistent with applicable standards, i.e. there must be enough in the way of findings or accessible material in the record to show that applicable criteria were applied and that required considerations were indeed considered.

## **II. INTRODUCTION**

- A. Under Section 4.01.09 of the WDO, only the City Council can initiate the consideration of a legislative land use decision. On April 8, 2019, the City Council adopted Resolution 2131, initiating this amendment to the WDO. The City Council initiated this legislative amendment in order to correct significant errors (as more specifically described below) that occurred during the 2013 revision of the WDO.
- B. On August 12, 2013, the City Council adopted Ordinance 2509 (a 240 page document) that was an overall amendment to the WDO. As part of this WDO amendment, Table 2.03A (E-Residential) was changed to expand the residential uses permitted in commercial zones. The record of the 2013 WDO amendment indicates that the Planning Staff Report did not address this change and, because the change was not called to the City Council's attention, the City Council deliberations did not address the policy or legal implications of making the change. This unintended change, made when Ordinance 2509 was adopted, occurred with errors in the Planning process and created inconsistency with the Woodburn Comprehensive Plan. Since the change was unintended, issues regarding inadequate notice, and inadequate public involvement were also created.
- C. After being fully advised and considering all of its options, the City Council decided that the only way that the above-mentioned deficiencies could be addressed and remedied was

through the City's land use process. Therefore, Resolution 2131, initiating this amendment to the Woodburn Development Ordinance (WDO) was unanimously adopted.

**III. CITY COUNCIL RATIONALE FOR LA 2019-01**

- A. The WDO provides that only the City Council can initiate a legislative proposal. The City Council resolution initiating the land use legislation typically sets out the governing body's rationale and the need to consider, or reconsider, a land use matter. Based upon the direction it receives from the City Council, the Planning Commission then conducts the initial public hearing and issues its recommendation to the City Council.
- B. When it initiated LA 2019-01, by Resolution 2131 on April 8, 2019, the City Council explained why it believed that this legislation was needed:

**WHEREAS, on August 12, 2013, the City Council adopted Ordinance 2509 (a 240 page document) that was an overall revision of the then existing WDO; and**

**WHEREAS, part of Ordinance 2509 expanded residential uses permitted in commercial zones; and**

**WHEREAS, the record indicates that the Planning staff report and the City Council's deliberations did not address the policy or legal implications of expanding the residential uses permitted in commercial zones; and**

**WHEREAS, because this WDO modification occurred with errors in the Planning process, issues are created regarding public involvement and adequate notice; and**

**WHEREAS, the City Council believes that the above-mentioned deficiencies can and should be remedied by the City's land use process; and**

**WHEREAS, Section 4.01.09 of the WDO allows for the City Council to initiate the consideration of any potential legislative amendments to the WDO by resolution; NOW, THEREFORE,**

C. Having now reached the stage where the City Council is enacting a legislative amendment (LA 2019-01) to the WDO, the City Council believes that it is important to explain in more detail why it is imperative that the significant errors in the adoption of Ordinance 2509 (2013) need to be corrected. More specifically:

1. The City Council finds that Ordinance 2509 (2013), placed in the City Council Agenda Packet by Planning Staff as an amendment to the WDO, contained a version of Table 2.03A (E-Residential) that was incorrect because it did not accurately state the language of the WDO prior to the proposed amendment.
2. The City Council further finds that the inclusion of an incorrect version of Table 2.03A (E-Residential) in the August 12, 2013 City Council Agenda Packet likely resulted from an inadvertent but significant Planning Staff error.
3. The City Council further finds that because the incorrect version of Table 2.03A (E-Residential) was included in the August 12, 2013 City Council Agenda Packet, the City Council adopted the amendment to the WDO contained in Ordinance 2509 (2013) but was unaware that Table 2.03A (E-Residential) was changed.
4. The City Council further finds that because the incorrect version of Table 2.03A (E-Residential) was included in the August 12, 2013 City Council Agenda Packet, and the City Council was unaware that Ordinance 2509 (2013) changed Table 2.03A (E-Residential), the City Council was deprived of the its policy making function and deliberation function under the Oregon planning process that is an important part of its legal responsibilities.

