

CITY OF WOODBURN

CITY COUNCIL AGENDA

JANUARY 13, 2020– 7:00 P.M.

ERIC SWENSON, MAYOR
DEBBIE CABRALES, COUNCILOR WARD 1
LISA ELLSWORTH, COUNCILOR WARD II
ROBERT CARNEY, COUNCILOR WARD III
SHARON SCHAUB, COUNCILOR WARD IV
MARY BETH CORNWELL, COUNCILOR WARD V
ERIC MORRIS, COUNCILOR WARD VI

CITY HALL COUNCIL CHAMBERS – 270 MONTGOMERY STREET

1. CALL TO ORDER AND FLAG SALUTE
2. ROLL CALL
3. ANNOUNCEMENTS AND APPOINTMENTS

Announcements:

- A. City Hall and the Library will be closed on January 20 for Martin Luther King Jr. Day. The Aquatic Center and Transit will be open.

Appointments:

None.

4. COMMUNITY/GOVERNMENT ORGANIZATIONS

None.

5. PROCLAMATIONS/PRESENTATIONS

Proclamations:

None.

Presentations:

- A. Proposed Internship Program

6. COMMUNICATIONS

None.

7. BUSINESS FROM THE PUBLIC – *This allows the public to introduce items for Council consideration not already scheduled on the agenda. Comment time will be limited to 3 minutes.*

This facility is ADA accessible. If you need special accommodation, please contact the City Recorder at 503-980-6318 at least 24 hours prior to this meeting.

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comuniquese al (503) 980-2485.

8. **CONSENT AGENDA** – *Items listed on the consent agenda are considered routine and may be adopted by one motion. Any item may be removed for discussion at the request of a Council member.*
- A. **Woodburn City Council minutes of December 9, 2019** 1
Recommended Action: Approve the minutes.
 - B. **Acceptance of a Public Utility Easement at 105 Arney Road, Woodburn, OR 97071 (Tax Lot 052W12BC06600)** 6
Recommended Action: Accept the dedication of a public utility easement granted by Master Development, LLC, owner of the properties located at 105 Arney Road, Woodburn, OR 97071 (Tax Lot 052W12BC06600).
 - C. **Acceptance of Six Public Easements at 1550 & 1490 Brown Street (Associated with the Boones Crossing PUD), Woodburn, OR 97071 (Tax Lots 051W18C00800 & 051W18C00600)** 11
Recommended Action: Accept the dedication of six public easements granted by The Woodburn Development, LLC, in order to satisfy the conditions of approval of PUD Case No. 97-03, PUD Case No. 00-02 and the “Statutory Development Agreement for Phases 3, 4, 5, and 6 of the Boones Crossing Planned Development” per Reel 3893, page 245, Marion County Deed Records.
 - D. **Crime Statistics through November 2019** 53
Recommended Action: Receive the report.
 - E. **Building Activity through December 2019** 58
Recommended Action: Receive the report.
 - F. **Briefing: Planning Commission Meeting to Host Discussion of Rent Burden / Housing Affordability as Required by OAR 813-112-0030** 68
Recommended Action: Staff recommends no particular action and provides this information as an item of interest for the Council.
 - G. **Liquor License Application of La Parranda Night Club and Sports Bar** 76
Recommended Action: Recommend that the OLCC approve the Liquor License Application of La Parranda Night Club and Sports Bar.
 - H. **Liquor License Application of Antojitos Zaragoza.** 78
Recommended Action: Recommend that the OLCC approve the Liquor License Application of Antojitos Zaragoza.

- I. **Intergovernmental Agreement with Marion County** 80
Woodburn Aquatic Center Memberships
Recommended Action: Authorize the City Administrator to sign the attached Intergovernmental Agreement (IGA) with Marion County.

- 9. **TABLED BUSINESS**
None.

- 10. **PUBLIC HEARINGS**
None.

- 11. **GENERAL BUSINESS** – *Members of the public wishing to comment on items of general business must complete and submit a speaker’s card to the City Recorder prior to commencing this portion of the Council’s agenda. Comment time will be limited to 3 minutes.*
 - A. **Council Bill No. 3117- A Resolution Setting the Amounts of the Parks and Recreation Systems Development Charges Under an Existing Methodology; Establishing an Alternative Rate Review Fee; and Setting an Effective Date for Imposition of the Fees and Charges** 86
Recommended Action: Adopt the resolution approving a Parks and Recreation SDC schedule, which has been updated to account for increasing construction costs, consistent with Ordinance 2250; and establishing an effective date of February 1, 2020.

 - B. **Council Bill No. 3118 - A Resolution Adopting a New Fee Schedule for City of Woodburn Water System Development Charges; Repealing Resolution 2121; and Setting an Effective Date** 90
Recommended Action: Adopt the resolution approving a Water System Development Charge (SDC) schedule, which has been updated to account for increasing construction costs, consistent with Ordinance 2070 and establishing an effective date of February 15, 2020.

 - C. **Award a Contract for Engineering Design Services for the W. Hayes Street Improvements Project to Kittelson & Associates, Inc.** 95
Recommended Action: Award a Contract for engineering design services for the W. Hayes Street Improvements Project to Kittelson & Associates, Inc. in the amount of \$287,479 and authorize the City Administrator to sign the Agreement.

- 12. **PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS** –
These are Planning Commission or Administrative Land Use actions that may be called up by the City Council.

None.

- 13. CITY ADMINISTRATOR'S REPORT
- 14. MAYOR AND COUNCIL REPORTS
- 15. EXECUTIVE SESSION

None.

- 16. ADJOURNMENT

COUNCIL GOALS 2019-2021

Thematic Goals

1. *Create an inclusive environment where residents participate and are engaged in the community (that is vibrant, safe and active).*
2. *Promote an environment that encourages sustainable economic health maximizing our geographic, workforce, cultural and community assets.*

Strategic Goals

3. *Create an inclusive environment where Woodburn residents want to participate and are engaged in the community.*
4. *Develop innovative funding sources to help support the completion of capital improvement projects.*
5. *Grow and support strategic partnerships for economic health.*
6. *Explore the development of a non-profit consolidation facility.*
7. *Improve Communication and Coordination with School District on matters of mutual interest.*
8. *Completion of the First Street remodel.*
9. *Completion of Phase 1 & 2 of the Community Center Project including the formation of an ad hoc steering committee to review and recommend design.*
10. *Creation of the Dick Jennings Community Leadership Academy.*
11. *Develop a strategy to limit PERS liability.*
12. *Establishment of a Woodburn 20 year community-visioning plan.*

**COUNCIL MEETING MINUTES
DECEMBER 9, 2019**

DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, DECEMBER 9, 2019

CONVENED The meeting convened at 7:04 p.m. with Mayor Swenson presiding.

