



Agenda Item

August 7, 2019

TO: City Council
FROM: Eric Swenson, Mayor
SUBJECT: **Committee Appointments**

The following appointments are made, subject to the approval of the Council. Please forward any adverse comments to me prior to the Council meeting on Monday, August 12, 2019. No reply is required if you approve of my decision.

Community Center Citizens Advisory Committee

Anthony Veliz
Randi Garcia Cruz
Karsen O'Bryan
Kevin Grossnicklaus
David Piper
Kathy Figley

**COUNCIL MEETING MINUTES
JULY 22, 2019**

DATE WOODBURN POLICE DEPARTMENT, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JULY 22, 2019

CONVENED The meeting convened at 7:00 p.m. with Council President Carney presiding.

ROLL CALL

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

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Deputy Police Chief Pilcher, Lieutenant Millican, Economic Development Director Johnk, Public Works Director Liljequist, Recreation Services Manager Cuomo, Communications Coordinator Moore, Executive Legal Assistant Bravo, City Recorder Pierson

ANNOUNCEMENTS

City Hall functions have been moved back to 270 Montgomery Street. The August 12 City Council meeting will take place in the Council Chambers at City Hall.

The August 26, 2019 City Council meeting/Community Barbecue will take place at City hall and the Downtown Plaza. The meeting will begin at 5:30 pm and the BBQ will start shortly after.

Councilor Carney congratulated Brenda Bravo on her appointment to the position of Executive Legal Assistant with the City.

PROCLAMATIONS

Council President Carney read the proclamation supporting the 36th Annual National Night Out and proclaiming Tuesday, August 6, 2019 as National Night Out in the City of Woodburn.

PRESENTATIONS

Plaza Improvements – Recreation Services Manager Cuomo provided information on park improvements for the Plaza. The improvements included new benches, larger trash cans, lighting in the pavilion, and the addition of game tables. There was a consensus of the Council to use the simpler style of game table and to add two more chairs to each table.

2019 Fiesta Mexicana Court – Communications Coordinator Moore introduced the 2019 Fiesta Mexicana Court members: Cynthia Nayeli Cardenas, Priscila Arechiga Molinar, Adriana Cortés Cortés, Miriam Barbosa Herrera, Jessenia Villanueva, and Diana Bravo Rodriguez. The coronation will take place on Friday, August 2, at 6:45 p.m.

Council President Carney called for a 15-minute break.

COUNCIL MEETING MINUTES

JULY 22, 2019

BUSINESS FROM THE PUBLIC

Teresa Stanford, 387 5th Street, stated that she has a concern about the conditions of the sidewalks around town.

Gary Stanford, 387 5th Street, stated that it is more than a cosmetic issue and the sidewalks are dangerous.

Nancy Kirksey, 1049 McKinley, brought pictures of a house on Hayes Street that stinks and the yard is full of trash and wants to be sure something is being done about it.

Richard Lowry, 5th Street, stated that the City of Salem has the ability to condemn a property if it is deemed a health hazard and that he would like to see the City look into adding this to Woodburn's code.

CONSENT AGENDA

- A. Woodburn City Council minutes of June 24, 2019,
 - B. Woodburn City Council Executive Session minutes of June 24, 2019,
 - C. Building Activity for June 2019,
 - D. Crime Statistics through June 2019.
- Morris/Ellsworth...** adopt the Consent Agenda. The motion passed unanimously.

PURCHASE OF ALLEYWAY PARCEL (TAX LOT 051W18BA09990)

Public Works Director Liljequist provided a staff report. **Ellsworth/Schaub...** approve the purchase of a parcel of real property designated as Tax Lot 051W18BA09990 from Marion County and authorize the City Administrator to execute all documents as may be required to complete the transaction and accept a deed for the property. The motion passed unanimously.

AWARD PERSONAL SERVICE AGREEMENT TO MURRAYSMITH, INC. FOR ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE WATER TOWER REPAINTING PROJECT

Public Works Director Liljequist provided a staff report. **Ellsworth/Schaub...** authorize the City Administrator to enter into a Personal Services Agreement with Murraysmith, Inc. for engineering design and construction management services for the Water Tower Repainting Project in the amount of \$91,305. The motion passed unanimously.

PHOTO SPEED ENFORCEMENT PROPOSAL - AMEND CONTRACT WITH REDFLEX

Police Lieutenant Millican provided a staff report. **Schaub/Morris...** authorize the Woodburn Police Department to submit a proposal to the Oregon Department of Transportation in order to enforce speeding violations at the intersection of Mt. Hood Ave and N. Pacific Hwy using the current Redflex camera system. The motion passed with Councilors Cabrales, Carney, Schaub, Cornwell, and Morris voting yes and Councilor Ellsworth voting no.

NO SMOKING ORDINANCE

City Administrator Derickson provided a staff report. **Ellsworth/Cornwell...** receive the report regarding other cities in Oregon that prohibit smoking in public parks and direct staff to prepare a similar prohibition for our consideration. The motion passed unanimously.

**COUNCIL MEETING MINUTES
JULY 22, 2019**

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

- Today was the first day back at City Hall and it went okay. He invited people to come check it out. He also thanked Jim Row for doing such a tremendous job.
- Brenda Bravo was introduced as the new Executive Legal Assistant.
- There will be two meetings in August. The meeting on August 12 will include a public hearing as part of the grant application for housing and urban development dollars for the nonprofit consolidation center.
- The annual City Council Barbecue will take place after the August 26 meeting and will take place downtown at City Hall and the Plaza.
- Eleven tanks have now been found downtown.
- Looking at having a second goal setting/governance training meeting sometime in October.
- Would like to kick off a 20 year community visioning planning process in 2020.
- The Dick Jennings Leadership academy will kick off in 2020 as well. He noted that Portland State heard of this academy and is interested in partnering with the City on this. They have already developed a template and curriculum for it.

MAYOR AND COUNCIL REPORTS

Councilor Cornwell stated that she has been attending music in the park and there has been good attendance. She added that she has been visiting the restaurants downtown, despite the construction that is going on.

Councilor Cabrales stated that she will be going to Detroit on Thursday with PCUN and then will be at a work conference during Fiesta Mexican but looks forward to seeing the pictures of it.

Councilor Ellsworth stated that the Bassett Hound games took place over the weekend and that she took a tour of City Hall and thanked staff for making it a safer and more environmentally friendly space.

Councilor Schaub stated that she also had a tour of City Hall and that the citizens will be very proud of what we have there. She added that she is looking forward to National Night Out and that it is a good opportunity to meet your neighbors.

Councilor Morris stated that he looks forward to seeing City Hall.

ADJOURNMENT

Morris/Cabrales ... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 9:18 p.m.

APPROVED _____
ERIC SWENSON, MAYOR

ATTEST _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Director

SUBJECT: **Acceptance of Two Easements at 440-450 Parr Road
(Valor/Heritage Schools), Woodburn, OR 97071 (Tax Lot
052W1300500)**

RECOMMENDATION:

That City Council authorize the dedication of two public utility easements granted by The Woodburn School District, owners of the property located at 440-450 Parr Road, Woodburn, OR 97071 (Tax Lot 052W1300500).

BACKGROUND:

The property owner is required to provide two public utility easements in order to satisfy the conditions of approval of Design Review (CU 2019-02).

DISCUSSION:

The first easement is a 16-foot wide waterline easement dedication located within the existing property boundary limits as shown in the waterline easement exhibit. The second easement is a 16-foot wide sanitary sewer easement dedication located within the existing property boundary limits as indicated in the sanitary sewer easement exhibit. The 16-foot wide waterline easement provides a permanent easement and right-of-way to construct, reconstruct, operate, and maintain public water mains and appurtenances. The 16-foot wide sanitary sewer easement provides a permanent easement and right-of-way to construct, reconstruct, operate, and maintain public sewer mains and appurtenances.

FINANCIAL IMPACT:

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

ATTACHMENTS

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

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

AFTER RECORDING RETURN TO:

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

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

WOODBURN SCHOOL DISTRICT #103, an Oregon public school district, 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 a public water main and appurtenances 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 dollars (\$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 5th day of August 2019.

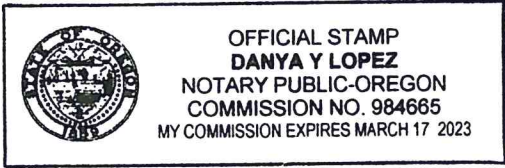
WOODBURN SCHOOL DISTRICT #103

BY: 
Sarah Bishop, Director of Business

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this 5th day of August 2019 by Sarah Bishop, Director of Business of WOODBURN SCHOOL DISTRICT #103 an Oregon public school district 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.



Danya Y Lopez
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/17/2023

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

Accepted on behalf of the City of Woodburn:

City Recorder:

Heather Pierson

EXHIBIT A

WATER EASEMENT

A STRIP OF LAND 16.00 FEET IN WIDTH OVER, ACROSS AND UPON THAT TRACT OF LAND AS DESCRIBED IN REEL 1197 AT PAGE 787 IN THE MARION COUNTY DEED RECORDS, FOR THE PURPOSES OF UNDERGROUND WATER DISTRIBUTION EASEMENT AND BEING 8.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID DEEDED TRACT BEING S 89°39'00" E AND DISTANT 231.57 FROM THE NORTHWEST CORNER THEREOF AND THE NORTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE S 00°23'12" W FOR A DISTANCE OF 172.23 FEET TO A POINT DESIGNATED POINT "A" FOR THE SAKE OF THE CONTINUATION OF THIS CENTERLINE DESCRIPTION, THENCE CONTINUING S 00°23'12" W FOR A DISTANCE OF 365.83 FEET TO A POINT DESIGNATED POINT "B" FOR THE SAKE OF THE CONTINUATION OF THIS CENTERLINE DESCRIPTION;

TOGETHER WITH:

A STRIP OF LAND 16.00 FEET IN WIDTH BEING 8.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT PREVIOUSLY DESIGNATED POINT "A" BEING THE WESTERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE S 89°36'48" E FOR A DISTANCE OF 42.00 FEET TO THE EASTERN TERMINUS OF THE CENTERLINE OF THE 16.00 FEET IN WIDTH STRIP OF LAND BEING DESCRIBED HEREIN;

ALSO, TOGETHER WITH:

A STRIP OF LAND 20.00 FEET IN WIDTH BEING 10.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT PREVIOUSLY DESIGNATED POINT "B" BEING THE WESTERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE S 89°27' 56" E FOR A DISTANCE OF 221.20 FEET TO A POINT DESIGNATED POINT "C" FOR THE SAKE OF THE CONTINUATION OF THIS CENTERLINE DESCRIPTION, THENCE CONTINUING S 89°27' 56" E FOR A DISTANCE OF 452.10 FEET TO A POINT DESIGNATED POINT "D" FOR THE SAKE OF THE CONTINUATION OF THIS CENTERLINE DESCRIPTION, THENCE CONTINUING S 89°27' 56" E FOR A DISTANCE OF 63.86 FEET, THENCE N 46°57'28" E FOR A DISTANCE OF 309.37 FEET, THENCE N 00°20'54" E FOR A DISTANCE OF 148.02 FEET TO A POINT DESIGNATED POINT "E" FOR THE SAKE OF THE CONTINUATION OF THIS CENTERLINE DESCRIPTION, THENCE CONTINUING N 00°20'54" E FOR A DISTANCE OF 179.88 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID DEEDED TRACT BEING 25.76 FEET DISTANT WEST OF THE MOST NORTHERLY NORTHEAST CORNER THEREOF AND THE NORTHERN TERMINUS OF THE CENTERLINE OF THE 20.00 FEET IN WIDTH STRIP OF LAND BEING DESCRIBED HEREIN;

ALSO, TOGETHER WITH:

A STRIP OF LAND 16.00 FEET IN WIDTH BEING 8.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT PREVIOUSLY DESIGNATED POINT "C" BEING THE SOUTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE N 00°32'04" E FOR A DISTANCE OF 35.19 FEET TO THE NORTHERN TERMINUS OF THE CENTERLINE OF THE 16.00 FEET IN WIDTH STRIP OF LAND BEING DESCRIBED HEREIN;

ALSO, TOGETHER WITH:

A STRIP OF LAND 16.00 FEET IN WIDTH BEING 8.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT PREVIOUSLY DESIGNATED POINT "D" BEING THE SOUTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE N 00°32'04" E FOR A DISTANCE OF 40.16 FEET TO THE NORTHERN TERMINUS OF THE CENTERLINE OF THE 16.00 FEET IN WIDTH STRIP OF LAND BEING DESCRIBED HEREIN;

ALSO, TOGETHER WITH:

A STRIP OF LAND 16.00 FEET IN WIDTH BEING 8.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT PREVIOUSLY DESIGNATED POINT "E" BEING THE EASTERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE N 89°39'06" W FOR A DISTANCE OF 43.00 FEET TO THE WESTERN TERMINUS OF THE CENTERLINE OF THE 16.00 FEET IN WIDTH STRIP OF LAND BEING DESCRIBED HEREIN.