5. The City Council further finds that because the incorrect version of Table 2.03A (E-Residential) was included in the August 12, 2013 City Council Agenda Packet, and the City Council was unaware that Ordinance 2509 (2013) changed Table 2.03A (E-Residential), interested members of the public were deprived of an opportunity under the Oregon planning process to testify and provide input to the City Council on this change.
6. The City Council further finds that because the incorrect version of Table 2.03A (E-Residential) was included in the August 12, 2013 City Council Agenda Packet, and the City Council was unaware that Ordinance 2509 (2013) changed Table 2.03A (E-Residential), no Legislative Findings were made to explain and justify this WDO change.
7. The City Council further finds, more specifically, that because the incorrect version of Table 2.03A (E-Residential) was included in the August 12, 2013 City Council Agenda Packet, and the City Council was unaware that Ordinance 2509 (2013) changed Table 2.03A (E-Residential), the City did not demonstrate that this WDO change was consistent with the Woodburn Comprehensive Plan.
8. The City Council further finds, for the reasons more specifically stated below in support LA 2019-01, that the change to Table 2.03A (E-Residential) made by Ordinance 2509 (2013) was inconsistent with the Woodburn Comprehensive Plan and related land use regulations.

#### **IV. JUSTIFICATION/EXPLANATION FOR LA 2019-01**

##### Comprehensive Plan Policies

- A. The below referenced *Citizen and Agency Involvement Policies* are relevant to LA 2019-01. Policy B-1 provides, in relevant part:

**B-1 It is the policy of the City of Woodburn to solicit and encourage citizen input at all phases of the land use planning process. Since the City is trying to plan the community in accordance with the community's benefit, it is essential that the community be consulted at all stages of the planning process.**

The City Council finds that citizen input was solicited and encouraged. LA 2019-01 was properly noticed and a significant amount of written and oral testimony was received at the Planning Commission and City Council public hearings. All state, county and regional entities were notified pursuant to state law.

B. Policy B-2 provides, in relevant part:

**B-2. Woodburn shall coordinate with affected state agencies regarding proposed comprehensive plan and land use regulation amendments, as required by state law.**

The City Council finds that all state, county and regional entities were notified pursuant to the requirements of the WDO and Oregon law.

C. The below referenced *Residential Land Use Goals and Policies* are relevant to LA 2019-01. Policy D-1.3 provides, in relevant part:

**D-1.3 Development should promote, through the use of moderate density standards and creative design, a feeling of openness and spaciousness with sufficient landscaped area and open space to create a pleasant living environment. Higher density area should be located near jobs, shopping and/or potential transit services.**

The City Council finds that LA 2019-01 allows multi-family apartments (high-density) to be built near jobs, shopping opportunities and transit services. The conditional use process

allows for a review to ensure that spaciousness, openness, and sufficient landscaped areas will be provided.

D. Policy D-1.10 provides, in relevant part:

**D-1.10 High density residential areas should be located to minimize the possible deleterious effects on any adjacent low density residential development. When high density and low density areas abut, density should decrease in those high density areas immediately adjacent to low density residential land. Whenever possible, buffering should be practiced by such means as landscaping, sight-obscuring fences and hedges, and increase setbacks. This policy does not apply in Nodal Development areas.**

The City Council finds that the conditional use process allows for conditions to be applied to consider site conditions and to address possible deleterious effects on any adjacent low density development. The conditional use process also allows consideration of the practices, such as buffering, landscaping, and sight-obscuring fences.

E. In generally addressing Commercial Land, the Woodburn Comprehensive Plan provides:

### **Commercial Land Development and Employment**

#### **Commercial Land Designations**

**There are basically five major commercial areas in Woodburn, and they should serve the City for the foreseeable future.**

**\* \* \***

**The third large area of commercial development in the City is the I-5 Interchange. This contains one small shopping center, a large retail use (Wal-Mart), a developing outlet mall, and other highway related uses. In general, commercial uses on the west side of the freeway should be limited to highway**

**related interchange type uses, while on the east side, a more general commercial nature should be encouraged. There are approximately 60 acres available for development located southwest of Evergreen Road. This land should be developed as a large integrated shopping center when Woodburn's population justifies it. Access control in the I-5 interchange area is extremely important, because traffic congestion is the limiting factor for growth west of the freeway.**

The City Council finds that LA 2019-01 will protect this commercial area, which is recognized as a critical location in the City, from being developed as multi-family residential. This Policy encourages general commercial and highway related interchange uses at this location. The Policy specifies that this area be developed as a “large integrated shopping center” and LA 2019-01 furthers that objective.