ROLL CALL

Mayor Swenson	Present
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, Economic Development Director Johnk, Operations Director Stultz, Project and Engineering Director Liljequist, Community Development Director Kerr, Finance Director Montoya, Assistant City Attorney Granum, Deputy Police Chief Pilcher, Senior Planner Cortes, Community Relations Manager Guerrero, Parks and Recreation Manager Cuomo, City Recorder Pierson

ANNOUNCEMENTS

The City Council meeting scheduled for December 23 is cancelled. The next City Council meeting will be January 13, 20120 at 7:00 p.m.

Holiday Closures:

Christmas:

City Hall will be closed at noon on December 24 and will reopen for regular business hours on December 26. The Aquatic Center will be closed December 24 and 25. The Library will be open from 10:00 a.m. to 2:00 p.m. on December 24 and closed on December 25. Transit Services will run from 7:00 a.m. to 5:00 p.m. on December 24 and will be closed December 25.

New Year: Transit Services will run from 7:00 a.m. to 5:00 p.m. on December 31. City Hall, the Library and Transit Services will be closed January 1. The Aquatic Center will be open from 8:00 a.m. to 4:00 p.m. on January 1.

APPOINTMENTS

Mayor Swenson proposed the following reappointments:

Planning Commission:

- Wassa Dos Reis - Position 2
- Charles Piper – Position 3
- Sharon Corning – Position 5
- Chris Lassen – Position 7

COUNCIL MEETING MINUTES

DECEMBER 9, 2019

Woodburn Recreation and Parks Board:

- Beronica Rios - Position IV
- Alexandra Sanarov-Ramirez – Student Position

Public Art Mural Committee:

- Sharon Schaub
- Merri Berlin
- Colleen Vancil
- Christine Lopez

Library Board:

- Bethany Weathersby
- Kathleen Boyer

Woodburn Tourism Advisory Committee:

- Paul Iverson

Carney/Ellsworth...approve the appointments. The motion passed unanimously.

PRESENTATIONS

Audit Report: Chuck Swank representing Grove, Mueller & Swank, P.C., informed the Council that the audits are complete and the City received an unmodified opinion.

Community Center: Assistant City Administrator Row and Jim Kalvelage with Opsis Architecture, provided the City Council with lower cost alternatives for the Community Center.

Memo on Stipends for Elected Officials: Assistant City Attorney Granum provided information to the City Council on implementing a stipend for elected officials. There was a consensus of the City Council to move forward with a staggered approach and to have the City Administrator provide recommendations on stipend amounts, and a process for Councilor's who may want to donate their stipend.

BUSINESS FROM THE PUBLIC

Fred Muraviov, 1297 Greenview Drive, thanked the Council for the call-up review of the Pacific Valley Apartments and that the result was a more positive outcome for the single story houses in the area.

Nancy Kirksey, 1049 McKinley, stated that she has concerns about the atrium at the Library being turned into a reading area for people and questioned the removal of the Eagle Scout Project.

**COUNCIL MEETING MINUTES
DECEMBER 9, 2019**

CONSENT AGENDA

- A. Woodburn City Council minutes of November 12, 2019,
 - B. Woodburn Planning Commission minutes of October 10, 2019,
 - C. Woodburn Planning Commission minutes of October 24, 2019,
 - D. Crime Statistics through October 2019,
 - E. Photo Speed Enforcement Amendment to Contract with Redflex,
 - F. Building Activity through October 2019,
 - G. Building Activity through November 2019,
 - H. Towing Services Proposals Award,
 - I. Intergovernmental Agreement with the Woodburn School District for Collection and Administration of a Construction Excise Tax (“CET”).
- Morris/Schaub...** adopt the Consent Agenda. The motion passed unanimously.

PUBLIC HEARING

Housing Needs Analysis

A Public Hearing to consider input on the Housing Needs Analysis. Mayor Swenson declared the hearing open at 8:21 p.m. for hearing public input on the Housing Needs Analysis. Community Development Director Kerr provided a staff report. Mayor Swenson asked if anyone from the public would like to speak on this subject. No members of the public wished to speak in either support or opposition. Mayor Swenson declared the hearing closed at 8:28 p.m.

COUNCIL BILL NO. 3115 - AN ORDINANCE ADOPTING AN UPDATED HOUSING NEEDS ANALYSIS INTO THE WOODBURN COMPREHENSIVE PLAN (LA 2019-02)

Carney introduced Council Bill No. 3115. City Recorder Pierson read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3115 duly passed.

COUNCIL BILL NO. 3116 - AN ORDINANCE AMENDING ORDINANCE 2157 (WASTEWATER DISCHARGE FEES) TO MODIFY THE CALCULATION PROCEDURE USED FOR WINTER AVERAGING THAT PROVIDES THE RESIDENTIAL MONTHLY SEWERAGE CHARGE AND DECLARING AN EMERGENCY

Carney introduced Council Bill No. 3116. City Recorder Pierson read the bill by title only since there were no objections from the Council. Operations Director Stultz provided a staff report. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3116 duly passed.

DESIGN REVIEW DR 2019-03 PACIFIC VALLEY APARTMENTS FINAL DECISION

Carney/Schaub... authorize the Mayor to sign the attached final land use decision. On roll call vote Councilors Ellsworth, Carney, Schaub and Cornwell voted yes and Councilors Morris and Cabrales voted no. The motion passed 4-2.

AWARD OF A CONTRACT FOR NEW PRODUCTION WELL FOR THE PARR

COUNCIL MEETING MINUTES

DECEMBER 9, 2019

ROAD TREATMENT PLANT

Carney/Morris... Award a contract for design, bid and construction management services for the New Production Well for the Parr Road Treatment Plant Project for \$529,349 to Murraymith, Inc. The motion passed unanimously.

AWARD PERSONAL SERVICE AGREEMENT TO OPSIS ARCHITECTURE LLP

Assistant City Administrator Row Provided a Staff report. **Carney/Ellsworth...** Authorize the City Administrator to enter into a Personal Services Agreement with Opsis Architecture LLP in the amount of \$979,320 plus reimbursable expenses estimated to be \$20,000 to provide architectural schematic design and 40%-50% design development services for the Community Center Project. The motion passed unanimously.

CALL-UP BRIEFING: PLANNING COMMISSION APPROVAL OF A DESIGN REVIEW AND PROPERTY LINE ADJUSTMENT FOR GEM EQUIPMENT OF OREGON, LLC AT 2765 NATIONAL WAY (DR 2019-11 & PLA 2019-05)

The City Council declined to call this item up.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

- Last Wednesday the League of Oregon Cities held their staff meeting at the Woodburn Police Department then came to city hall in the afternoon to hear about the work the City of Woodburn is doing. He shared with the City Council the video that Communications Coordinator Moore put together for League of Oregon Cities staff.
- Spoke with Mayor John McArdle about funding sources for the Community Center Project and that he would be willing to come speak with the Council on his experiences. Any Councilors that are interested in being on an advisory committee to work on this should let him know.