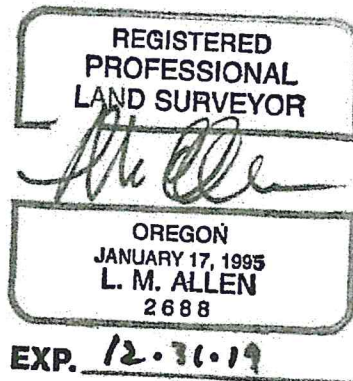
ALSO, TOGETHER WITH:

A STRIP OF LAND 20.00 FEET IN WIDTH BEING 10.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT PREVIOUSLY DESIGNATED POINT "B" BEING THE EASTERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE N 89°27'56" W FOR A DISTANCE OF 176.07 FEET, THENCE N 43°31'03" W FOR A DISTANCE OF 79.10 FEET TO THE WEST LINE OF SAID DEEDED TRACT AND BEING S 00°18'35" W AND DISTANT 450.47 FEET FROM THE NORTHWEST CORNER THEREOF AND THE WESTERN TERMINUS OF THE CENTERLINE OF THE 16.00 FEET IN WIDTH STRIP OF LAND BEING DESCRIBED HEREIN.

THE SIDELINES OF THE DESCRIBED STRIP EASEMENT TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THEIR RESPECTIVE TRACT BOUNDARY INTERSECTIONS.

SAVE AND EXCEPT; THOSE PORTIONS OF THE ABOVE DESCRIBED EASEMENT LYING WITHIN ANY PUBLIC RIGHT OF WAYS (PARR ROAD NE).



AFTER RECORDING RETURN TO:

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

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

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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 dollars (\$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 5th day of August 2019.

WOODBURN SCHOOL DISTRICT #103

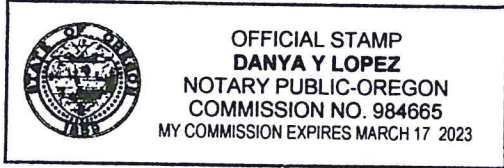
BY:


Sarah Bishop, Director of Business

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this 5th day of August 2019 by Sarah Bishop, Director of Business of WOODBURN SCHOOL DISTRICT #103 an Oregon public school district 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.



Danya Y Lopez
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/17/2023

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

Accepted on behalf of the City of Woodburn:

City Recorder:

Heather Pierson

EXHIBIT A

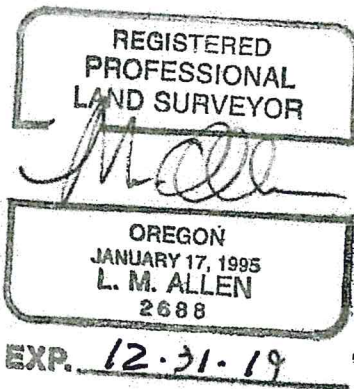
SEWER EASEMENT

A STRIP OF LAND 16.00 FEET IN WIDTH OVER, ACROSS AND UPON THAT TRACT OF LAND AS DESCRIBED IN REEL 1197 AT PAGE 787 IN THE MARION COUNTY DEED RECORDS, FOR THE PURPOSES OF AN UNDERGROUND SANITARY SEWER EASEMENT AND BEING 8.00 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID DEEDED TRACT BEING DISTANT 557.30 FEET SOUTH OF THE NORTHWEST CORNER THEREOF, THENCE S 89°41'52" E FOR A DISTANCE OF 980.35 FEET. THENCE N 78°17'11" E FOR A DISTANCE OF 401.98 FEET,

THENCE S 86°17'37" E FOR A DISTANCE OF 14.00 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY LINE OF SAID DEEDED TRACT BEING DISTANT 9.32 FEET SOUTH OF THE MOST EASTERLY NORTHEAST CORNER OF SAID DEEDED TRACT AND THE EASTERN TERMINUS OF THE CENTERLINE OF SAID 16.00 FEET IN WIDTH STRIP;

THE SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THEIR RESPECTIVE TRACT BOUNDARY INTERSECTIONS.



PARR ROAD NE ROW = 60'

EXISTING 10' UTILITY EASEMENT

TRUE POINT OF BEGINNING

PROPOSED 16' SANITARY SEWER EASEMENT

EXISTING PROPERTY LINE

EXISTING PROPERTY LINE

TAX MAP 052W13
LOT 500
46.91 ACRES ±
MARION, COUNTY OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 17, 1995
L. M. ALLEN
2688

RENEWAL 12/31/2019

EXHIBIT B

SANITARY SEWER EASEMENT EXHIBIT

LEI ENGINEERING & SURVEYING OF OREGON

2564 19TH St SE
Salem, Oregon 97302
(503) 399-3828
www.leiengineering.com

SCALE: 1" = 200'
PROJECT NO.: 15-153
DATE: 06-04-2019
CHECKED: J. VAN AGTMAEL

FILED: 06/04/2019 11:15 AM AT SALEM, OREGON BY J. VAN AGTMAEL, LICENSED SURVEYOR



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Director

SUBJECT: **Acceptance of Two Easements at 1800 W. Hayes Street (Nellie Muir School), Woodburn, OR 97071 (Tax Lot 052W12DD06300)**

RECOMMENDATION:

That City Council authorize the dedication of two public utility easements granted by The Woodburn School District, owners of the property located at 1800 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 052W12DD06300).

BACKGROUND:

The property owner is required to provide two public utility easements in order to satisfy the conditions of approval of Design Review (CU 2019-04).

DISCUSSION:

The first easement is a 5-foot wide public utility easement dedication located along the entire northern property boundary, adjacent to W. Hayes Street. The second easement is a 16-foot wide waterline easement dedication located near the eastern property boundary. 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 16-foot wide waterline easement provides a permanent easement and right-of-way to construct, reconstruct, operate, and maintain public water mains and appurtenances.

FINANCIAL IMPACT:

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

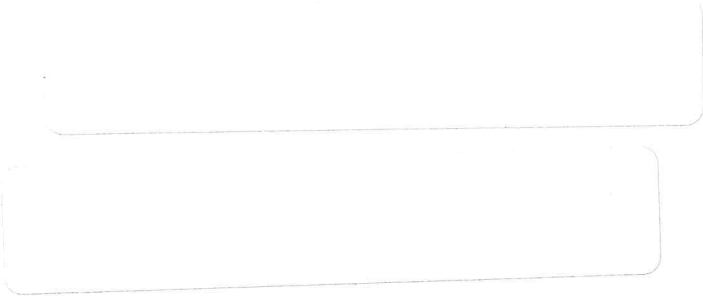
ATTACHMENTS

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

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

AFTER RECORDING RETURN TO:

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



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PUBLIC UTILITY EASEMENTS**

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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 dollars (\$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 5th day of August 2019.

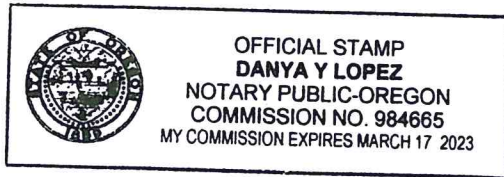
WOODBURN SCHOOL DISTRICT #103

BY: 
Sarah Bishop, Director of Business

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this 5th day of August 2019 by Sarah Bishop, Director of Business of WOODBURN SCHOOL DISTRICT #103 an Oregon public school district 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.



Danya Y Lopez
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/17/2023

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

Accepted on behalf of the City of Woodburn:

City Recorder:

Heather Pierson

EXHIBIT A

WATERLINE EASEMENT

A STRIP OF LAND BEING 16.00 FEET IN WIDTH BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN THE MARION COUNTY, OREGON DEED RECORDS IN VOLUME 537 AT PAGE 176; THENCE S 00°45'00" W ON THE EAST LINE OF SAID DEEDED TRACT FOR A DISTANCE OF 21.50 FEET, THENCE LEAVING SAID EAST LINE N 88°27'48" W PARALLEL WITH THE NORTH LINE OF SAID DEEDED TRACT FOR A DISTANCE OF 24.08 FEET TO THE TRUE POINT OF BEGINNING AND THE NORTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE S 00°56'10" W FOR A DISTANCE OF 254.04 FEET TO THE SOUTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN.



AFTER RECORDING RETURN TO:

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270 Montgomery Street
Woodburn, OR 97071

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PUBLIC UTILITY EASEMENTS**

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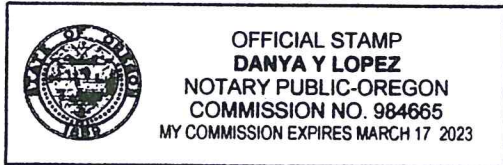
WOODBURN SCHOOL DISTRICT #103

BY: 
Sarah Bishop, Director of Business

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this 5th day of August 2019 by Sarah Bishop, Director of Business of WOODBURN SCHOOL DISTRICT #103 an Oregon public school district 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.



Danya Y Lopez
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/17/2023

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

Accepted on behalf of the City of Woodburn:

City Recorder:

Heather Pierson

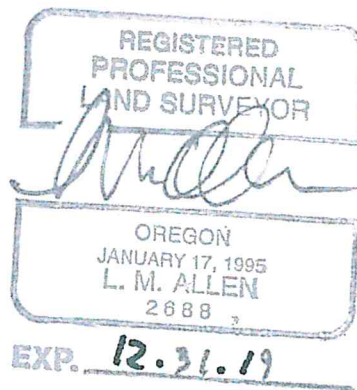
EXHIBIT A

PUBLIC UTILITY EASEMENT

THE SOUTH 5.00 FEET OF THE NORTH 26.50 FEET OF THAT TRACT OF LAND DESCRIBED IN THE MARION COUNTY, OREGON DEED RECORDS IN VOLUME 537 AT PAGE 176;

EXCEPTING THEREFROM:

ALL THAT PORTION LYING WITHIN THE TRACT OF LAND DESCRIBED IN THE MARION COUNTY, OREGON DEED RECORDS IN VOLUME 616 AT PAGE 250.





Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator
FROM: Eric Liljequist, Public Works Director
SUBJECT: **Acceptance of Two Easements at 965 N. Boones Ferry Road (French Prairie School), Woodburn, OR 97071 (Tax Lot 051W07BD02300)**

RECOMMENDATION:

That City Council authorize the dedication of two public utility easements granted by The Woodburn School District, owners of the property located at 965 N. Boones Ferry Road, Woodburn, OR 97071 (Tax Lot 051W07BD02300).

BACKGROUND:

The property owner is providing two public utility easements for existing public utilities that are already in place.