- F. The below referenced Commercial Lands Goals and Policies are relevant to LA 2019-01. Policy F-1.8 provides, in relevant part:

**F-1.8 Ensure that existing commercial sites are used efficiently. Consider the potential for redevelopment of existing commercial sites and modifications to zoning regulations that intensify development to attract new investment.**

The City Council finds that LA 2019-01 is specifically designed to meet this policy by ensuring that existing commercial sites (such as those in the IMA District) are used efficiently. Without this amendment they could be developed as residential uses, causing a deficiency in meeting the Woodburn’s retail needs.

- G. Policies F-1.10 and F-1.11 provide, in relevant part:

**F-1.10 The Downtown Gateway sub-district of the CG zoning district is an area which extends eastward from Highway 99E towards downtown. Special use provisions within the sub-district shall allow multi-family residential development either as a stand-alone use or as part of a vertical mixed use**



**project. The intent of allowing multi-family residential development in this area is to provide more consumers living within an area of commercial development and to provide 24-hour a day life into the eastern entrance to the downtown.**

**F-1.11 The Highway 99E commercial corridor south of Lincoln should be redeveloped over time with more intense mixed use development. The Mixed Use Village Overlay (MUVO) designates an area that is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; restrict land extensive commercial, storage, and industrial uses; and encourage pedestrian-oriented development.**

The City Council finds that both of these Commercial Land Policies recognize that a allowing a mixture of residential and commercial uses in some areas of the City is appropriate and desirable. The Comprehensive Plan and WDO were both amended to include residential uses in two commercial areas - the “Gateway” and Mixed Use Village” Districts. The City determined that these were the appropriate areas for mixed use in the City and designed architectural standards for each of them and adopted them into the WDO. The City Council further finds that LA 2019-01 is consistent with this approach.

- H. The below referenced Growth Management Goals and Policies are relevant to LA 2019-01. Policy G-1.25 provides, in relevant part:

**G-1.25 Woodburn has identified two areas for mixed-use development – Downtown Woodburn and the Nodal Development District along Parr Road. The UGB Justification Report includes specific estimates of the number of new housing units and commercial jobs that can be accommodated in these overlay districts.**

The City Council finds that this policy specifically mentions the two commercial districts in the City that are intended to be used for both commercial and residential uses. It also states that the City's long-range planning allocated a certain number of houses in these commercial areas. Significantly, it does not include the general CG District.

The City Council further finds that LA 2019-01 will make the WDO consistent with this Comprehensive Plan Policy G-1.25.

- I. The below referenced Transportation Goals and Policies are relevant to LA 2019-01. Policy H-6.4 provides, in relevant part:

**H-6.4 Woodburn should provide for a complementary mix of land uses and transportation systems by providing for mixed use development in the Downtown Development and Conservation (DDC) District, the Mixed Use Village (MUV), and the Nodal Development Overlay (NDO) districts.**

The City Council finds that this Comprehensive Plan Policy also explains that Woodburn aspires to actively pursue and identify a mixture of uses in specific commercial areas. These are identified as the DDC, MUV and NDO Districts. Significantly, the CG District is not included.

The City Council further finds that LA 2019-01 will make the WDO consistent with Comprehensive Plan Policy H-6.4.

**V. DO THE STATEWIDE PLANNING GOALS NEED TO BE ADDRESSED?**

- A. The City Council finds that when it initiated LA 2019-01 it gave specific direction as follows:

**Section 1. Pursuant to Section 4.01.09 of the WDO, the City Council initiates for consideration legislative amendments to the Comprehensive Plan and WDO**

**as they relate to residential uses allowable in commercial zones and directs staff to expedite this process.**

- B. Having now reached the stage where the City Council is enacting a legislative amendment (LA 2019-01) to the WDO, the City Council further finds that, even though a Comprehensive Plan amendment may have been considered, there is only a WDO amendment before the City Council for enactment.
- C. The City Council further finds that because the WDO is land use ordinance that implements the acknowledged Woodburn Comprehensive Plan and the Woodburn Comprehensive Plan is not itself being amended, there is a good legal argument that compliance with the Statewide Planning Goals need not be addressed. Without waiving this legal argument and, in the alternative, the City Council believes that LA 2019-01 complies with the Statewide Planning Goals and will proceed to make additional findings demonstrating Goal compliance.

## **VI. COMPLIANCE WITH STATEWIDE PLANNING GOALS**

- A. The City Council finds that the Statewide Planning Goals mentioned below would be relevant to LA 2019-01 if Statewide Goal findings were required and, without waiving the argument that such findings are not required, makes these findings in the alternative.
- B. The below referenced *Goal 1: Citizen Involvement* provides in relevant part:

**Goal 1 Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

The City Council finds that all required notices under the WDO were provided consistent with the acknowledged Woodburn Comprehensive Plan, including all specific required mailings, newspaper ads, and hearing procedures.