MAYOR AND COUNCIL REPORTS

Councilor Cornwell stated that she would like to pursue what happened at the Library in regards to the eagle plaque and look into changes made to the atrium. She added that the tree lighting ceremony was fabulous. City Administrator Derickson stated that he will follow up with the Council on the concerns at the Library.

Councilor Ellsworth stated that she appreciates the way the City Council works together even when they have opposing views on items.

Councilor Schaub wished everyone a Merry Christmas and added that she enjoys working with this Council. She also stated that she was so proud of Woodburn during the League of Oregon Cities meeting at city hall. She also noted that that it lit up her heart to see kids playing on the sculptures in the plaza during the tree lighting.

Councilor Morris stated that he would like the Planning Commission to listen to the people that come to their meetings to speak on projects.

Mayor Swenson stated the weather for the tree lighting was good, there have been two

**COUNCIL MEETING MINUTES
DECEMBER 9, 2019**

applications received for the census committee. He also noted that the State of City is going to be an evening event on January 31 at the Metropolis. He added that the Sister City Project is advancing and a delegation from Woodburn will be going in March and then they will be invited to come attend during the Fiesta Mexicana.

EXECUTIVE SESSION

Mayor Swenson entertained a motion to adjourn into executive session under the authority of ORS 192.660(2)(i), **Carney/Ellsworth...** move into executive session. The motion passed unanimously. The Council adjourned to executive session at 9:30 p.m. and reconvened at 10:46 p.m. Mayor Swenson stated that no action was taken by the Council while in executive session.

Schaub/Morris... adjust the deferred compensation to make up for the 2.5 future reduction in the PERS account for Bob Shields and Scott Derickson and the 2.5% is not the actual amount which will be reported by the finance department., also like to add 40 hours each to the vacation bank of both Bob Shields and Scott Derickson. City Administrator Derickson asked for clarification on if the 2.5% PERS reimbursement a maximum not to exceed based on actual number. Councilor Schaub answered yes. The motion passed unanimously.

ADJOURNMENT

Schaub/Ellsworth... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 10:50 p.m.

APPROVED _____

ERIC SWENSON, MAYOR

ATTEST _____

Heather Pierson, City Recorder
City of Woodburn, Oregon



Agenda Item

January 13, 2020

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Projects & Engineering Director

SUBJECT: **Acceptance of a Public Utility Easement at 105 Arney Road, Woodburn, OR 97071 (Tax Lot 052W12BC06600)**

RECOMMENDATION:

Accept the dedication of a public utility easement granted by Master Development, LLC, owner of the properties located at 105 Arney Road, Woodburn, OR 97071 (Tax Lot 052W12BC06600).

BACKGROUND:

The property owner is required to provide this public utility easement in order to satisfy the conditions of approval of DR2018-03.

DISCUSSION:

The public utility easement is a 7' x 10' area that provides a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain public water mains and appurtenances. This easement is needed to incorporate a new water meter associated with the Salem Health Woodburn Clinic.

FINANCIAL IMPACT:

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

ATTACHMENTS

A Copy of the Public Utility Easement document is included as Exhibit "A" and Exhibit "B".

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
(Temporary and Permanent)**

Master Development, LLC *GRANTOR*, grants to the CITY OF WOODBURN, OREGON, hereinafter called *CITY*, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain public water mains 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

It being understood that said temporary easement is only for the original excavation, construction and installation of the public utilities referenced above and upon the completion of the construction thereof shall cease to exist, save and except for that portion hereinbefore described as being a permanent easement.

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 18 day of December, 2019.

Master Development, LLC

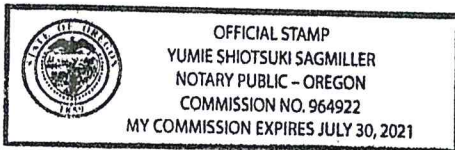
BY: 

Tim Weiskind, Manager

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Lane) ss.

The foregoing instrument was acknowledged before me this 18th day of December 2019 by Tim Weiskind, as Manager of Master Development, LLC a corporation and the foregoing instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and each of them acknowledged said instrument to be its voluntary act and deed.




NOTARY PUBLIC FOR OREGON

My Commission Expires: July 30, 2021

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

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

City Recorder:

Heather Pierson

Waterline Easement Description
Woodburn Clinic, Woodburn, Oregon
December 10, 2019
Project No. 1474-024

EXHIBIT "A"
Easement Description

A tract of land situated in the Northwest Quarter of Section 12, Township 5 South, Range 2 West, W.M., City of Woodburn, Marion County, Oregon, being a portion of that tract of land as conveyed by deed to Michael Steven Ensign and Sharon Lee Cipriani Ensign, Trustees and their Successors in Trustee under the Ensign 1993 Trust dated June 1, 1993, recorded in Reel 3319, Page 414, Marion County Deed records, and being more particularly described as follows:

Commencing at a point on the south right-of-way line of Robin Avenue, said point being 40.00 feet, when measured at right angles, from the centerline of said road, at the most northerly point of a waterline easement recorded in Reel 3809, Page 382, said point being on the west line of said easement;

Thence, along said west line, S32°19'30" West, 92.38 feet;
Thence, S2°00'00" East, 155.42 feet to the True Point of Beginning;
Thence, continuing along said west line, S2°00'00" East, 10.00 feet;
Thence leaving said west line, S88°00'00" West, 7.00 feet;
Thence N2°00'00" West, 10.00 feet;
Thence N88°00'00" East, 7.00 feet to the True Point of Beginning.

Containing 70.00 sq. ft. more or less.

Basis of Bearings Reel 3809 Page 382 Marion County Deed Records.