DISCUSSION:

The first easement is a 16-foot wide waterline easement dedication located within the existing property boundary limits as shown in the waterline easement exhibit. The second easement is a 16-foot wide sanitary sewer easement dedication located within the existing property boundary limits as indicated in the sanitary sewer easement exhibit. The 16-foot wide waterline easement provides a permanent easement and right-of-way to construct, reconstruct, operate, and maintain public water mains and appurtenances. The 16-foot wide sanitary sewer easement provides a permanent easement and right-of-way to construct, reconstruct, operate, and maintain public sewer mains and appurtenances.

FINANCIAL IMPACT:

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

ATTACHMENTS

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

Agenda Item Review: City Administrator City Attorney Finance

AFTER RECORDING RETURN TO:

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

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

WOODBURN SCHOOL DISTRICT #103, an Oregon public school district, 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 a public sanitary sewer main and appurtenances 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 dollars (\$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 5th day of August 2019.

WOODBURN SCHOOL DISTRICT #103

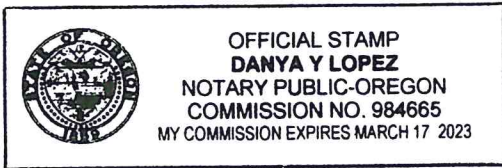
BY: 

Sarah Bishop, Director of Business

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this 5th day of August 2019 by Sarah Bishop, Director of Business of WOODBURN SCHOOL DISTRICT #103 an Oregon public school district 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.



Danya Y Lopez
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/17/2023

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

Accepted on behalf of the City of Woodburn:

City Recorder:

Heather Pierson

EXHIBIT A

SANITARY SEWER EASEMENT

A STRIP OF LAND FOR THE PURPOSES ASSOCIATED WITH SANITARY SEWER PIPELINES BEING 16.00 FEET IN WIDTH OVER, ACROSS AND UPON THAT TRACT OF LAND AS THE SAME IS DESCRIBED IN MARION COUNTY, OREGON DEED RECORD ON REEL 1225 AT PAGE 614 BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

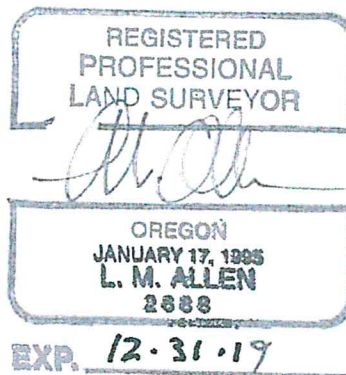
BEGINNING AT A POINT ON THE WEST MARGINAL BOUNDARY OF BOONES FERRY ROAD BEING N 76°35'00"W AND DISTANT 42.50 FEET PERPENDICULARLY OPPOSITE OF ENGINEER'S CENTERLINE STATION 9+67.48 AS SAID CENTERLINE STATIONING IS REFERRED TO IN THE MARION COUNTY DEED RECORD ON REEL 2304 AT PAGE 362 AND THE NORTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE LEAVING SAID WEST MARGIN N 84°14'23" W FOR A DISTANCE OF 183.93 FEET, THENCE N 87°45'46" W FOR A DISTANCE OF 121.93 FEET, THENCE N 88°35'35" W FOR A DISTANCE OF 100.97, THENCE N 87°5'11" W FOR A DISTANCE OF 93.54 FEET, THENCE N 85°58'43" W FOR A DISTANCE OF 449.55 FEET, THENCE S 78°15'59" W FOR A DISTANCE OF 260.11 FEET TO A POINT DESIGNATED "A" FOR THE SAKE OF THIS CENTERLINE DESCRIPTION, THENCE S 06°51'25" W FOR A DISTANCE OF 888.22 FEET TO THE NORTH MARGINAL BOUNDARY OF STATE HIGHWAY NO. 214 (HILLSBORO—SILVERTON) BEING DISTANT 53.59 FEET EAST OF THE SOUTHWEST CORNER OF SAID DEEDED TRACT AND THE SOUTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN.

TOGETHER WITH:

A STRIP OF LAND 16.00 FEET IN WIDTH BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE ABOVE PREVIOUSLY DESCRIBED POINT DESIGNATED "A" THENCE N 82°36'25" W FOR A DISTANCE OF 44.99 FEET TO THE WEST BOUNDARY OF SAID DEEDED TRACT.

THE SIDELINES OF SAID DESCRIBED STRIP TO BE LENGTHENED OR SHORTENED TO END AT THEIR RESPECTIVE BOUNDARY INTERSECTIONS.



PL01.DWG / 1842 / 10/2019 - 14.29pm
P:\12-2019\12-19-19-125-125-FERRIS-FERRIS-UTILITY.DWG
P:\12-2019\12-19-19-125-125-FERRIS-FERRIS-UTILITY.DWG

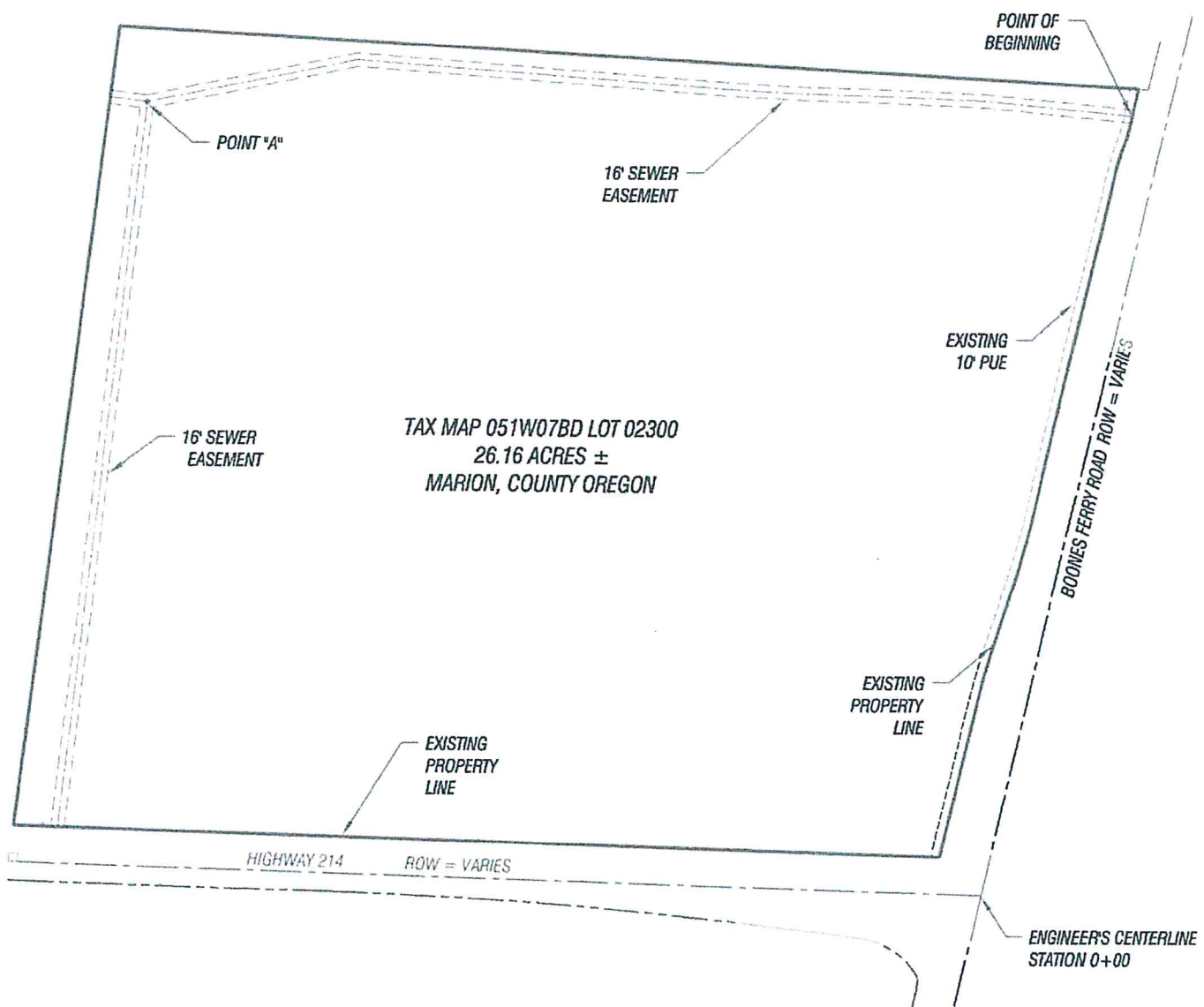


EXHIBIT B

SEWER LINE EASEMENT EXHIBIT

LEI ENGINEERING & SURVEYING OF OREGON

2564 19TH St SE
Salem, Oregon 97302
(503) 399-3828
www.leiengineering.com

| | |
|--------------|----------------|
| SCALE: | 1" = 200' |
| PROJECT NO.: | 15-153 |
| DATE: | 07-15-2019 |
| CHECKED: | J. VAN AGTMAEL |

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JANUARY 17, 1995
L. M. ALLEN
2688

RENEWAL 12/31/2019

AFTER RECORDING RETURN TO:

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



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

WOODBURN SCHOOL DISTRICT #103, an Oregon public school district, 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 a public water main and appurtenances 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 dollars (\$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 5th day of August 2019.

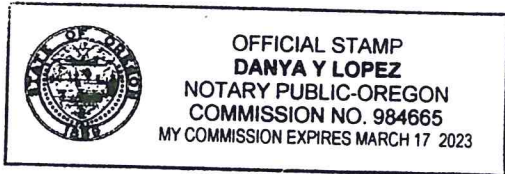
WOODBURN SCHOOL DISTRICT #103

BY: 
Sarah Bishop, Director of Business

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this 5th day of August 2019 by Sarah Bishop, Director of Business of WOODBURN SCHOOL DISTRICT #103 an Oregon public school district 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.



Danya Y Lopez
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/17/2023

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

Accepted on behalf of the City of Woodburn:

City Recorder:

Heather Pierson

EXHIBIT A

WATERLINE EASEMENT

A STRIP OF LAND FOR THE PURPOSES ASSOCIATED WITH WATER LINES BEING 16.00 FEET IN WIDTH OVER, ACROSS AND UPON THAT TRACT OF LAND AS THE SAME IS DESCRIBED IN MARION COUNTY, OREGON DEED RECORD ON REEL 1225 AT PAGE 614 BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

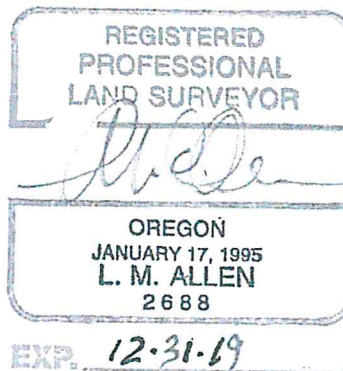
BEGINNING AT A POINT ON THE WEST MARGINAL BOUNDARY OF BOONES FERRY ROAD BEING N 76°35'01" W AND DISTANT 42.50 FEET PERPENDICULARLY OPPOSITE OF ENGINEER'S CENTERLINE STATION 9+73.38 AS SAID CENTERLINE STATIONING IS REFERRED TO IN THE MARION COUNTY DEED RECORD ON REEL 2304 AT PAGE 362 AND THE NORTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN, THENCE LEAVING SAID WEST MARGIN, THENCE N 84°46'08" W FOR A DISTANCE OF 185.84 FEET, THENCE N 87°54'28" W FOR A DISTANCE OF 224.19 FEET, THENCE S 40°03'49" W FOR A DISTANCE OF 87.92 FEET, THENCE S 03°13'10" W FOR A DISTANCE OF 267.38 FEET TO A POINT DESIGNATED "A" FOR THE SAKE OF THIS CENTERLINE DESCRIPTION, THENCE N 87°47'23" W FOR A DISTANCE OF 120.25 FEET, THENCE S 02°00'38" W FOR A DISTANCE OF 510.26 FEET TO THE NORTH MARGINAL BOUNDARY OF STATE HIGHWAY NO. 214 (HILLSBORO—SILVERTON) AND BEING DISTANT 741.13 FEET EAST OF THE SOUTHWEST CORNER OF SAID DEEDED TRACT AND THE SOUTHERN TERMINUS OF THE CENTERLINE BEING DESCRIBED HEREIN.