The City Council further finds that all required Ballot Measure 56 notices were provided to affected property owners. The City took the position that the adoption of LA 2019-01 would be is a change that “limits or prohibits land uses previously allowed in the affected zone”. This expanded notice was provided and resulted in over 350 notices being mailed to the public.

The City Council further finds that these efforts resulted in greater opportunities for public scrutiny and show compliance with Goal 1.

C. The below referenced *Goal 10: Housing* provides in relevant part:

**Goal 10 Housing: To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.**

\* \* \*

**Needed Housing Units -- means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing units" also includes government-assisted housing. For cities having populations larger than 2,500 people and counties having populations larger than 15,000 people, "needed housing units" also includes (but is not limited to) attached and detached single-family housing, multiple-family housing, and manufactured homes, whether occupied by owners or renters.**

The City Council finds that the principal purpose of Goal 10 is to ensure that communities plan for and provide adequate housing, in terms of both units and type, at a variety of income levels.

The City Council further finds that the Fair Housing Council of Oregon and the Housing Land Advocates (HLA) submitted a letter dated May 23, 2019 that was entered into the record and states as follows:

**When a decision is made affecting the residential land supply, the city must refer to its Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI) in order to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change.**

The City Council finds that LA 2019-01 does not impact Woodburn's adopted Housing Needs Analysis ("HNA"), Buildable Lands Inventory ("BLI"), or its supply of needed housing units.

The City Council further finds, based upon documents in the record, that LA 2019-01 actually represents an increase in the amount of land available for multi-family housing beyond what is included in the City's adopted BLI.

The City Council further finds that both the HNA and BLI have been adopted pursuant to state law and are part of the acknowledged Woodburn Comprehensive Plan in accordance with Goal 10.

The City Council further finds that, as part of the periodic review process, the Comprehensive Plan and WDO were modified to implement new policies, land use designations and zoning districts to provide for more affordable housing and to increase the percentage of multi-family units. These included establishing measures to minimize the amount of land added to the UGB and the creation of two new overlay districts, the "Nodal"

and “Vertical Mixed Use” Districts. The Nodal areas are located in the future areas to be annexed and the Vertical Mixed Use District is an overlay on the CG District adjacent to the downtown (Gateway Commercial Overlay District). The housing need calculations included specific assumptions about the amount of residential capacity in these two areas (1% of the total number of new units). Additionally, the City created a new Mixed Use Village (MUV), located at the intersection of OR 99 and Cleveland Street, to allow for more mixed use housing opportunities in its commercial areas.

The City Council further finds that LA 2019-01 does not impact any property included in the BLI or HNA and, therefore, does not represent a loss in needed housing.

The City Council further finds that, consistent with Goal 10, Woodburn’s needed housing types and implementing zoning districts are clearly identified under the City’s Comprehensive Plan in Policy D2.2:

***Policy D-2.2 It is the policy of the City to encourage a variety of housing types to accommodate the demands of the local housing market. In Woodburn, the following needed housing types shall be allowed, subject to clear and objective design standards, in the following zoning districts:***

<b>Policy Table 2: Needed Housing Types and Implementing Zoning Districts</b>	
<b>Needed Housing Type</b>	<b>Implementing Zoning District(s)</b>
Single-Family Detached Residential	<b>RS</b> Single-Family Residential
	<b>R1S</b> Retirement Community Single-Family Residential
	<b>RSN</b> Nodal Development Single-Family Residential

<b>Policy Table 2: Needed Housing Types and Implementing Zoning Districts</b>	
<b>Needed Housing Type</b>	<b>Implementing Zoning District(s)</b>
Manufactured Dwellings On Individual Lots  In Parks	<b>RS</b> Single-Family Residential <b>R1S</b> Retirement Community Single-Family Residential <b>RM</b> Medium Density Residential
Attached Single Family Residential (Row Houses)	<b>RMN</b> Nodal Residential <b>MUV</b> Mixed Use Village
Duplexes On Corner Lots  Generally	<b>RS</b> Single-Family Residential <b>RM</b> Medium Density Residential
Multi-Family Generally Above Commercial	<b>RM</b> Medium Density Residential <b>RMN</b> Nodal Residential <b>DDC</b> Downtown Development and Conservation <b>NNC</b> Nodal Neighborhood Commercial <b>MUV</b> Mixed Use Village
Government Assisted Housing*  Farm Worker Housing*  Rental Housing*	<p>These “housing types” are based on financing or tenure, and are not regulated by the City. If the housing type (e.g., single family, manufactured dwelling, attached single family, duplex, or multi-family) is allowed in the underlying zoning district, these “housing types” are allowed subject to applicable design standards.</p>