0 40' 80'
SCALE: 1"=80'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Douglas D. Liles

OREGON
AUGUST 14, 1998
DOUGLAS D. LILES
2861

RENEWS: 12-31-2020

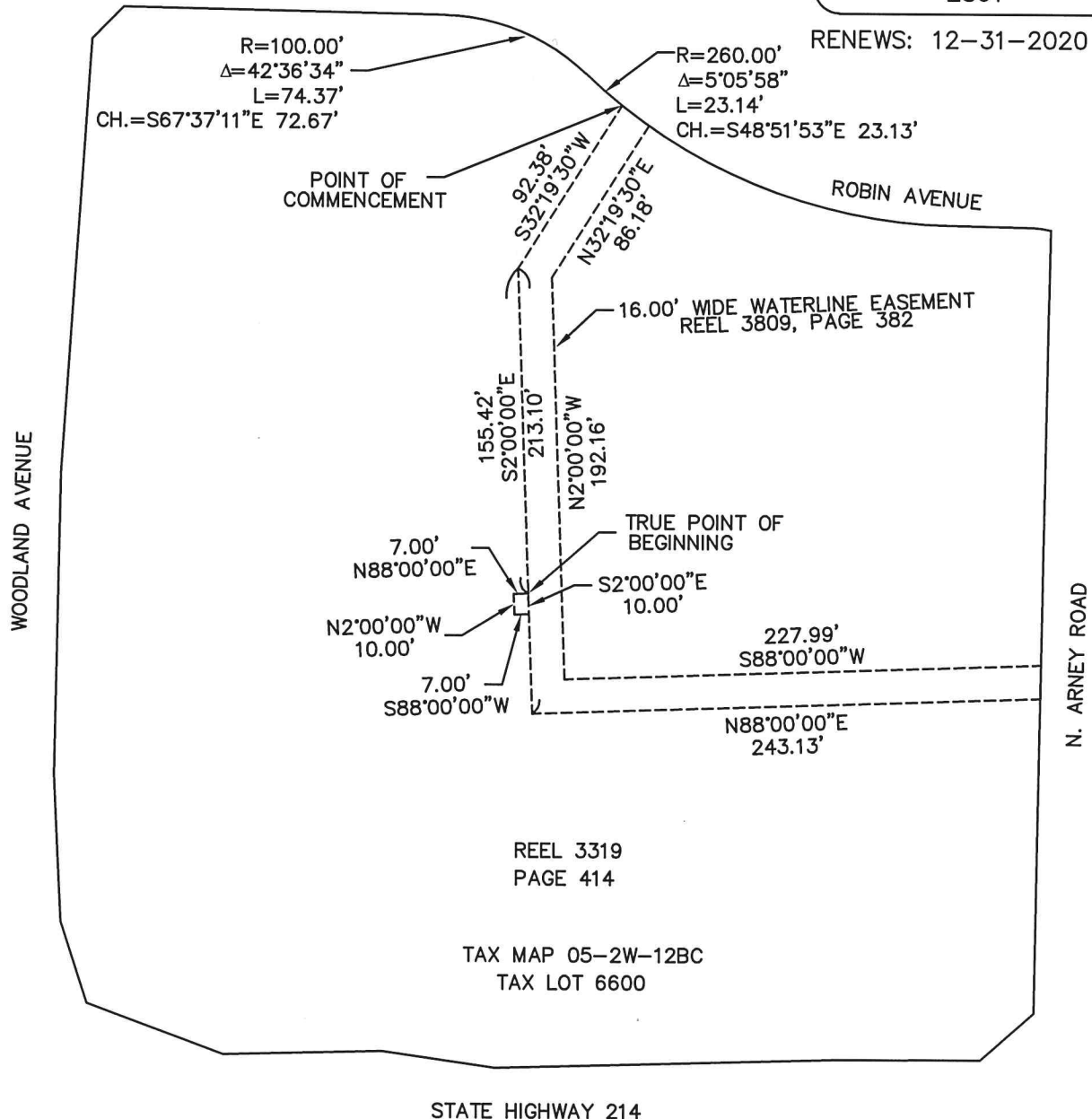


EXHIBIT "B"
PAGE 1 OF 1

LOCATED IN THE NORTHWEST 1/4 OF
SECTION 12, TOWNSHIP 5 SOUTH,
RANGE 2 WEST, W.M. CITY OF
WOODBURN, MARION COUNTY, OREGON.

DATE	12/10/19
DRAWN BY	DJH
CHECKED BY	DDL
REVISION	0
JOB NO.	1474-024

WESTLAKE
CONSULTANTS inc.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 FAX (503) 624-0157

J:\1474-024\18\4. SURVEY\CAD\DWG\1474-024-EX1.DWG 2019-12-17 10:15 AM - DJH



Agenda Item

January 13, 2020

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Projects & Engineering Director

SUBJECT: **Acceptance of Six Public Easements at 1550 & 1490 Brown Street (Associated with the Boones Crossing PUD), Woodburn, OR 97071 (Tax Lots 051W18C00800 & 051W18C00600)**

RECOMMENDATION:

Accept the dedication of six public easements granted by The Woodburn Development, LLC, in order to satisfy the conditions of approval of PUD Case No. 97-03, PUD Case No. 00-02 and the "Statutory Development Agreement for Phases 3, 4, 5, and 6 of the Boones Crossing Planned Development" per Reel 3893, page 245, Marion County Deed Records.

BACKGROUND:

Woodburn Development, LLC, is the owner of the properties located at 1550 & 1490 Brown Street, Woodburn, OR 97071 (Tax Lots 051W18C00800 & 051W18C00600, respectively), more commonly known as the Boones Crossing Phase IV PUD. Development of the properties is subject to the conditions of approval of PUD Case No. 97-03, PUD Case No. 00-02 and the "Statutory Development Agreement for Phases 3, 4, 5, and 6 of the Boones Crossing Planned Development" per Reel 3893, page 245, Marion County Deed Records.

DISCUSSION:

The following six easements will provide essential infrastructure to the Boones Crossing PUD and future development on surrounding properties:

The first easement is a Public Utility Easement for the regional wastewater lift station located within tax lot 051W18C00600 (1490 Brown Street) and provides a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain public utilities including, but not limited to, sanitary sewer, water, storm drainage or surface water pipelines,

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

wastewater lift station, power, natural gas, communication and all related facilities.

The second easement is a 20' wide Public Access Easement across tax lot 051W18C00800 (1550 Brown Street) and provides a permanent access easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain storm drainage or surface water pipelines and related facilities.

The third easement is a 30' wide Public Utility Easement across tax lot 051W18C00800 (1550 Brown Street) and provides a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain sanitary sewer pipelines and related facilities.

The fourth easement is a 24' wide Public Utility Easement across tax lot 051W18C00800 (1550 Brown Street) and provides a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain storm drainage or surface water pipelines and related facilities.

The fifth easement is a 24' wide Public Utility Easement across tax lot 051W18C00600 (1490 Brown Street) and provides a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain storm drainage or surface water pipelines, stormwater drainage swale and related facilities.

The sixth easement is a variable width Public Utility Easement across tax lot 051W18C00600 (1490 Brown Street) and provides a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain storm drainage or surface water pipelines and related facilities.

FINANCIAL IMPACT:

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

ATTACHMENTS

A copy of the six easements with correlating legal descriptions and sketches are included as attachments.