TOGETHER WITH:

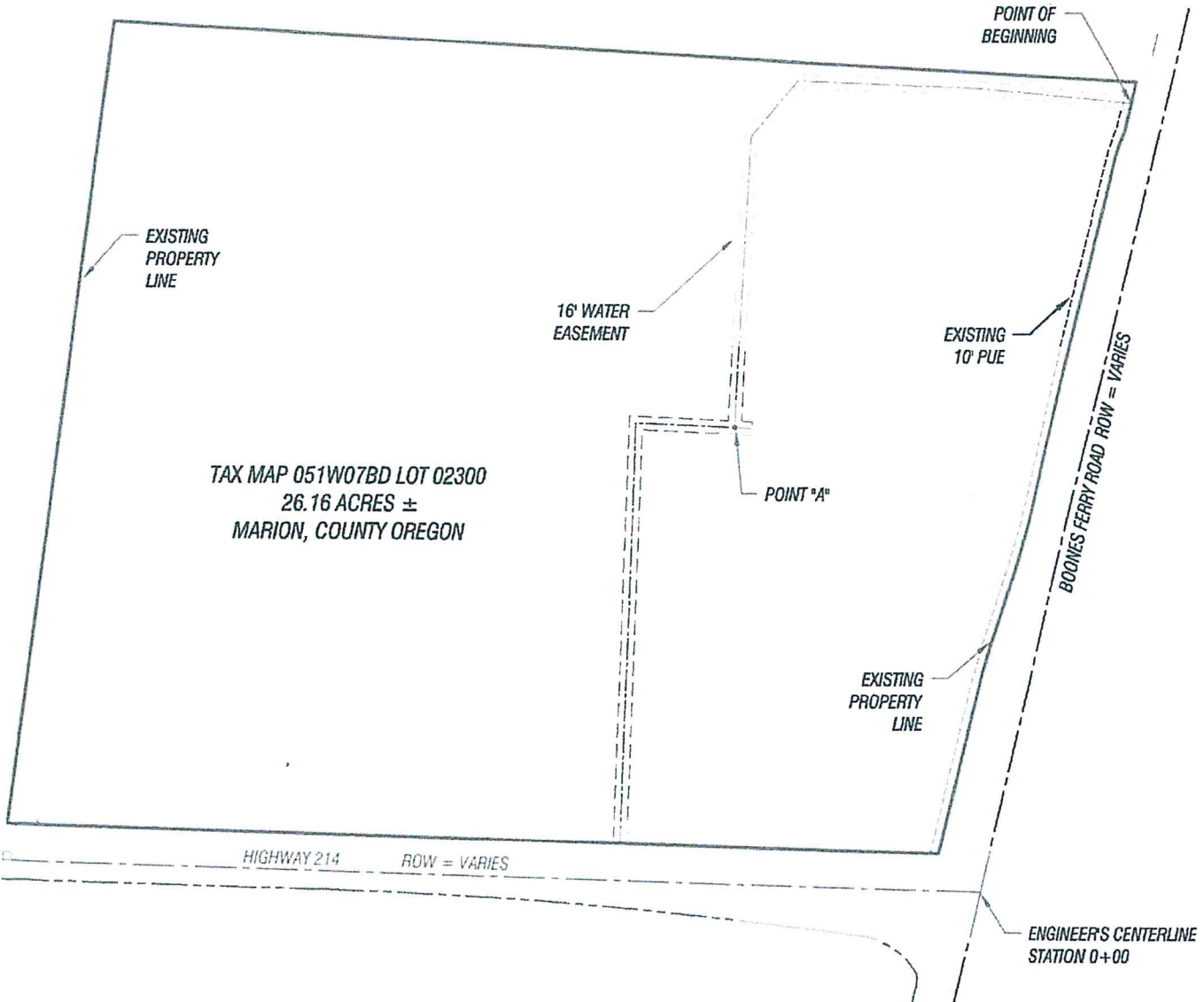
A STRIP OF LAND 16.00 FEET IN WIDTH BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE ABOVE PREVIOUSLY DESCRIBED POINT DESIGNATED "A" THENCE S 87°47'23" E FOR A DISTANCE OF 21.33 FEET.

THE SIDELINES OF SAID DESCRIBED STRIP TO BE LENGTHENED OR SHORTENED TO END AT THEIR RESPECTIVE RIGHT OF WAY BOUNDARY INTERSECTIONS.



P:\15-153-Sub\15-153-100-JL HERRI Co - Woodburn School Water Tower - 15-153-100-French Phone Library.dwg
PLT: 01/15/2019 7:19:19 AM - 1:23:00 PM



TAX MAP 051W07BD LOT 02300
26.16 ACRES ±
MARION, COUNTY OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

L. M. Allen
OREGON
JANUARY 17, 1995
L. M. ALLEN
2688

RENEWAL 12/31/2019

EXHIBIT B
WATER LINE EASEMENT EXHIBIT

LEI ENGINEERING & SURVEYING OF OREGON

2564 19TH St SE
Salem, Oregon 97302
(503) 399-3828
www.leiengineering.com

SCALE: 1" = 200'
PROJECT NO.: 15-153
DATE: 07-15-2019
CHECKED: J. VAN AGTMAEL



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Director

SUBJECT: **Acceptance of a Warranty Deed at 1800 W Hayes Street (Nellie Muir School), Woodburn, OR 97071 (Tax Lot 052W12DD06300)**

RECOMMENDATION:

That City Council authorize a right-of-way dedication granted by The Woodburn School District, owners of the property located at 1800 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 052W12DD06300).

BACKGROUND:

The property owner is required to provide the right-of-way dedication in order to satisfy the conditions of approval of Design Review (CU 2019-04).

DISCUSSION:

The public right-of-way dedication is located along the northern property boundary, adjacent to W. Hayes Street. This 11.5-foot wide public right-of-way provides 5.5 more feet than the required proportional dedication for compliance with the service collector street classification width per the Woodburn Transportation System Plan WTSP. The additional 5.5-feet will allow for the necessary right-of-way width for the upcoming W. Hayes Street Project

FINANCIAL IMPACT:

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

ATTACHMENTS

A Copy of the Warranty Deed document is included as Exhibit "A" and Exhibit "B".

Agenda Item Review: City Administrator City Attorney Finance

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

WOODBURN SCHOOL DISTRICT NO 103, 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: The DISTRICT is dedicating a 11.5' wide portion of Nellie Muir Elementary School along Hayes Street as a Right of Way to the CITY to be used for future public improvements.

Exceptions: No exceptions.

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

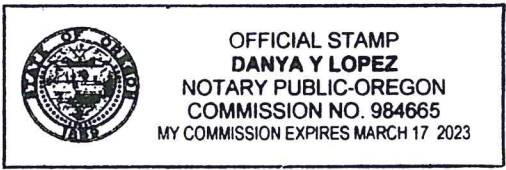
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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 5th day of August, 2018⁹ SB

Signed: [Signature], DISTRICT Director of Business
GRANTOR

STATE OF OREGON)
) ss
County of Marion)

This instrument was acknowledged before me on this 5^m day of August 2019, by Sarah Bishop, Woodburn School District Business Director.



By: [Signature]
Notary Public for Oregon
My Commission Expires: 3/17/2023

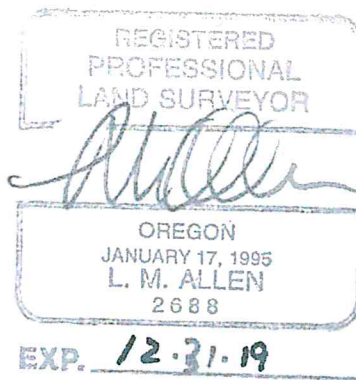
EXHIBIT A

ROAD R/W DEDICATION

THE SOUTH 11.50 FEET OF THE NORTH 21.50 FEET OF THAT TRACT OF LAND DESCRIBED IN THE MARION COUNTY, OREGON DEED RECORDS IN VOLUME 537 AT PAGE 176;

EXCEPTING THEREFROM:

ALL THAT PORTION LYING WITHIN THE TRACT OF LAND DESCRIBED IN THE MARION COUNTY, OREGON DEED RECORDS IN VOLUME 616 AT PAGE 250.





Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator
THRU: James C. Ferraris, Chief of Police
FROM: Andy Shadrin, Lieutenant
SUBJECT: **Liquor License Application**

RECOMMENDATION:

The Woodburn City Council recommends that the OLCC approve the **Liquor License Application** for El Tule Taqueria.

BACKGROUND:

Applicant: Vicenta Zaragoza-Cabrera
880 Young Street
Woodburn, OR 97071
971-338-0482

Point of
Contact: Julio Valera
P.O. Box 1323
Silverton, OR 97381
503-830-2977

Business: El Tule Taqueria
450 N. First Street
Woodburn, OR 97071
503-981-9000

Owners: Vicenta Zaragoza-Cabrera

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

License Type: **Limited On-Premises** - Permits beer, wine, and cider sales and consumption on licensed premises. May sell beer, wine and cider in "growlers" for consumption off the licensed premises. May sell beer kegs for off premises consumption.

On July 22, 2019, the Woodburn Police Department received an application for Limited On-Premises sales liquor license for El Tule Taqueria. The business currently operates as restaurant and bar with seating up to 80 persons. The application provided indicates that the liquor license application is relation to the business changing ownership. El Tule Taqueria is located at 450 N. First St. in Woodburn, Oregon 97071. The hours of operation are from 9:00 AM to 10:00 PM Sunday through Thursday and 9:00 AM to 11:00 PM Friday and Saturday. The establishment will have recorded music but no other forms of music or entertainment. The business will have no outside seating. The Woodburn Police Department has not received any communication from the public or surrounding businesses in support of or against the proposed change.

DISCUSSION:

The Police Department has completed a background investigation on the subject listed on the OLCC application, Vicenta Zaragoza-Cabrera. Vicenta Zaragoza-Cabrera has no criminal history and is clear in all database checks. Vicenta Zaragoza-Cabrera has no operator's license status and also has a clear driving record. (No DMV entries)

FINANCIAL IMPACT:

None



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator
THRU: James C. Ferraris, Chief of Police
FROM: Andy Shadrin, Lieutenant
SUBJECT: **Liquor License Application**

RECOMMENDATION:

The Woodburn City Council recommends that the OLCC does not approve the **Liquor License Application** for Tito's Bar, LLC.

BACKGROUND:

Applicant: Tito's Bar, LLC
347 N. Front Street
Woodburn, OR 97071
503-509-4204

Point of
Contact: Ulises Morales
543 Doud Street
Woodburn, OR 97071
503-509-4204

Business: Tito's Bar, LLC
347 N. Front Street
Woodburn, OR 97071
503-509-4204

Owners: Ulises Morales

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

LICENSE TYPE:

Full On-Premises Sales, Commercial - Permits distilled spirits, beer, wine, and cider sales for on premise consumption. May sell growlers of beer, wine, and cider for off-premises consumption.

On July 15, 2019, the Woodburn Police Department received an application for Full On-Premises Sales liquor license for Tito's Bar, LLC. This establishment contains a seating area with tables and a bar top with alcohol sales throughout the establishment and is also required to serve food.

Tito's Bar, LLC is located at 347 North Front Street, Woodburn, Oregon 97071. The hours of operation are from 11:00 A.M. to 9:00 P.M. Sunday. 11:00 A.M. to 10:00 P.M. Monday through Thursday. 11:00 A.M. to 12:00 A.M. Friday and 11:00 A.M. to 1:00 A.M. on Saturday. The establishment indicates that there will be no entertainment either live or recorded. The restaurant has seating for 48 patrons with no accommodation for outside seating. The Woodburn Police Department has not received any communication from the public or surrounding businesses in support of or against the proposed change.