June 24, 2019

TO: Honorable Mayor and City Council

FROM: Jim Row, Assistant City Administrator

SUBJECT: **Community Center Citizen Advisory Committee**

## **RECOMMENDATION:**

It is recommended that the City Council approve the attached resolution establishing a Community Center Citizens Advisory Committee (CAC); specifying objectives; and providing membership composition.

## **BACKGROUND:**

Also on this evening's agenda, the City Council will be asked to award a contract to Opsis Architecture LLP to create the architectural and engineering design for the community center project.

The CAC, as established by the enclosed resolution, will assist the City by reviewing the community center design work and providing critical feedback to City staff, the design team, the City Administrator, and the City Council in order to ensure that the project is developed in a manner that will effectively serve the needs of the Woodburn Community.

## **DISCUSSION:**

As provided by the enclosed resolution, the CAC will be established with a membership structure comprised of up to twelve (12) community members including the following:

- ✓ Between one (1) and two (2) City Councilors, including the Mayor
- ✓ One (1) representative of the Boys & Girls Club
- ✓ One (1) member of the Recreation & Park Board
- ✓ Between One (1) and two (2) members of the Woodburn Senior Center
- ✓ One (1) representative of the Northwest Senior & Disability Meals on Wheels Program



The purpose of the committee will be to review the design of the community center as that work progresses and to provide feedback to staff, the design team, the City Administrator and the City Council, in order to ensure that:

- A. The physical appearance of the community center is attractive as would be expected for a landmark civic building
- B. The facility is designed to include the active and passive recreation opportunities desired by the community
- C. The facility provides spaces designed to serve people of all ages and abilities
- D. The design of the community center provides for safe, functional, sustainable and efficient operation
- E. Desired improvements to the existing aquatic center are included in the project

Oregon law prohibits the use of public funds or public employee work time to support or oppose any candidate, petition, recall or measure that appears on an election ballot. Appointed members of advisory committees are subject to this restriction. Therefore, in order to prevent inadvertent violations of election law from occurring, the CAC will dissolve on August 1, 2020, prior to the filing of bond measure language with the Marion County Elections Official.

Nothing will prohibit members or former members of the CAC from forming a political action committee or otherwise supporting or opposing a potential community center bond measure. However, the City will not support or be involved in these activities in any manner.

**FINANCIAL IMPACT:**

There is no direct financial impact from this item

**COUNCIL BILL NO. 3102**

**RESOLUTION NO. 2136**

**A RESOLUTION ESTABLISHING A COMMUNITY CENTER CITIZENS ADVISORY COMMITTEE; SPECIFYING OBJECTIVES; AND PROVIDING MEMBERSHIP COMPOSITION**

**WHEREAS**, the City recently completed an update to the community center feasibility study; and

**WHEREAS**, during the 2017 Regular Session, the Oregon Legislature authorized the award of a \$1,000,000 Lottery Bond Grant to the City for the community center project; and

**WHEREAS**, the City has allocated an additional \$285,347 from the sale of City owned property to the project, bringing the total available funding to \$1,285,347; and

**WHEREAS**, the Woodburn City Council has decided to utilize this funding to complete the Architectural and Engineering design work for the community center project; and

**WHEREAS**, the Woodburn City Council has determined that the establishment of the Community Center Citizens Advisory Committee ("the CAC") will benefit the community center design process by providing for transparency and continued public input; and

**WHEREAS**, the CAC will make recommendations to the City Council regarding a City-wide bond measure to finance the construction of a new Community Center; and

**WHEREAS**, to ensure compliance with Oregon elections Law, the CAC shall be dissolved prior to filing bond measure ballot language with the Marion County Elections Official;

**WHEREAS**, the Woodburn City Charter provides the Mayor with the ability to appoint volunteer committee and commissioner positions with the consent of the City Council; and

**WHEREAS**, the Woodburn City Charter further provides that the City Administrator is the administrative head of the City responsible for overseeing the day to day operations of the City departments, services, programs and

community outreach efforts and takes advice from various committees and groups; **NOW, THEREFORE,**

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1. Establishment.** The CAC is hereby established to assist the City in completing the Architectural and Engineering design for the community center project.