AFTER RECORDING RETURN TO:

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

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

WOODBURN DEVELOPMENT, LLC, *GRANTOR*, grants to the CITY OF WOODBURN, OREGON, hereinafter called *CITY*, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain public utilities including but not limited to sanitary sewer, water, storm drainage or surface water pipelines, wastewater lift station, power, natural gas, communication and all related facilities 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 no 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 30 day of Dec, 2019;

Woodburn Development, LLC

BY: [Signature]
Mark Handris, Member

BY: [Signature]
Robert Bontkes, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON,)
County of _____) ss.

The foregoing instrument was acknowledged before me this 3rd day of January 2020 by Mark Handris, Managing Member of ICON Construction & Development, LLC a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.



Jennie Kay Engen-Lucas
NOTARY PUBLIC FOR OREGON
My Commission Expires: March 7, 2023

PROVINCE OF BRITISH COLUMBIA,)
CITY of Langley) ss.

The foregoing instrument was acknowledged before me this 30 day of Dec 2019 by Robert Bontkes, Director of TR Oregon Holdings, Inc. a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.

[Signature]
NOTARY PUBLIC FOR
My Commission Expires: Dec 30, 2020

Gregory P. van Popta
Barrister & Solicitor
Suite 1500, 13450 - 102nd Ave.
Surrey, B.C. V3T 5X3
604-581-7001

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"

Legal Description of Permanent Easement



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Easement
Legal Description

A Tract of land being a portion of that tract of land conveyed by deed recorded in Reel 3480, Page 62 (03/08/2013), Marion County Deed Records, located in the southwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

BEGINNING at a point on the west line of said Reel 3480, Page 62 Tract, being North 00°03'42" West, 199.83 feet, North 00°03'44" West, 186.67 feet, and North 89°56'16" East, 287.45 feet from the southeast corner of Parcel 1, Partition Plat No. 2006-055, Marion County Plat Records, said point of beginning also being on the east right of way line of Brown Street, a 30.00 foot wide right of way; thence along said east right of way line, North 01°01'21" West, 5.00 feet; thence leaving said east right of way line, North 88°58'39" East, 307.36 feet; thence North 00°06'04" East, 8.45 feet; thence South 89°53'56" East, 100.00 feet; thence South 00°06'04" West, 57.00 feet; thence North 89°53'56" West, 100.00 feet; thence North 00°06'04" East, 8.54 feet; thence South 88°58'39" West, 306.58 feet to said east right of way line; thence along said east right of way line, North 01°01'21" West, 35.00 feet to the **POINT OF BEGINNING**.

Contains 17,979 square feet.

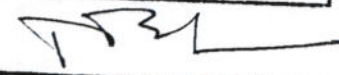
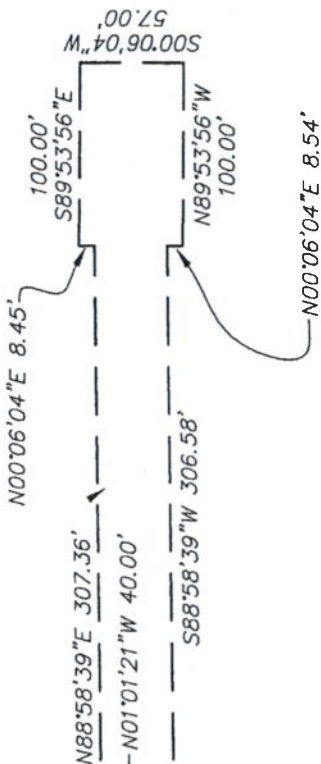
15 NOV 19
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS
RENEWS: 31 DEC 19

EXHIBIT "B"

Sketch for Legal Description of Permanent Easement



REEL 3480
PAGE 62
3-8-2013



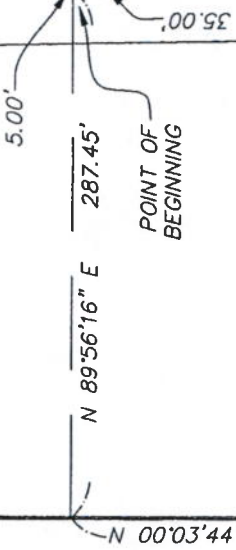
BROWN STREET

SIGNED ON: 15NOV19

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2019



REEL 1659
PAGE 302
12-27-1999

SE CORNER, PARCEL 1
PP 2006-055

N 00°03'44" W 186.67' N 00°03'42" W 199.83'

CLIENT: **ICON CONSTRUCTION**
ORIG. DATE: **080CT19**
DRAWN BY: **RLC**
SHEET No. **1 OF 1**
REV: **8-31-18**

EXHIBIT "B"
EASEMENT
CITY OF WOODBURN, MARION COUNTY, OREGON
SCALE: 1"=100'


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

AFTER RECORDING RETURN TO:

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

**CITY OF WOODBURN, OREGON
PUBLIC ACCESS EASEMENT**

WOODBURN DEVELOPMENT, LLC, *GRANTOR*, grants to the CITY OF WOODBURN, OREGON, hereinafter called *CITY*, a permanent access easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain storm drainage or surface water pipelines and related facilities 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 no 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 30 day of Dec, 2019.

Woodburn Development, LLC

BY: [Signature]

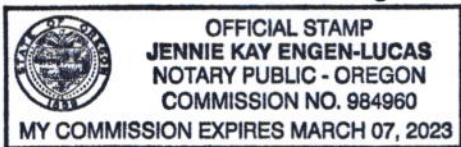
Mark Handris, Member

BY: [Signature]
Robert Bontkes, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON,)
County of Clackamas) ss.

The foregoing instrument was acknowledged before me this 3rd day of January 2020 by Mark Handris, Managing Member of ICON Construction & Development, LLC a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.



Jennie Kay Engen-Lucas
NOTARY PUBLIC FOR OREGON
My Commission Expires: March 7, 2023

PROVINCE OF BRITISH COLUMBIA,)
CITY of Langley) ss.

The foregoing instrument was acknowledged before me this 30 day of Dec 2019 by Robert Bontkes, Director of TR Oregon Holdings, Inc. a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.