DISCUSSION:

Previously this year the Woodburn Police Department had conducted a background investigation on the same subject and business listed in this OLCC application for an application of New Outlet, Limited On-Premises Sales liquor license. On April 8, 2019, a recommendation to not approve the liquor license for Tito's Bar LLC, was forwarded to the Woodburn City Council. The Woodburn Police Department has completed another background investigation on the subject(s) listed on the OLCC application due to the new application and change in liquor license type requested. The owner, Ulises Morales, was found to have several criminal convictions. The following information remains unchanged since the last background investigation and there is no new information available for consideration in this liquor license application:

The following conviction occurred on January 20, 2010, under ten years ago:

Failure to Register as a Sex Offender (Misdemeanor)

The following convictions occurred more than ten years ago:

DUII (Misdemeanor- February 15, 2000), Criminal Mischief II (Misdemeanor- February 15, 2000), Sex Abuse III (Felony- October 10, 1998), and Criminal Driving Suspended/Revoked (Misdemeanor- May 9, 1997).

Ulises Morales was contacted by the Woodburn Police Department on June 24, 2017, in regards to a physical fight between neighbors. The investigating officer determined in his report that Ulises Morales was intoxicated and engaged in a physical fight with his neighbors. No arrest was made but at the time of the initial investigation there was sufficient probable cause to arrest Ulises Morales for Disorderly Conduct II.

Ulises Morales is a registered sex offender in the State of Oregon that last reported on May 17, 2019.

FINANCIAL IMPACT:

None

CITY OF WOODBURN

Economic and Development Services Department

MEMORANDUM

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

Date: August 6, 2019

To: Chris Kerr, Community Development Director

From: Ted Cuno, Building Division 

Subject: Building Activity for July 2019

| | 2017 | | 2018 | | 2019 | |
|---|------|------------------|------|---------------------|------|--------------------|
| | No. | Dollar Amount | No. | Dollar Amount | No. | Dollar Amount |
| Single-Family Residential | 0 | \$0 | 7 | \$2,015,863 | 6 | \$1,396,079 |
| Multi-Family Residential | 0 | \$0 | 0 | \$0 | 0 | \$0 |
| Assisted Living Facilities | 0 | \$0 | 0 | \$0 | 0 | \$0 |
| Residential Adds & Alts | 2 | \$11,000 | 2 | \$9,560 | 4 | \$99,548 |
| Industrial | 3 | \$217,500 | 1 | \$18,350 | 0 | \$0 |
| Commercial | 5 | \$370,918 | 11 | \$16,003,561 | 7 | \$656,282 |
| Signs and Fences | 1 | \$25,000 | 0 | \$0 | 0 | \$0 |
| Manufactured Homes | 0 | \$0 | 0 | \$0 | 0 | \$0 |
| TOTALS | 11 | \$624,418 | 21 | \$18,047,334 | 17 | \$2,151,909 |
| Fiscal Year to Date (July 1 – June 30) | | \$624,418 | | \$18,047,334 | | \$2,151,909 |
| | | | | | | |
| | | | | | | |



Permits Issued

WOODBURN BUILDING DEPARTMENT

270 Montgomery Street
Woodburn, OR 97071
503-982-5246
FAX: 503-980-2496

www.ci.woodburn.or.us

7/1/2019 through 7/31/2019

Includes all valuations

building.dept@ci.woodburn.or.us

Record Types Selected: -All-

Commercial Mechanical

971-19-000106-MECH

Address: 1710 Mt Jefferson Ave, Woodburn, OR 97071

Owner: COASTAL FARM REAL ESTATE INC

Licensed Prof:

Category of Construction: Commercial

Work Description:

Issued: 7/23/19

Fees: \$905.66 Valuation: \$32,516.00
Parcel: 051W08DB01500

Type of Work: New

Equipment: (2) LENNOX LANDMARK 4 Ton Gas/ Electric Package units
~ Economizers & roof curbs

(2) LENNOX COMFORTSENSE 7500 Commercial programmable thermostats

(1) MITSUBISHI 12K Btuh Ductless split system (I.T. Room)

(2) BROAN L100 Ceiling exhaust fans (restrooms)

Includes: Installation of the above mentioned equipment, supply air/ return air & exhaust air ducting, refrigeration piping, condensate drain lines, grilles/ registers & diffusers, gas piping, control wiring, air balancing,

971-19-000216-MECH

Address: 105 ARNEY RD, WOODBURN, OR 97071

Owner: MASTER DEVELOPMENT LLC 38.860%

Licensed Prof:

Category of Construction: Other

Work Description:

Issued: 7/12/19

Fees: \$2,984.54 Valuation: \$194,091.00
Parcel: 052W12BC06600

Type of Work: Addition

Install (3) AHU's, (5) Split Systems, (7) Unit heaters, (2) Rooftop Exhaust Fans, (21) Terminal Units and Various GRD's.

971-19-000217-MECH

Address: 475 N 1ST ST, WOODBURN, OR 97071

Owner: NILSON, J DON

Licensed Prof:

Category of Construction: Commercial

Work Description: Like for like Replacing of RTU

Issued: 7/5/19

Fees: \$300.83 Valuation: \$5,869.00
Parcel: 051W18BA00100

Type of Work: Replacement

971-19-000254-MECH

Address: 1755 MT HOOD AVE NE, SPC# 130/FTNES, WOODBURN, OR 97071

Owner: ARGO WOODBURN LLC

Issued: 7/23/19

Fees: \$253.76 Valuation: \$3,547.00
Parcel: 051W08A 05400

Permits Issued:

Commercial Mechanical

971-19-000254-MECH **Issued:** 7/23/19 **Fees:** \$253.76 **Valuation:** \$3,547.00
 Licensed Prof: Commercial
 Category of Construction: Commercial
 Work Description: INSTALLING FOUR BATHROOM EXHAUST FANS
Type of Work: Alteration

971-19-000263-MECH **Issued:** 7/23/19 **Fees:** \$418.49 **Valuation:** \$10,281.00
 Address: 2500 NATIONAL WAY, WOODBURN, OR 97071
 Owner: GREATER OREGON LEASING & DEVELOPMENT INC
 Licensed Prof:
 Category of Construction: Commercial
 Work Description: Installation of 3 fans & 6 louvers
Type of Work: Alteration

971-19-000264-MECH **Issued:** 7/26/19 **Fees:** \$300.83 **Valuation:** \$5,791.00
 Address: 681 Ray J Glatt CIR, Woodburn, OR 97071
 Owner: WITHERS, TERENCE C
 Licensed Prof:
 Category of Construction: Commercial
 Work Description: Installation of a two ton heat pump and air handler.
Type of Work: Alteration

971-19-000271-MECH **Issued:** 7/25/19 **Fees:** \$1,406.20 **Valuation:** \$62,500.00
 Address: 1776 COUNTRY CLUB RD, WOODBURN, OR 97071
 Owner: SENIOR ESTATES COUNTRY CLUB
 Licensed Prof:
 Category of Construction: Commercial
 Work Description: Remove existing Reznor heaters and install new ducted Reznor heaters. New units will sit on concrete pads at back of building
Type of Work: Replacement

971-19-000277-MECH **Issued:** 7/23/19 **Fees:** \$371.42 **Valuation:** \$8,341.00
 Address: 1001 ARNEY RD NE, WOODBURN, OR 97071
 Owner: WOODBURN PREMIUM OUTLETS LLC
 Licensed Prof:
 Category of Construction: Commercial
 Work Description: replace 6 ton roof top unit, reconnect gas line, economizer, smoke detector, new unit weighs less than existing unit
Type of Work: Replacement

Permits Issued:

Commercial Mechanical

971-19-000280-MECH

Issued: 7/25/19

Address: 2100 N PACIFIC HWY, WOODBURN, OR 97071

Fees: \$371.42

Valuation:

\$8,500.00

Owner: TRUSS T LANDHOLDING LLC

Licensed Prof:

Category of Construction: Commercial

Work Description: replace electric furnace and AC w/ electric furnace and heat pump

Type of Work: Replacement

971-19-000283-MECH

Issued: 7/31/19

Address: 1025 N BOONES FERRY RD, BLDG# FRENCH PRA, WOODBURN, OR 97071

Fees: \$2,226.64

Valuation:

\$130,000.00

Owner: WOODBURN SCHOOL DISTRICT 103

Licensed Prof:

Category of Construction: Commercial

Work Description: Changing out rooftop package units, new ductwork.

Type of Work: Replacement

| | | | |
|------------------------------|--------------------------|-------------------|---------------------|
| Commercial Mechanical | 10 permits issued | \$9,539.79 | \$461,436.00 |
|------------------------------|--------------------------|-------------------|---------------------|

Permits Issued:

Commercial Structural

971-19-000121-STR

Issued: 7/8/19

Address: 105 ARNEY RD, STE# 130, WOODBURN, OR 97071

Fees: \$300.00 **Valuation:** \$45,000.00

Owner: MASTER DEVELOPMENT LLC 38.860%

Licensed Prof:

Category of Construction: Commercial

Work Description: Stair 2 deferred submittal

Type of Work: New

971-19-000122-STR

Issued: 7/8/19

Address: 105 ARNEY RD, STE# 130, WOODBURN, OR 97071

Fees: \$300.00 **Valuation:** \$90,000.00

Owner: MASTER DEVELOPMENT LLC 38.860%

Licensed Prof:

Category of Construction: Commercial

Work Description: Bar Joists deferred submittal

Type of Work: New

971-19-000126-STR

Issued: 7/8/19

Address: 105 ARNEY RD, STE# 130, WOODBURN, OR 97071

Fees: \$300.00 **Valuation:** \$90,000.00

Owner: MASTER DEVELOPMENT LLC 38.860%

Licensed Prof:

Category of Construction: Commercial

Work Description: Elevator

Type of Work: New

971-19-000222-STR

Issued: 7/22/19

Address: 290 YOUNG ST, WOODBURN, OR 97071

Fees: \$1,122.54 **Valuation:** \$43,380.00

Owner: WOLFER FAMILY LLC

Licensed Prof:

Category of Construction: Commercial

Work Description: overlay over existing built up roof (roof has one layer)

Type of Work: Tenant Improvement

971-19-000255-STR

Issued: 7/26/19

Address: 1641 MT HOOD AVE NE, STE# PAYLESS SH, WOODBURN, OR 97071

Fees: \$6,596.21 **Valuation:** \$371,328.00

Owner: ARGO WOODBURN LLC

Licensed Prof:

Category of Construction: Commercial

Work Description: TI- creating a dental office.

Type of Work: Tenant Improvement

Permits Issued:

Commercial Structural

971-19-000281-STR Issued: 7/30/19

Address: 455 N FRONT ST, WOODBURN, OR 97071
 Owner: CITY OF WOODBURN

Fees: \$371.42 Valuation: \$8,426.00
 Parcel: 051W18AB03900

Licensed Prof:

Category of Construction: Commercial

Work Description: Replacement of existing skylight

Type of Work: Replacement

971-19-000292-STR Issued: 7/31/19

Address: 290 YOUNG ST, WOODBURN, OR 97071
 Owner: WOLFER FAMILY LLC

Fees: \$485.30 Valuation: \$8,148.87
 Parcel: 051W18AB11400

Licensed Prof:

Category of Construction: Commercial

Work Description: Repairs to the damage to the rear wall of the building. The original stucco exterior is difficult to repair so the property owner (Young St, LLC) is opting to remove the stucco and replace with Hardieplank siding. We will also repair some of the framing and add studs.