**Section 2. Objectives.** In its efforts to assist the City with the community center architectural and engineering work, the CAC will review the design and provide feedback to staff, the design team and the City Council, in order to ensure that:

- A. The physical appearance of the community center is attractive as would be expected for a landmark civic building
- B. The facility is designed to include the active and passive recreation opportunities desired by the community
- C. The facility provides spaces designed to serve people of all ages and abilities
- D. The design of the community center provides for safe, functional, sustainable and efficient operation
- E. Desired improvements to the existing aquatic center are included in the project

**Section 3. Termination.** In order to ensure compliance with Oregon Elections Laws, the CAC will dissolve effective August 1, 2020. This will ensure that the committee no longer exists at the point that bond measure language is filed with the Marion County Elections Official.

**Section 4. Authority.** The CAC is an advisory committee and shall have no authority over the City's final decisions related to the design of the community center. Recommendations, suggestions or ideas of the CAC shall be strictly advisory and non-binding.

**Section 5. Representation.** Neither the CAC, nor individual appointed members of the CAC, are authorized to represent the City of Woodburn in any official capacity without obtaining the written permission of the City Council or the City Administrator.

**Section 6. Appointments.** Members of the CAC shall be appointed by the Mayor, with the consent of the City Council, for a term that expires upon the termination of the committee on August 1, 2020. Members interested in serving on the CAC shall submit a completed *Application for Commission/Committee/Board Member Form* to the City Administrator's Office.

**Section 7. Membership.** The CAC will consist of up to twelve (12) community members, including the following:

- A. Between one (1) and two (2) members of the Woodburn City Council, including the Mayor
- B. One (1) representative of the Boys & Girls Club
- C. One (1) member of the Recreation & Park Board
- D. Between One (1) and two (2) members of the Woodburn Senior Center
- E. One (1) representative of the Northwest Senior & Disability Meals on Wheels Program

**Section 8. Chair.** At the first meeting of the CAC, the appointed membership will nominate and select a Chair for a duration deemed appropriate. The Chair will preside over meetings, facilitate discussion and assist in formulating recommendations to City staff, the design team, the City Council or the City Administrator. City employees are not eligible to serve as Chair.

**Section 9. Meeting Notices, Agendas & Minutes.** The City Administrator through the City Recorder is responsible for developing and providing meeting notices, agendas and meeting minutes.

**Section 10. Meeting Schedule.** Meetings may be scheduled monthly, or as otherwise deemed appropriate by the CAC's Chair or City Administrator at a time and date deemed appropriate by the CAC. Meeting locations will be determined by the City Administrator's Office.

**Section 11. Quorum.** Because the CAC is advisory in nature, no quorum shall be required for the CAC to meet, discuss or provide advice or recommendations to the City Council or the City Administrator.

Approved as to form: \_\_\_\_\_  
City Attorney Date

Approved: \_\_\_\_\_  
Eric Swenson, Mayor

Passed by the Council \_\_\_\_\_

Submitted to the Mayor \_\_\_\_\_

Approved by the Mayor \_\_\_\_\_

Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

June 24, 2019

TO: Mayor and City Council through City Administrator

FROM: James C. Ferraris, Chief of Police

SUBJECT: **Redflex Contract Extension Amendment (Goal 9)**

**RECOMMENDATION:**

It is recommended the City Council authorize the City Administrator to sign the attached Fifth Extension of the Agreement with Redflex Traffic Systems, Inc. to provide Red Light Photo Enforcement Services.

**BACKGROUND:**

In 2010, the City entered into an Agreement with Redflex Traffic Systems, Inc. to provide Red Light Photo Enforcement Services. The initial terms of the Agreement expired on June 30, 2015. Under the terms and conditions of the Original Agreement, the City had, and continues to have the option to elect to extend the contract for up to seven (7) additional one (1) year periods. Since 2015, there have been 4 extensions authorized by the City Council. The current extension will expire June 30, 2019. The city has (3) 1-year extensions available.

The City has the legal right to renew the Agreement for another one (1) year period at its discretion, and Staff believes that it is in the City's interest to exercise this option.

**DISCUSSION:**

Red Light Photo Enforcement Services currently include the maintenance of, and violation processing for equipment and program services located at the intersection of State Hwy. 99E and State Hwy. 211/Mt. Hood Ave. The City and Redflex have enjoyed a professional working relationship and Redflex has provided exceptional service. Redflex has already agreed to the proposed extension of the Agreement.