[Signature]
NOTARY PUBLIC FOR
My Commission Expires: Dec 31 2020

Gregory P. van Popta
Barrister & Solicitor
Suite 1500, 13450 - 102nd Ave.
Surrey, B.C. V3T 5X3
604-581-7001

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"

Legal Description of Permanent Easement



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

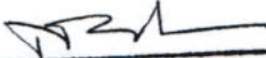
Exhibit "A"
Easement
Legal Description

A 20.00 foot wide strip or tract of land being a portion of that tract of land conveyed by deed recorded in Reel 2867, Page 57 (09/17/2007), Marion County Deed Records, located in the southwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said 20.00 foot wide strip lying 10.00 feet on either side of the flowing described centerline:

BEGINNING at a point on the west line of said Reel 2867, Page 57 Tract, said point being North 00°03'44" West, 22.19 feet from the point of beginning of the above described centerline; thence North 82°30'11" East, 101.01 feet; thence South 89°29'05" East, 151.14 feet; thence North 82°05'16" East, 6.00 feet to the west line of Brown Street, a 30.00 foot wide right of way and the **TERMINUS OF SAID CENTERLINE.**

The sidelines of said strip or tract to be extended and/or shortened so as to terminate at proper boundaries. Contains 5,163 square feet.

17 DEC 09
REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: 31 DEC 09

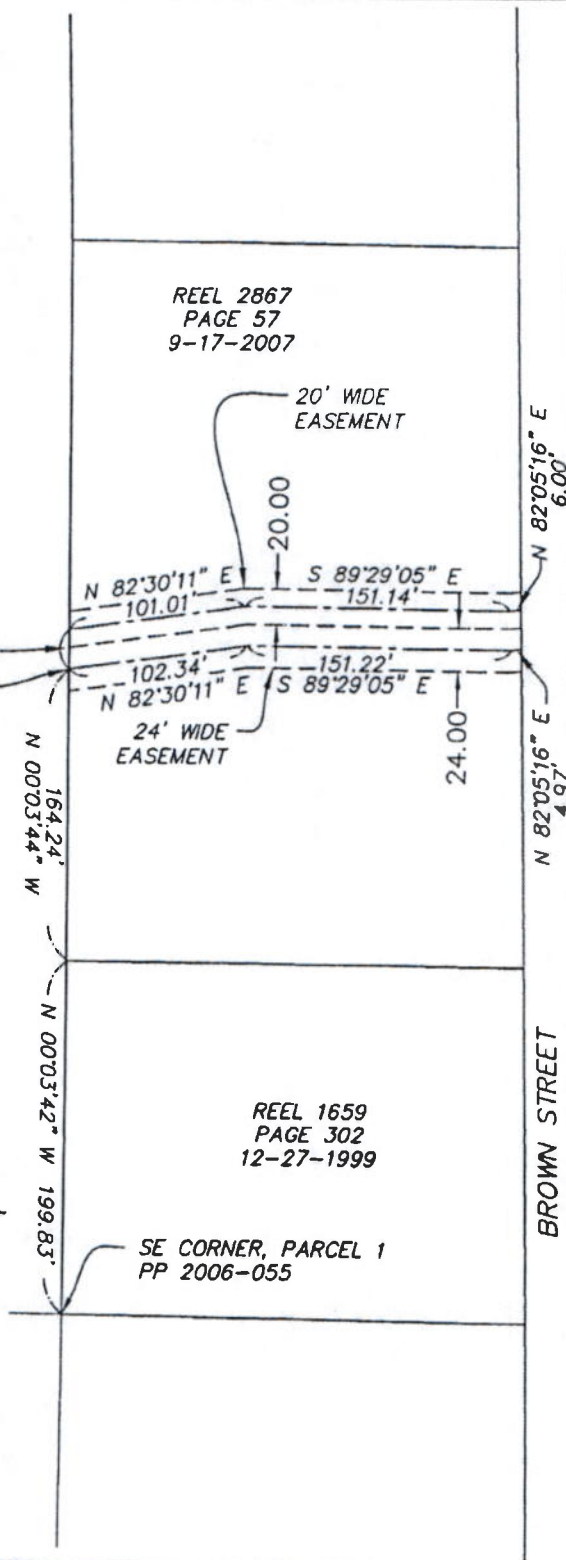
EXHIBIT "B"

Sketch for Legal Description of Permanent Easement



PARCEL 1
PARTITION PLAT NO. 2006-55

POINT OF BEGINNING



REEL 2867
PAGE 57
9-17-2007

REEL 3480
PAGE 62
3-8-2013

REEL 1659
PAGE 302
12-27-1999

SE CORNER, PARCEL 1
PP 2006-055

BROWN STREET

SIGNED ON: *[Signature]*

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2019

CLIENT: ICON
ORIG. DATE: 04MAY18
DRAWN BY: TGB
SHEET No. 1 OF 1

EXHIBIT "B"
EASEMENT
CITY OF WOODBURN, MARION COUNTY, OREGON
SCALE: 1"=100'


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

AFTER RECORDING RETURN TO:

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

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

WOODBURN DEVELOPMENT, LLC, 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 sanitary sewer pipelines and related facilities 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.

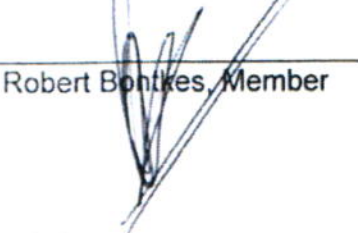
The true consideration of this conveyance is no dollars (\$0.00), and other valuable consideration, the receipt of which is acknowledged by GRANTOR.

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 30 day of Dec, 2019 19.

Woodburn Development, LLC,

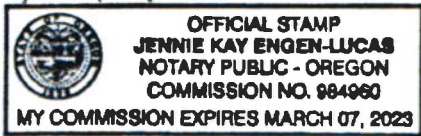
BY: 
Mark Handris, Member


BY: 
Robert Bontkes, Member

ACKNOWLEDGEMENT

STATE OF OREGON, County of Clackamas) ss.

The foregoing instrument was acknowledged before me this 3rd day of January, 2020 ~~2019~~ by Mark Handris, as Member of Woodburn Development, LLC an Oregon Limited Liability Company was signed and sealed on behalf of said limited liability company and acknowledged said instrument to be its voluntary act and deed.




NOTARY PUBLIC FOR OREGON
My Commission Expires: March 7, 2023

PROVINCE OF BRITISH COLUMBIA,)
CITY of Langley) ss.

The foregoing instrument was acknowledged before me this 30 day of Dec 2019 by Robert Bontkes, Director of TR Oregon Holdings, Inc. a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.


NOTARY PUBLIC FOR
My Commission Expires: Dec 31 2020

Gregory P. Van Popta
Barrister & Solicitor
Suite 1500, 13450 - 102nd Ave.
Surrey, B.C. V3T 5X3
604-581-7001

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



CENTERLINE CONCEPTS
LAND SURVEYING, INC.