Type of Work: Replacement

Commercial Structural

7 permits issued

\$9,475.47

\$656,282.87

Permits Issued:

Residential 1 & 2 Fam Dwelling (New Only) Limited

971-19-000207-DWL

Issued: 7/26/19

Address: 1262 DAYLILY ST, WOODBURN, OR 97071
 Owner: STAFFORD HOMES & LAND LLC
 Licensed Prof:

Fees: \$19,404.00 Valuation: \$250,000.00
 Parcel: 051W18CC08700

Category of Construction: Single Family Dwelling
 Work Description: NSFR

Type of Work: New

971-19-000208-DWL

Issued: 7/26/19

Address: 1254 DAYLILY ST, WOODBURN, OR 97071
 Owner: STAFFORD HOMES & LAND LLC
 Licensed Prof:

Fees: \$19,146.84 Valuation: \$213,370.52
 Parcel: 051W18CC08800

Category of Construction: Single Family Dwelling
 Work Description: NSFR

Type of Work: New

971-19-000209-DWL

Issued: 7/26/19

Address: 1244 DAYLILY ST, WOODBURN, OR 97071
 Owner: STAFFORD HOMES & LAND LLC
 Licensed Prof:

Fees: \$19,667.50 Valuation: \$249,903.04
 Parcel: 051W18CC08900

Category of Construction: Single Family Dwelling
 Work Description: NSFR

Type of Work: New

971-19-000210-DWL

Issued: 7/26/19

Address: 1238 DAYLILY ST, WOODBURN, OR 97071
 Owner: STAFFORD HOMES & LAND LLC
 Licensed Prof:

Fees: \$19,455.16 Valuation: \$224,914.44
 Parcel: 051W18CC09000

Category of Construction: Single Family Dwelling
 Work Description: NSFR

Type of Work: New

971-19-000212-DWL

Issued: 7/5/19

Address: 1235 Brown ST, Woodburn, Oregon 97071
 Owner: NORTHWEST WILLAMETTE HOMES, LLC
 Licensed Prof:

Fees: \$20,252.18 Valuation: \$231,925.31
 Parcel: 051W18CC01000

Category of Construction: Single Family Dwelling
 Work Description: new const.

Type of Work: New

Permits Issued:

Residential 1 & 2 Fam Dwelling (New Only) Limited

971-19-000228-DWL Issued: 7/8/19

Address: 1280 DAYLILY ST, WOODBURN, OR 97071

Owner: DAVIS, CLAUD

Licensed Prof:

Category of Construction: Single Family Dwelling

Work Description: New house 1541 sq ft.

Fees: \$19,237.51 Valuation: \$225,965.77
 Parcel: 051W18CC08500

| Category of Construction | Type of Work | Permits Issued | Valuation |
|---|--------------|------------------|----------------|
| Residential 1 & 2 Fam Dwelling (New Only) Limited | New | 6 permits issued | \$1,396,079.08 |
| | | | \$117,163.19 |

Permits Issued:

Residential Mechanical

| Permit Number | Address | Owner | Issued | Category of Construction | Work Description | Type of Work | Fees | Valuation |
|---------------------------|--|-------------------|--------|--------------------------|--|--------------|----------|-------------|
| 971-19-000242-MECH | 1297 QUINN RD, WOODBURN, OR 97071 | MANN, GEORGE J | 7/2/19 | Single Family Dwelling | new furnace and AC | Replacement | \$100.80 | \$8,500.00 |
| 971-19-000243-MECH | 1432 JUNE WAY, WOODBURN, OR 97071 | BUZZETTA, PETER A | 7/2/19 | Single Family Dwelling | Installing Heat Pump and Air Handler | Alteration | \$100.80 | \$9,033.00 |
| 971-19-000244-MECH | 902 HAZELNUT DR, WOODBURN, OR 97071 | WOOD, WARREN O | 7/2/19 | Single Family Dwelling | REPLACE GAS FURNACE AND AIR CONDITIONER | Replacement | \$100.80 | \$0.00 |
| 971-19-000247-MECH | 2348 N BOONES FERRY RD, WOODBURN, OR 97071 | TRACY, MICHELLE L | 7/2/19 | Single Family Dwelling | INSTALL DUCTLESS MINISPLIT HEAT PUMP & TANKLESS WATER HEATER AS PER CONTRACT | Alteration | \$100.80 | \$16,071.00 |
| 971-19-000248-MECH | 200 SMITH DR, WOODBURN, OR 97071 | ESCALONA, ARTURO | 7/3/19 | Single Family Dwelling | Replace bathroom fan. | Alteration | \$100.80 | \$0.00 |

Permits Issued:

Residential Mechanical

| | | | |
|---|--|-----------------------|------------------------------|
| 971-19-000249-MECH | Issued: 7/3/19 | Fees: \$100.80 | Valuation: \$5,775.00 |
| Address: 635 HAWLEY ST, WOODBURN, OR 97071 | | | |
| Owner: WILKINSON,LAWRENCE R | | | |
| Licensed Prof: | | | |
| Category of Construction: | Single Family Dwelling | Type of Work: | Alteration |
| Work Description: | Installing Gas Furnace | | |
| 971-19-000253-MECH | Issued: 7/23/19 | Fees: \$100.80 | Valuation: \$0.00 |
| Address: 380 STARK ST, WOODBURN, OR 97071 | | | |
| Owner: CHAVES,JULIAN BARTOLO | | | |
| Licensed Prof: | | | |
| Category of Construction: | Single Family Dwelling | Type of Work: | New |
| Work Description: | New bathroom exhaust fan and new air supply ducts to addition. | | |
| 971-19-000257-MECH | Issued: 7/8/19 | Fees: \$100.80 | Valuation: \$4,754.00 |
| Address: 1755 PRINCETON RD, WOODBURN, OR 97071 | | | |
| Owner: MCMILLAN,EDWARD A | | | |
| Licensed Prof: | | | |
| Category of Construction: | Single Family Dwelling | Type of Work: | Alteration |
| Work Description: | Installing Fire Place | | |
| 971-19-000259-MECH | Issued: 7/9/19 | Fees: \$100.80 | Valuation: \$350.00 |
| Address: 2348 N BOONES FERRY RD, WOODBURN, OR 97071 | | | |
| Owner: TRACY,MICHELLE L | | | |
| Licensed Prof: | | | |
| Category of Construction: | Single Family Dwelling | Type of Work: | Alteration |
| Work Description: | Install Gas Line to Water Heater | | |
| 971-19-000260-MECH | Issued: 7/9/19 | Fees: \$100.80 | Valuation: \$6,315.00 |
| Address: 620 TROON AVE, WOODBURN, OR 97071 | | | |
| Owner: JAMES ARTHUR & JULIE ANN NICOLARSEN RT | | | |
| Licensed Prof: | | | |
| Category of Construction: | Single Family Dwelling | Type of Work: | Replacement |
| Work Description: | Install hp | | |

Permits Issued:

Residential Mechanical

971-19-000266-MECH **Issued:** 7/10/19 **Fees:** \$100.80 **Valuation:** \$0.00
 Address: 1330 TOMLIN AVE, WOODBURN, OR 97071
 Owner: SAFAROV, DAVID
 Licensed Prof:

Category of Construction: Single Family Dwelling **Type of Work:** Replacement
Work Description: Install furnace and air conditioner

971-19-000269-MECH **Issued:** 7/15/19 **Fees:** \$100.80 **Valuation:** \$0.00
 Address: 1346 PRINCETON RD, WOODBURN, OR 97071
 Owner: ALLOWITZ, RONALD D
 Licensed Prof:

Category of Construction: Single Family Dwelling **Type of Work:** Replacement
Work Description: Install furnace & Air Conditioner

971-19-000270-MECH **Issued:** 7/15/19 **Fees:** \$100.80 **Valuation:** \$3,500.00
 Address: 1180 HARDCASTLE AVE, WOODBURN, OR 97071
 Owner: CARDENAS, ELOY MATEO
 Licensed Prof:

Category of Construction: Single Family Dwelling **Type of Work:** Replacement
Work Description: Replace furnace

971-19-000272-MECH **Issued:** 7/16/19 **Fees:** \$100.80 **Valuation:** \$8,428.00
 Address: 2199 LILAC WAY, WOODBURN, OR 97071
 Owner: SALINAS, MARY J
 Licensed Prof:

Category of Construction: Single Family Dwelling **Type of Work:** Alteration
Work Description: Installing Gas Furnace & Air Conditioner

971-19-000273-MECH **Issued:** 7/17/19 **Fees:** \$100.80 **Valuation:** \$0.00
 Address: 3413 HAWTHORNE CIR, WOODBURN, OR 97071
 Owner: JACOBSON, SAMUEL L
 Licensed Prof:

Category of Construction: Single Family Dwelling **Type of Work:** Replacement
Work Description: REPLACE ELECTRIC FURNACE AND INSTALL HEAT PUMP

Permits Issued:

Residential Mechanical

971-19-000274-MECH

Address: 3581 LINDA ST, WOODBURN, OR 97071
 Owner: WOLFER,JASON
 Licensed Prof:

Issued: 7/18/19

Parcel: 052W12BB06900

Valuation:

\$5,653.00

Category of Construction: Single Family Dwelling

Work Description: INSTALL HEAT PUMP AS PER CONTRACT

Type of Work: Alteration

971-19-000276-MECH

Address: 998 W HAYES ST, WOODBURN, OR 97071
 Owner: BOERSMA,PHILLIP
 Licensed Prof:

Issued: 7/19/19

Parcel: 051W07CC08300

Valuation:

\$3,900.00

Category of Construction: Single Family Dwelling

Work Description: New ac ad on

Type of Work: New

971-19-000278-MECH

Address: 692 TROON AVE, WOODBURN, OR 97071
 Owner: SIDHU,MEHAR D
 Licensed Prof:

Issued: 7/19/19

Parcel: 051W06DD04500

Valuation:

\$600.00

Category of Construction: Single Family Dwelling

Work Description: Installing gas line to BBQ and Fireplace outside

Type of Work: Addition

971-19-000279-MECH

Address: 1295 YOUNG ST, WOODBURN, OR 97071
 Owner: HUBERT,THOMAS O
 Licensed Prof:

Issued: 7/22/19

Parcel: 051W17BC11600

Valuation:

\$0.00

Category of Construction: Single Family Dwelling

Work Description: Install furnace and A/C

Type of Work: Addition

971-19-000282-MECH

Address: 3212 REED AVE, WOODBURN, OR 97071
 Owner: MENDOZA,FRANCISCO J
 Licensed Prof:

Issued: 7/22/19

Parcel: 052W13BA09400

Valuation:

\$5,634.00

Category of Construction: Single Family Dwelling

Work Description: Replace air conditioner

Type of Work: Alteration

Permits Issued:

Residential Mechanical

971-19-000284-MECH

Address: 1055 TIERRA CT, WOODBURN, OR 97071
 Owner: CARR,BERTHA SUE
 Licensed Prof:

Issued: 7/24/19

Fees: \$100.80
 Parcel: 051W08CD04100

Valuation: \$5,479.00

Category of Construction: Single Family Dwelling
 Work Description: Installing Air Conditioner

Type of Work: Alteration

971-19-000285-MECH

Address: 612 N CASCADE DR, SPC# #65, WOODBURN, OR 97071
 Owner: WILLIAMS,CAROL A
 Licensed Prof:

Issued: 7/25/19

Fees: \$100.80
 Parcel: 052W12DD00500

Valuation: \$3,017.00

Category of Construction: Manufactured Dwelling
 Work Description: Replace gas furnace with 95% gas furnace.