**FINANCIAL IMPACT:**

Contract terms remain unchanged and Redflex receives a portion of fines collected from violations captured by the system. There is no direct cost to the City Budget.

**FIFTH EXTENSION OF THE AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS, INC. TO PROVIDE RED LIGHT PHOTO ENFORCEMENT SERVICES TO THE CITY OF WOODBURN, OREGON**

**THIS FIFTH AMENDMENT** to the Agreement with Redflex Traffic Systems, Inc. to provide Red Light Photo Enforcement Services to the City of Woodburn, Oregon is entered in to this 24<sup>th</sup> day of June, 2019 (the "Effective Date") by and between the City of Woodburn, Oregon (the "City"), and Redflex Traffic Systems, Inc. ("Redflex") (collectively referred to as the "Parties")

- A. In 2010 the Parties entered into an Agreement (the "Original Agreement") with Redflex Traffic Systems, Inc. to provide Red Light Photo Enforcement Services to the City of Woodburn , Oregon; and
- B. The Initial Term of the Original Agreement expired on June 30, 2015. Under the Original Agreement, the City had the option to elect to extend the contract for up to seven (7) additional one (1) year periods. Since 2015, there have been 4 extensions authorized by the City Council. The current extension will expire June 30, 2019. The city currently has (3) 1-year extensions available.
- C. The City has the right to renew the Agreement for an additional one (1) year period at its discretion; and
- D. The City has determined that it is in the City's interest to exercise its renewal option;

**NOW THEREFORE**, in consideration of the mutual covenants and agreements set forth herein:

- 1. Pursuant to Article II, Section 2, the City exercises its option to extend the Agreement for an additional one (1) year period until June 30, 2020.
- 2. Except as expressly amended in this Fifth Amendment, the terms and conditions of the Original Agreement shall remain in full force and effect. To the extent that this Fifth Amendment conflicts with the terms and conditions of the Original Agreement, this Fifth Amendment shall control.

**CITY OF WOODBURN**

**REDFLEX TRAFFIC SYSTEMS, INC**

By: \_\_\_\_\_

By: \_\_\_\_\_

Scott Derickson, City Administrator

Mark Talbot, Group CEO

**FIFTH EXTENSION OF REDFLEX AGREEMENT**





## Agenda Item

June 24, 2019

TO: Honorable Mayor and City Council

FROM: Jim Row, Assistant City Administrator

SUBJECT: **Award Personal Service Agreement to Opsis Architecture LLP (Goal 9)**

### **RECOMMENDATION:**

That the City Council authorize the City Administrator to enter into a Personal Services Agreement with Opsis Architecture LLP to conduct preliminary architectural design and program planning services for the Community Center Project.

### **BACKGROUND:**

Staff issued a Request for Proposals (RFP) to solicit Architectural and engineering services for the design of the Community Center Project. The RFP was advertised on the City website and in the Daily Journal of Commerce.

The City received a total of four proposals that satisfied the requirements of the RFP. Staff reviewed the proposals in accordance with the RFP guidelines and state requirements and Opsis Architecture LLP was selected as the highest ranked proposer.

During initial discussions, staff elected to task Opsis Architecture LLP with undertaking phase 1 program planning and preliminary design work, prior to initiating the completion of full design documents. The phase 1 project will include a needs assessment, operational & program evaluation, site, land use & zoning analysis, an operating financial pro-forma, and an updated concept plan.

Opsis Architecture LLP brings a comprehensive consulting team to the project, including firms specializing in recreational facilities, aquatics, landscape architecture, engineering, land use planning, cost consulting, and public involvement.

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Agenda Item Review: City Administrator ☒ City Attorney ☒ Finance ☒

The Professional Services Agreement is in the amount of \$179,480 plus reimbursable expenses, which are estimated to be approximately \$10,000.

The phase 1 design & program planning project is anticipated to take 3 months to complete. At its conclusion, staff will return to the Council for authorization to begin the phase 2, detailed architectural and engineering project.

**DISCUSSION:**

In January 2017, The City Council authorized staff to contract with Carleton Hart Architecture to update the 2008 Community Center Feasibility Study. This decision came after local stakeholders and interested residents expressed a desire to move the project forward now that the economic climate has improved.

This project included a significant amount of feedback from the public and resulted in an updated community center concept plan, which was presented to the City Council in March 2019. Following the completion of the concept plan update, staff enlisted the services of a market research firm to conduct a telephone survey of registered voters to gather additional feedback regarding desired community center amenities and to gauge the support for a potential bond measure.