19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Easement
Legal Description

A 30.00 foot wide strip or tract of land being a portion of that tract of land conveyed by deed recorded in Reel 2867, Page 57 (09/17/2007), Marion County Deed Records, located in the southwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said 30.00 foot wide strip lying 15.00 feet on either side of the following described centerline:

BEGINNING at a point on the west line of said Reel 3867, Page 57 Tract, being North 00°03'42" West, 199.83 feet, and North 00°03'44" West, 30.00 feet from the southeast corner of Parcel 1, Partition Plat No. 2006-055, Marion County Plat Records; thence South 89°29'01" East, 260.13 feet to the west line of Brown Street, a 30.00 foot wide right of way; and the **TERMINUS OF SAID CENTERLINE.**

The sidelines of said strip of tract to be extended and/or shortened so as to terminate at proper boundaries. Contains 7,804 square feet.

17 DEC 19
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
03377LS
RENEWS: 31 DEC 19

REEL 2867
PAGE 57
9-17-2007

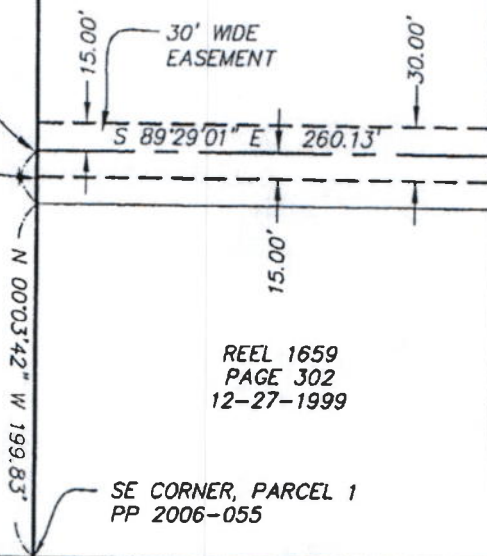
REEL 3480
PAGE 62
3-8-2013

PARCEL 1
PARTITION PLAT NO. 2006-55



N 00°03'44" W
30.00'

POINT OF BEGINNING



REEL 1659
PAGE 302
12-27-1999

SE CORNER, PARCEL 1
PP 2006-055

BROWN STREET

SIGNED ON: 15NOV19

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2019

CLIENT: **ICON CONSTR**
ORIG. DATE: **04MAY18**
DRAWN BY: **TGB**
SHEET No. **1 OF 1**
REV: **15NOV19**

EXHIBIT "B"
EASEMENT
CITY OF WOODBURN, MARION COUNTY, OREGON
SCALE: 1"=100'


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

AFTER RECORDING RETURN TO:

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

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

WOODBURN DEVELOPMENT, LLC, *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 storm drainage or surface water pipelines, stormwater drainage swale and related facilities 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 no 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 30 day of Dec, 2019.

Woodburn Development, LLC

BY: [Signature]

Mark Handris, Member

BY: _____

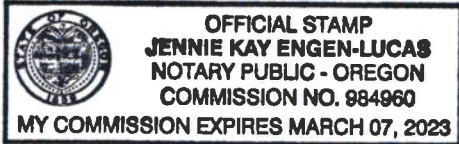
Robert Bontkes, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON,)

County of Clackamas) ss.

The foregoing instrument was acknowledged before me this 3rd day of January 2020 by Mark Handris, Managing Member of ICON Construction & Development, LLC a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.



Jennie K Engen-Lucas
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/7/2023

PROVINCE OF BRITISH COLUMBIA,)

CITY of Langley) ss.

The foregoing instrument was acknowledged before me this 30 day of Dec 2019 by Robert Bontkes, Director of TR Oregon Holdings, Inc. a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.

[Signature]
NOTARY PUBLIC FOR
My Commission Expires: Dec 31 2020

Gregory P. van Popta
Barrister & Solicitor
Suite 1500, 13450 - 102nd Ave.
Surrey, B.C. V3T 5X3
604-581-7001

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"

Legal Description of Permanent Easement



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Easement
Legal Description

A 24.00 foot wide strip or tract of land being a portion of that tract of land conveyed by deed recorded in Reel 2867, Page 57 (09/17/2007), Marion County Deed Records, located in the southwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said 24.00 foot wide strip lying 12.00 feet on either side of the flowing described centerline:

BEGINNING at a point on the west line of said Reel 2867, Page 57 Tract, being North 00°03'42" West, 199.83 feet, and North 00°03'44" West, 164.24 feet from the southeast corner of Parcel 1, Partition Plat No. 2006-055, Marion County Plat Records; thence North 82°30'11" East, 102.34 feet; thence South 89°29'05" East, 151.22 feet; thence North 82°05'16" East, 4.97 feet to the west line of Brown Street, a 30.00 foot wide right of way and the **TERMINUS OF SAID CENTERLINE.**

The sidelines of said strip or tract to be extended and/or shortened so as to terminate at proper boundaries. Contains 6,205 square feet.

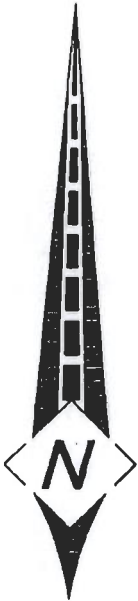
17 DEC 19
REGISTERED
PROFESSIONAL
LAND SURVEYOR

TOBY G. BOLDEN
OREGON
JULY 13, 2004
60377LS

RENEWS: 31 DEC 19

EXHIBIT "B"

Sketch for Legal Description of Permanent Easement



PARCEL 1
PARTITION PLAT NO. 2006-55

22.19'
POINT OF BEGINNING

N 00°03'44" W
164.24'

N 00°03'42" W
199.83'

N 82°30'11" E
101.01'

N 82°30'11" E
102.34'

N 82°30'11" E
24' WIDE EASEMENT

REEL 2867
PAGE 57
9-17-2007

20' WIDE EASEMENT

20.00'

S 89°29'05" E
151.14'

S 89°29'05" E
151.22'

24.00'

N 82°05'16" E
6.00'

N 82°05'16" E
4.97'

BROWN STREET

REEL 3480
PAGE 62
3-8-2013

REEL 1659
PAGE 302
12-27-1999

SE CORNER, PARCEL 1
PP 2006-055

SIGNED ON: 17 DEC 19

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2019

CLIENT: ICON
ORIG. DATE: 04MAY18
DRAWN BY: TGB
SHEET No. 1 OF 1

EXHIBIT "B"
EASEMENT
CITY OF WOODBURN, MARION COUNTY, OREGON
SCALE: 1"=100'


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

AFTER RECORDING RETURN TO:

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

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

WOODBURN DEVELOPMENT, LLC, *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 storm drainage or surface water pipelines, stormwater drainage swale and related facilities 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 no 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 30 day of Dec, 2019.