Type of Work: Replacement

971-19-000286-MECH

Address: 341 AKSENIA ST, WOODBURN, OR 97071
 Owner: HERNANDEZ,JACQUELINE
 Licensed Prof:

Issued: 7/25/19

Fees: \$100.80
 Parcel: 051W18CA10900

Valuation: \$1,005.00

Category of Construction: Single Family Dwelling
 Work Description: GAS LINE TO RANGE

Type of Work: Alteration

971-19-000287-MECH

Address: 765 S PACIFIC HWY, SPC# #52, WOODBURN, OR 97071
 Owner: VASQUEZ,FILEMON
 Licensed Prof:

Issued: 7/25/19

Fees: \$100.80
 Parcel: 051W19A 02300

Valuation: \$0.00

Category of Construction: Manufactured Dwelling
 Work Description: Install heat pump and air handler

Type of Work: New

971-19-000290-MECH

Address: 1641 W HAYES ST, WOODBURN, OR 97071
 Owner: DICKERSON,JILL
 Licensed Prof:

Issued: 7/30/19

Fees: \$100.80
 Parcel: 051W07CC04901

Valuation: \$0.00

Category of Construction: Single Family Dwelling
 Work Description: Install Heat Pump

Type of Work: Addition

Permits Issued:

Residential Mechanical

971-19-000293-MECH **Issued:** 7/31/19
Address: 325 MARSHALL ST, WOODBURN, OR 97071 **Fees:** \$100.80 **Valuation:** \$0.00
Owner: GONZALEZ, ERIC OSVALDO **Parcel:** 051W18AC06800
Licensed Prof:
Category of Construction: Single Family Dwelling
Work Description: Replace bathroom fan. **Type of Work:** Alteration

| | | | |
|------------------------|-------------------|------------|-------------|
| Residential Mechanical | 26 permits issued | \$2,620.80 | \$88,014.00 |
|------------------------|-------------------|------------|-------------|

Permits Issued:

Residential Structural

971-19-000231-STR Issued: 7/22/19

Address: 1260 JOHNSON ST, WOODBURN, OR 97071

Owner: RODRIGUEZ,JUSTO S

Licensed Prof:

Category of Construction: Other

Type of Work: Alteration

Work Description: Enclose carport to make a garage (20' X 40') 800 sqft attached to dwelling

Census Code: Additions, Alterations and Conversions
- Residential

Fees: \$399.17 Valuation: \$19,496.00
Parcel: 051W17BB09400

971-19-000252-STR Issued: 7/23/19

Address: 380 STARK ST, WOODBURN, OR 97071

Owner: CHAVES,JULIAN BARTOLO

Licensed Prof:

Category of Construction: Single Family Dwelling

Type of Work: Addition

Work Description: New 369 sf. dwelling addition includes bathroom, bedroom and dining room.

Fees: \$1,345.72 Valuation: \$45,187.74
Parcel: 051W18BD07100

971-19-000256-STR Issued: 7/15/19

Address: 620 GARFIELD ST, WOODBURN, OR 97071

Owner: LAWSON,WESLEY DALE

Licensed Prof:

Category of Construction: Other

Type of Work: Addition

Work Description: INSTALLATION OF UTILITY INTERACTIVE PHOTOVOLTAIC SOLAR SYSTEM 5.27 KW DC PHOTOVOLTAIC SOLAR ARRAY ROOF
TYPE: Comp Shingle MODULES: (17) Jinko Solar Eagle JKM 310M-60L INVERTER(S): Enphase IQ7-60-2-US,----- RACKING:
Unirac Sunframe Microtrail

Fees: \$336.00 Valuation: \$11,082.00
Parcel: 051W07CD07100

971-19-000262-STR Issued: 7/15/19

Address: 480 WORKMAN DR, WOODBURN, OR 97071

Owner: VAN PELT,JANELLE

Licensed Prof:

Category of Construction: Other

Type of Work: Addition

Work Description: INSTALLATION OF UTILITY INTERACTIVE PHOTOVOLTAIC SOLAR SYSTEM
13.33 KW DC PHOTOVOLTAIC SOLAR ARRAY
ROOF TYPE: Comp Shingle
MODULES: (43) Jinko Solar Eagle JKM 310M-60L
INVERTER(S): Enphase IQ7-60-2-US,-----
RACKING: Unirac Sunframe Microtrail

Fees: \$336.00 Valuation: \$23,782.87
Parcel: 051W18BB07800

Residential Structural

4 permits issued

\$2,416.89

\$99,548.61

Permits Issued:

53 permits issued

\$141,216.14

\$2,701,360.56



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council

FROM: Scott Derickson, City Administrator

SUBJECT: **2019 Community Development Block Grant (CDBG) from Business Oregon for a Family Resource Center in Woodburn**

RECOMMENDATION:

Hold a public hearing to consider the City’s application for a 2019 Community Development Block Grant to fund a Woodburn Family Resource Center and approve the Resolution authorizing submission of the application for the grant and authorizing the Mayor and/or City Administrator to execute any and all documents related to the grant application and to effectuate an award of the grant.

BACKGROUND:

The City of Woodburn is eligible to apply for a 2019 Community Development Block Grant (CDBG) from Business Oregon. CDBG funds come from the U.S. Department of Housing and Urban Development. Grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes. In this case, the City is proposing to apply for CDBG funding for a family resource center estimated to primarily benefit low to moderate income populations.

Through Business Oregon, approximately \$12 million in CDBG funding will be awarded to Oregon non-metropolitan cities and counties in 2019. The maximum grant that a city or county can receive is \$1,500,000.

DISCUSSION:

The City of Woodburn is proposing to prepare an application for a 2019 Community Development Block Grant from Business Oregon to acquire property and a facility for a Family Resource Center in Woodburn to accommodate activities and services primarily or exclusively for low to moderate income clientele. It is estimated that the proposed project will benefit at least 25,067 persons, of whom 55.09% percent will be low or moderate income. If awarded funding, the facility acquired with the CDBG funding would be required to be owned by the City for a minimum of five years. However, it could be managed and operated by a non-profit organization that would facilitate grant-eligible services at the Family Resource Center. It is expected that as part of the grant

Agenda Item Review: City Administrator City Attorney Finance

application, the City will enter into a Memorandum of Understanding with Love INC., a local non-profit entity that has been identified as having the skill and capabilities of managing and overseeing the operation of the resulting Family Resource Center.

Council approval at this meeting means that City staff will move forward with submitting the CDBG application by the September 30, 2019 deadline, with any awarded funds expected to be received in Spring 2020.

The City does not believe the proposed project will result in the displacement or relocation of any persons or businesses.

FINANCIAL IMPACT:

The City will be seeking a CDBG funding request of approximately \$1.5 million for the proposed Woodburn Family Resource Center. If awarded the City will provide a 1% (\$15,000) match per federal funding requirements.



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council
FROM: Jim Row, Assistant City Administrator
SUBJECT: **Ordinance Prohibiting Tobacco in City Parks**

RECOMMENDATION:

That the City Council consider the adoption of the attached ordinance prohibiting tobacco use in public parks.

BACKGROUND:

During the June 24 City Council meeting, former Mayor Nancy Kirksey spoke during the business from the public portion of the agenda to request that the City Council adopt an ordinance prohibiting smoking in City Parks. The City Council then directed staff to research what other cities have done to address smoking in parks and determine if the City has the ability to adopt regulations. Finally, at its July 22, 2019 meeting, the City Council directed that an ordinance be prepared. In response to the City Council's request, the City Attorney has drafted the attached ordinance for City Council consideration.

DISCUSSION:

The proposed ordinance is intended to be concise and straightforward. It broadly defines "smoking" and prohibits tobacco use, smoking, and the use of inhalant delivery systems as that term is defined by the ordinance. The penalty for a violation is designated a class 4 Civil Infraction (\$125) and this is consistent with a violation of the Park Use Ordinance.

FINANCIAL IMPACT:

None.

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

COUNCIL BILL NO. 3103

ORDINANCE NO. 2574

AN ORDINANCE PROHIBITING TOBACCO USE, SMOKING, AND THE USE OF INHALANT DELIVERY SYSTEMS IN WOODBURN CITY PARKS

WHEREAS, at its June 24, 2019 meeting, the City Council received a request from a member of the public that smoking be banned in City Parks; and

WHEREAS, the City Council then directed staff to research what other cities have done to address smoking in parks and determine if the City has the ability to adopt regulations; and

WHEREAS, at its July 22, 2019 meeting, the City Council further deliberated on this matter and directed staff to draft an ordinance for City Council consideration; **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. Definitions.

A. City Park means land controlled by the City that is available to the public and used for municipal park purposes.

B. Inhalant Delivery System means any noncombustible product that employs a mechanical heating element, electronic element, battery, circuit, cartridge, or other system and that is capable of being used to ingest tobacco, nicotine, or other drug or plant solution, and includes electronic cigarettes, devices or products.

C. Smoking means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, grass, plant, liquid, vapor or any other tobacco product. This includes the use of any inhalant delivery system, electronic smoking device, or other delivery devices, which creates smoke, vapor, aerosol or any other byproduct.

D. Tobacco Product means any product that contains tobacco or nicotine, or is derived from tobacco or nicotine.

E. Tobacco Use means smoking, inhaling, exhaling, vaping, use of an inhalant delivery system, use of an electronic cigarette or other smoking device.

Section 2. Prohibitions.

- A. Tobacco use, smoking, and the use of any inhalant delivery system is prohibited in all City Parks.

- B. The City Administrator is directed to post signs in appropriate locations to provide public notice of this prohibition.

Section 3. Penalty. A person who violates this Ordinance commits a Class 4 Civil Infraction and is subject to the procedures contained in the Civil Infraction Ordinance. Each violation of this Ordinance constitutes a separate civil infraction.

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. 3104

RESOLUTION NO. 2137

A RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A COMMUNITY DEVELOPMENT BLOCK GRANT TO ACQUIRE REAL PROPERTY FOR A FAMILY RESOURCE CENTER AND AUTHORIZING THE MAYOR AND/OR THE CITY ADMINISTRATOR TO EXECUTE ALL RELATED DOCUMENTS

WHEREAS, Business Oregon is accepting proposals for the 2019 Community Development Block Grant Program funding cycle; and

WHEREAS, the City is eligible to apply for a 2019 Community Development Block Grant for funds from the U.S. Department of Housing and Urban Development to be used for public facilities and housing improvements, primarily for persons with low and moderate incomes; and

WHEREAS, the City Council has identified as a 2019-2020 Strategic Goal, to explore the development of a non-profit consolidated facility; and

WHEREAS, the City wants to participate in this funding program to the greatest extent possible as a means to acquire real property with a facility that will serve as a family resource center for the benefit of the Woodburn area income-qualified population; and

WHEREAS, on August 12, 2019, the City Council held a public hearing to consider the application for a Community Development Block Grant for a family resource center as is required as part of the CDBG application process; **NOW, THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. The City, (through its Mayor and City Administrator) is authorized to apply for, and if awarded, accept Community Development Block Grant funding from Business Oregon for the purposes of acquiring real property with a facility that will serve as a family resource center.

Section 2. The Mayor and/ or City Administrator is authorized to execute any and all documents related to the grant application and to effectuate the grant award.

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



Agenda Item

August 12, 2019

TO: Mayor, City Council and Scott Derickson, City Administrator

THROUGH: James C. Ferraris, Chief of Police

FROM: Jason Millican, Lieutenant

SUBJECT: **Mobile Crisis Response Team Intergovernmental Agreement**

RECOMMENDATION:

That the City Council, acting as the Local Contract Review Board, authorize the City Administrator to sign the proposed Intergovernmental Agreement (IGA) with Marion County to continue the Mobile Crisis Response Team (MCRT).

BACKGROUND:

In November of 2017, utilizing grant funds provided through a predecessor IGA, the Woodburn Police Department assigned an officer to the Marion County Mobile Crisis Response Team. The funding grant was issued by the State of Oregon to the Marion County Health Department. There are currently four agencies assigned to the team. The members of the MCRT respond to calls throughout Marion County.

DISCUSSION:

The primary function of MCRT is to help people who are in mental health crisis. Each police officer assigned to MCRT is partnered with a Qualified Mental Health Professional (QMHP). The QMHP's work alongside their assigned officer, responding to calls for service involving people in crisis. Since November of 2017, our officer has responded to at least 448 primary calls for service. The teams also perform a number of follow-ups throughout their assigned shifts in order to stay in contact with the citizens they are trying to help. Both the MCRT officer and the QMHP receive specialized training in order to provide the help and resources citizens need when they are in crisis.