Staff will now work with Opsis Architecture LLP to incorporate the information gleaned from the survey into the community center design project. The City is still targeting a November 2020 bond measure election.

**FINANCIAL IMPACT:**

During the 2017 Regular Session, the Oregon Legislature authorized the award of a \$1,000,000 Lottery Bond Grant to the City for the community center project. The City has also allocated an additional \$285,347 from the sale of City owned property to the project, bringing the total available funding to \$1,285,347. The funds are included in the adopted FY 19/20 budget.



## Agenda Item

June 24, 2019

TO: Honorable Mayor and City Council through City Administrator  
FROM: Eric Liljequist, Public Works Director  
SUBJECT: **Award of Construction Contract for the Hardcastle Avenue  
Realignment at Railroad Crossing Project**

### **RECOMMENDATION:**

That the City Council, acting in its capacity as the Local Contract Review Board, award the construction contract for the Hardcastle Avenue Realignment at Railroad Crossing Project to the lowest responsible bidder, Pacific Excavation, Inc. in the amount of \$777,000.

### **BACKGROUND:**

This project is included in the approved FY 18/19 budget and includes a perpendicular realignment of the existing intersection of Hardcastle Avenue and Front Street that will enable safer pedestrian and vehicular movements. Bids were publicly opened June 13, 2019. Three (3) responsible bids were received as follows:

Pacific Excavation, Inc.	\$777,000.00
Kerr Contractors Oregon, Inc.	\$994,777.00
Knife River Corporation - NW	\$1,054,746.25

The Engineer's Estimate for the project is: \$772,993.00

The recommended award is approximately 1% higher than the Engineer's Estimate

### **DISCUSSION:**

The existing intersection of Hardcastle Avenue and Front Street join together in a skewed manner, which makes truck turning movements more difficult, especially during peak-hour travel times. The culmination of this project will result in a perpendicular intersection configuration, enabling improved truck turning

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

movements. Also included in this project are sidewalk improvements that will allow safer pedestrian movements through this intersection.

The contract award is in conformance with public contracting laws of the State of Oregon as outlined in ORS Chapter 279C and the laws, regulations of the City of Woodburn, therefore, staff is recommending the contract be awarded.

**FINANCIAL IMPACT:**

The subject project is identified in the adopted fiscal year 2018/19 & 2019/20 Budgets and funded by the Street SDC Fund, Street Fund and ODOT Fund Exchange.



## *Agenda Item*

June 24, 2019

TO: Honorable Mayor and City Council  
FROM: Scott Derickson, City Administrator  
SUBJECT: **Workers' Compensation Insurance Provider**

### **RECOMMENDATION:**

Authorize the City Administrator to withdraw from Citycounty Insurance Services (CIS) workers' compensation insurance and contract with SAIF Corporation (SAIF) for workers' compensation insurance.

### **BACKGROUND:**

The City of Woodburn is required by law to provide workers' compensation insurance for employees. Currently, the City purchases worker's compensation insurance through CIS in addition to our general liability, property and automobile insurance. As part of our insurance renewal process the City worked with our Insurance Agent of Record to solicit bids to ensure that our costs remain low and competitive. This year we obtained a bid from SAIF to provide our workers' compensation coverage that could result in significant savings.

### **DISCUSSION:**

The City is currently on a workers' compensation retrospective plan. This plan has the City paying a reduced premium up front and assuming responsibility for an initial aggregate layer of paid claims. CIS's FY 2019-20 quote for initial premium and minimum amount to be paid came in at \$183,194. The City's maximum liability for this plan would be \$639,337. Which means that the City would be responsible for paying any claims up to that amount.

While the City has saved money on the retrospective plan in the past, the costs of the initial reduced premiums and maximum liability have risen significantly. This increase in costs moved the City to request a quote from SAIF. SAIF's FY 2019-20 quote for a guaranteed cost plan for workers' compensation came in at \$176,058. This plan has no other additional costs for the City for the policy period and any claims under this policy are paid by SAIF.

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Agenda Item Review: City Administrator \_\_\_\_\_ City Attorney \_\_\_\_\_ Finance \_\_\_\_\_

**FINANCIAL IMPACT:**

For Fiscal Year 2019-20, choosing SAIF for workers' compensation insurance will initially save the City approximately \$7,000 in initial premium costs. However, depending on the costs of any workers' compensation claims in the fiscal year, even greater savings could be seen. An amount to cover the FY 2019-20 workers' compensation premium has been included in the adopted budget.