FINANCIAL IMPACT:

Agenda Item Review: City Administrator City Attorney Finance

Per the IGA, The Woodburn Police Department will receive up to \$150,000 per fiscal year (FY) for FY 2019-2020 and FY 2020-2021 which partially funds costs associated with one full time sworn position, such as salary, overtime, training, vehicle and equipment. This grant revenue is reflected in the Woodburn Police Department's fiscal year (2019-2020) budget.

INTERGOVERNMENTAL AGREEMENT #HE-2916-19
Between
MARION COUNTY and CITY OF WOODBURN

1. PARTIES TO AGREEMENT

This Agreement between *City of Woodburn, on behalf of the Woodburn Police Department an Oregon Municipal Corporation* hereafter called City, and *Marion County, a political subdivision of the state of Oregon*, hereafter called County, is made pursuant to ORS 190.010 (Cooperative Agreements).

2. PURPOSE/STATEMENT OF WORK

The purpose of this Agreement is to establish the terms and conditions under which the City shall provide Mobile Crisis services to County. These services are further described in Section 5.

3. TERM AND TERMINATION

3.1 This Agreement shall be effective for the period of July 1, 2019 through June 30, 2021 unless sooner terminated or extended as provided herein.

3.2 This Agreement may be extended for an additional period of one year by agreement of the parties. Any modifications in the terms of such amendment shall be in writing.

3.3 This agreement may be terminated by mutual consent of both parties at any time or by either party upon 30 days' notice in writing, and delivered by mail or in person. Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

3.4 County may terminate this agreement effective upon delivery of written notice to City or at such later date as may be established under any of the following conditions:

- a. If funding from federal, state, or other sources is not obtained or continued at levels sufficient to allow for the purchase of the indicated quantity of services. This agreement may be modified to accommodate a reduction in funds.
- b. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this agreement or are no longer eligible for the funding proposed for payments authorized by this agreement.
- c. If any license, certificate, or insurance required by law or regulation to be held by City to provide the services required by this agreement is for any reason denied, revoked or not renewed.
- d. If City fails to provide services called for by this agreement within the time specified herein or any extension thereof.

- e. If City fails to perform any of the provisions of this agreement or so fails to pursue the work as to endanger the performance of this agreement in accordance with its terms and after written notice from County, fails to correct such failure(s) within ten (10) days or such longer period as the County may authorize.

3.5 City may terminate this agreement effective upon delivery of written notice to County or at such later date as may be established under any of the following conditions:

- a. If funding from federal, state, or other sources is not obtained or continued at levels sufficient to allow for the provision of the indicated quantity of services. This agreement may be modified by mutual written agreement of the parties to accommodate a reduction in funds.
- b. If funding budgeted to the Woodburn Police Department through the City of Woodburn budgeting process is not obtained or continued at levels sufficient to allow for the provision of the indicated quantity of services. This agreement may be modified by mutual written agreement of the parties to accommodate a reduction in budgeted funds.
- c. If staffing levels are not obtained or continued at levels sufficient to allow for the provision of the indicated quantity of services. This agreement may be modified by mutual written agreement of the parties to accommodate a reduction in staffing levels.

3.6 Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

4. FUNDING AND BILLING

4.1 The total amount paid under this contract shall not exceed \$300,000. Payments under this contract shall be made on a cost reimbursement basis.

| | |
|------------------------------|-----------------|
| 2019-2020 Proposed Budget | |
| Officer Salary and benefits: | \$142,000 |
| Vehicle Costs | \$ 6,000 |
| Training | <u>\$ 2,000</u> |
| FY19-20 Subtotal | \$150,000 |

| | |
|------------------------------|-----------------|
| 2020-2021 Proposed Budget | |
| Officer Salary and benefits: | \$142,000 |
| Vehicle Costs | \$ 6,000 |
| Training | <u>\$ 2,000</u> |
| FY20-21 Subtotal | \$150,000 |

4.2 Requests for payment shall be submitted to the County as follows;
 City shall submit electronically monthly invoices of actual costs with documentation attention to Ann-Marie Bandfield, Health Program Manager, Marion County Health & Human Services Department at AMBandfield@co.marion.or.us.

Final invoices shall be due no later than July 20, 2021.

5. OBLIGATIONS UNDER THE TERMS OF THIS AGREEMENT

Mobile Crisis teams shall primarily take calls from dispatch that have a mental health component and assist other agencies throughout the county with those types of calls.

5.1 UNDER THE TERMS OF THIS AGREEMENT, CITY SHALL:

Provide trained Officer(s) working a four days per week, ten hour shifts that will primarily take calls from dispatch that have a mental health component and assist other agencies throughout the County with those types of calls.

5.2 UNDER THE TERMS OF THIS AGREEMENT, COUNTY SHALL:

Provide a Qualified Mental Health Practitioner (QMHP) who will be coupled with a law enforcement professional to provide assistance with dispatched calls.

6. COMPLIANCE WITH APPLICABLE LAWS

The parties agree that both shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this agreement. The parties agree that this agreement shall be administered and construed under the laws of the state of Oregon.

7. NONDISCRIMINATION

The parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations in the performance of this agreement.

8. HOLD HARMLESS

To the extent permitted by Article XI, Section 7 of the Oregon Constitution and by the Oregon Tort Claims Act, each party agrees to waive, forgive, and acquit any and all claims it may otherwise have against the other and the officers, employees, and agents of the other, for or resulting from damage or loss, provided that this discharge and waiver shall not apply to claims by one party against any officer, employee, or agent of the other arising from such person's malfeasance in office, willful or wanton neglect of duty, or actions outside the course and scope of his or her official duties.

9. INSURANCE

Each party shall insure or self-insure and be independently responsible for the risk of its own liability for claims within the scope of the Oregon tort claims act (ORS 30.260 TO 30.300).

10. MERGER CLAUSE

Parties concur and agree that this agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change to the terms of this agreement shall bind either party unless in writing and signed by both parties. There are no understandings, agreements, or representations, oral or

written, not specified herein regarding this agreement. Parties, by the signatures below of their authorized representatives, hereby agree to be bound by its term and conditions.

11. FALSE CLAIMS, FRAUD, WASTE AND ABUSE

Both parties shall cooperate with and participate in activities to implement and enforce the policies and procedures to prevent, detect and investigate false claims, fraud, waste and abuse relating to Oregon Health Plan, Medicare or Medicaid funds. Both parties shall cooperate with authorized State of Oregon entities and Centers for Medicare and Medicaid (CMS) in activities for the prevention, detection and investigation of false claims, fraud, waste and abuse. Both parties shall allow the inspection, evaluation or audit of books, records, documents, files, accounts, and facilities as required to investigate the incident of false claims, fraud, waste or abuse. Both parties are required to verify that their staff and contractors are not excluded from providing services under this contract funded by Medicare and Medicaid before services are provided. Both parties are required to check the following databases for excluded individuals and entities: Excluded Parties List System (EPLS) www.sam.gov

12. LICENSURE

Parties shall maintain at all times during the term of this agreement any license(s) required by law to perform services under this Agreement.

13. CONFIDENTIALITY

The parties expressly agree to comply with Guidelines for Protected Health Information Disclosure with Law Enforcement, Revised 11/11/2013 incorporated as ADDENDUM NO. 1, and attached herewith.

14. NOTICES

Any notice required to be given the City or County under this Agreement shall be sufficient if given, in writing, by first class mail or in person as follows:

For County:
Marion County Health & Human Services
Psychiatric Crisis Center
1118 Oak Street SE
Salem, OR 97301
Attention: Ann-Marie Bandfield,
Health Program Manager

For City:
Woodburn Police Department
1060 Mt. Hood Ave.
Woodburn, OR 97071
Attention: Lieutenant Jason Millican

SIGNATURES

This agreement and any changes, alterations, modifications, or amendments will be effective when approved in writing by the authorized representative of the parties hereto as of the effective date set forth herein.

In witness whereof, the parties hereto have caused this agreement to be executed on the date set forth below.

**MARION COUNTY SIGNATURE
BOARD OF COMMISSIONERS:**

Kim Cannon 7.11.19
Chair Date

Spencer A. Bunker 7-11-19
Commissioner Date

Columbello 7-11-19
Commissioner Date

Authorized Signature: [Signature] 6.28.19
Cary Moller, Administrator Date

Authorized Signature: [Signature] 6-28-19
Carolyn Fry, Division Director Date

Authorized Signature: [Signature] 7.1.19
Ann-Marie Bandfield, Health Program Mgr. Date

Authorized Signature: _____
Jeremiah Elliott, Sr. Admin. Srv. Mgr. Date

Authorized Signature: [Signature] 7/8/19
Chief Administrative Officer Date

Reviewed by Signature: [Signature] 7/2/19
Marion County Legal Counsel Date

Reviewed by Signature: [Signature] July 1, 2019
Marion County Contracts & Procurement Date

CITY OF WOODBURN SIGNATURE

Authorized Signature: _____ Date: _____

Title: _____



Agenda Item

August 12, 2019

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Director

SUBJECT: **Authorization of Additional \$150,000 for Contract Change Orders for the N. First Street Improvements Project**

RECOMMENDATION:

That the City Council, acting as the Local Contract Review Board, authorize an additional \$150,000 for this project for anticipated project change orders during the final construction stages of the N. First Street Improvements Project.

BACKGROUND:

This project is included in the approved FY 18/19 budget and FY 19/20 budget and includes a complete rehabilitation of N. First Street between Oak Street and Harrison Street, including streetscape features, sanitary sewer collection system improvements, storm sewer improvements, asphaltic concrete paving, street lighting and modified curb extensions.

DISCUSSION:

During construction activities, eleven underground storage tanks were found within or adjacent to the N. First Street right-of-way. City staff knew about three of the underground storage tanks that were located at the NE quadrant of First Street and Grant Street due to existing DEQ records. The other 8 tanks were not included in any DEQ records probably due to the age of the tanks. Additionally, the existing subgrade along the majority of the N. First Street Project limits was unstable and had to be over-excavated to achieve required stability for the roadbed base. Also, an existing coal chute was discovered during project construction activities adjacent to 164 Grant Street that required unanticipated structural engineering services and additional construction costs. These overages, along with the normal change orders that occur with a project of this magnitude, have created the need for additional monies for change orders that will be necessary to complete this construction project.

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

FINANCIAL IMPACT:

The subject project is identified in the adopted fiscal year 2019/20 Budget and is partially funded by the Urban Renewal Agency, with the remainder being funded by the Fund Exchange Program.



Agenda Item

August 12, 2019

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *CK*,
Dan Handel, Associate Planner

Subject: **Call-Up Briefing: Planning Commission Approval of a Conditional Use Application (CU 2019-03) for Sun Nam Yi at 385-397 N. Front Street (Del Sol Market)**

RECOMMENDATION:

Staff recommends no action and briefs the Council on this item pursuant to Woodburn Development Ordinance (WDO) Section [4.02.02](#). The Council may call up this item for review if desired and, by majority vote, initiate a review of this decision.

BACKGROUND:

The Planning Commission held a public hearing on July 25, 2019 and unanimously approved a conditional use permit (Type III) with the conditions recommended by staff that resulted from the Commission motion of approval. Staff included a condition that the approval was for check cashing and cash transfer only, not payday loan and not pawn. No parties testified.

The site is at the west/southwest corner of N. Front and W. Hayes Streets in Woodburn’s historic downtown. It was developed in 1905 and remains occupied by the one-story commercial retail building. The subject property contains one commercial tenant space, 397 N. Front Street. The proposal is about land use only; no redevelopment or site plan is relevant.

The request was for check cashing and cash transfer pursuant to Woodburn Development Ordinance (WDO) [Table 2.03A, B18](#), and the conditional use criteria of 5.03.01 for Tax Lot 051W18AB03600 in the Downtown Development and Conservation (DDC) zone.

Agenda Item Review: City Administrator City Attorney Finance