Woodburn Development, LLC

BY: [Signature]

Mark Handris, Member

BY: [Signature]

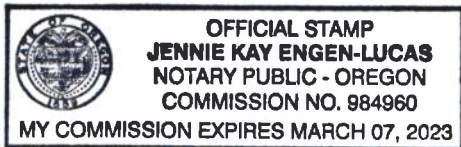
Robert Bontkes, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON,)

County of Clackamas) ss.

The foregoing instrument was acknowledged before me this 3rd day of January 2020 by Mark Handris, Managing Member of ICON Construction & Development, LLC a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.



Jennie Engen-Lucas
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/7/2023

PROVINCE OF BRITISH COLUMBIA,)

CITY of Langley) ss.

The foregoing instrument was acknowledged before me this 30 day of Dec 2019 by Robert Bontkes, Director of TR Oregon Holdings, Inc. a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.

[Signature]
NOTARY PUBLIC FOR
My Commission Expires: Dec 31 2020

Gregory P. van Popta
Barrister & Solicitor
Suite 1500, 13450 - 102nd Ave.
Surrey, B.C. V3T 5X3
604-581-7001

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"

Legal Description of Permanent Easement



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Easement
Legal Description

A 24.00 foot wide strip or tract of land being a portion of that tract of land conveyed by deed recorded in Reel 3480, Page 62 (03/08/2013), Marion County Deed Records, located in the southwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said 24.00 foot wide strip lying 12.00 feet on either side of the flowing described centerline:

BEGINNING at a point on the west line of said Reel 3480, Page 62 Tract, being North 00°03'42" West, 199.83 feet, North 00°03'44" West, 187.40 feet, and North 89°56'16" East, 287.44 feet from the southeast corner of Parcel 1, Partition Plat No. 2006-055, Marion County Plat Records, said point of beginning also being on the east line of Brown Street, a 30.00 foot wide right of way; thence North 82°43'28" East, 547.23 feet to the **TERMINUS OF SAID CENTERLINE**.

The sidelines of said strip or tract to be extended and/or shortened so as to terminate at proper boundaries.

Contains 13,134 square feet.

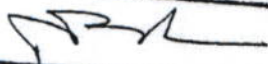
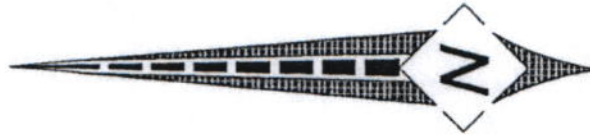
17 DEC 19
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS
RENEWS: 31 DEC 19

EXHIBIT "B"

Sketch for Legal Description of Permanent Easement



12.00 12.00

N 82°43'28" E 547.23'
24' WIDE EASEMENT

REEL 3480
PAGE 62
3-8-2013

BROWN STREET

SIGNED ON: 17 DEC 19

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2019

POINT OF
BEGINNING

N 89°56'16" E 287.44'

REEL 1659
PAGE 302
12-27-1999

SE CORNER, PARCEL 1
PP 2006-055

N 00°03'44" W 187.40'

N 00°03'42" W 199.83'

CLIENT: ICON CONSTRUCTION
ORIG. DATE: 04MAY18
DRAWN BY: TGB
SHEET No. 1 OF 1
REV: 15NOV19

EXHIBIT "B"
EASEMENT
CITY OF WOODBURN, MARION COUNTY, OREGON
SCALE: 1"=100'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

AFTER RECORDING RETURN TO:

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

**CITY OF WOODBURN, OREGON
PUBLIC ACCESS EASEMENT**

WOODBURN DEVELOPMENT, LLC, GRANTOR, grants to the CITY OF WOODBURN, OREGON, hereinafter called CITY, a permanent access easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain storm drainage or surface water pipelines and related facilities 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 no 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 30 day of Dec, 2019.

Woodburn Development, LLC^r

BY: [Signature]

Mark Handris, Member

BY: [Signature]

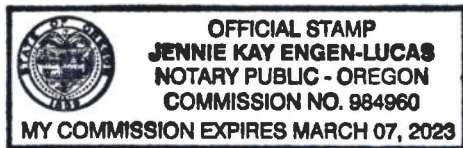
Robert Bontkes, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON,)

County of Clackamas) ss.

The foregoing instrument was acknowledged before me this 3rd day of January 2020 by Mark Handris, Managing Member of ICON Construction & Development, LLC a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.



Jennie Kay Engen-Lucas
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/7/2023

PROVINCE OF BRITISH COLUMBIA,)

CITY of Langley) ss.

The foregoing instrument was acknowledged before me this 30 day of Dec 2019 by Robert Bontkes, Director of TR Oregon Holdings, Inc. a Member of Woodburn Development, LLC, an Oregon Limited Liability Company, on behalf of said limited liability company by authority of its members; and each of them acknowledged said instrument to be its voluntary act and deed.

[Signature]
NOTARY PUBLIC FOR
My Commission Expires: Dec 31 2020

Gregory P. van Popta
Barrister & Solicitor
Suite 1500, 13450 - 102nd Ave.
Surrey, B.C. V3T 5X3
604-581-7001

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"

Legal Description of Permanent Easement



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Easement
Legal Description

A variable width strip or tract of land being a portion of that tract of land conveyed by deed recorded in Reel 3480, Page 62 (03/08/2013), Marion County Deed Records, located in the southwest one-quarter of Section 18, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, being more particularly described as follows:

BEGINNING at a point on the west line of said Reel 3480, Page 62 Tract, being North 00°03'42" West, 199.83 feet, North 00°03'44" West, 186.67 feet, and North 89°56'16" East, 287.45 feet from the southeast corner of Parcel 1, Partition Plat No. 2006-055, Marion County Plat Records, said point of beginning also being on the east right of way line of Brown Street, a 30.00 foot wide right of way; thence along said east right of way line, North 01°01'21" West, 5.00 feet; thence leaving said east right of way line along the following 13 courses: North 88°58'39" East, 293.71 feet; thence North 01°01'21" West, 15.84 feet; thence North 82°43'28" East, 253.08 feet; thence South 07°16'32" East, 20.00 feet; thence South 82°43'28" West, 192.96 feet; thence North 89°53'56" West, 34.23 feet; thence North 00°06'04" East, 1.00 foot; thence North 89°53'56" West, 7.74 feet; thence South 01°01'21" East, 11.00 feet; thence North 89°53'56" West, 4.48 feet; thence South 71°50'23" West, 16.24 feet; thence South 01°01'21" East, 18.62 feet; thence South 88°58'39" West, 293.71 feet to said east right of way line; thence along said east right of way line, North 01°01'21" West, 25.00 feet to the **POINT OF BEGINNING**.

Contains 13,879 square feet.

SIGNED ON: 12-23-2019

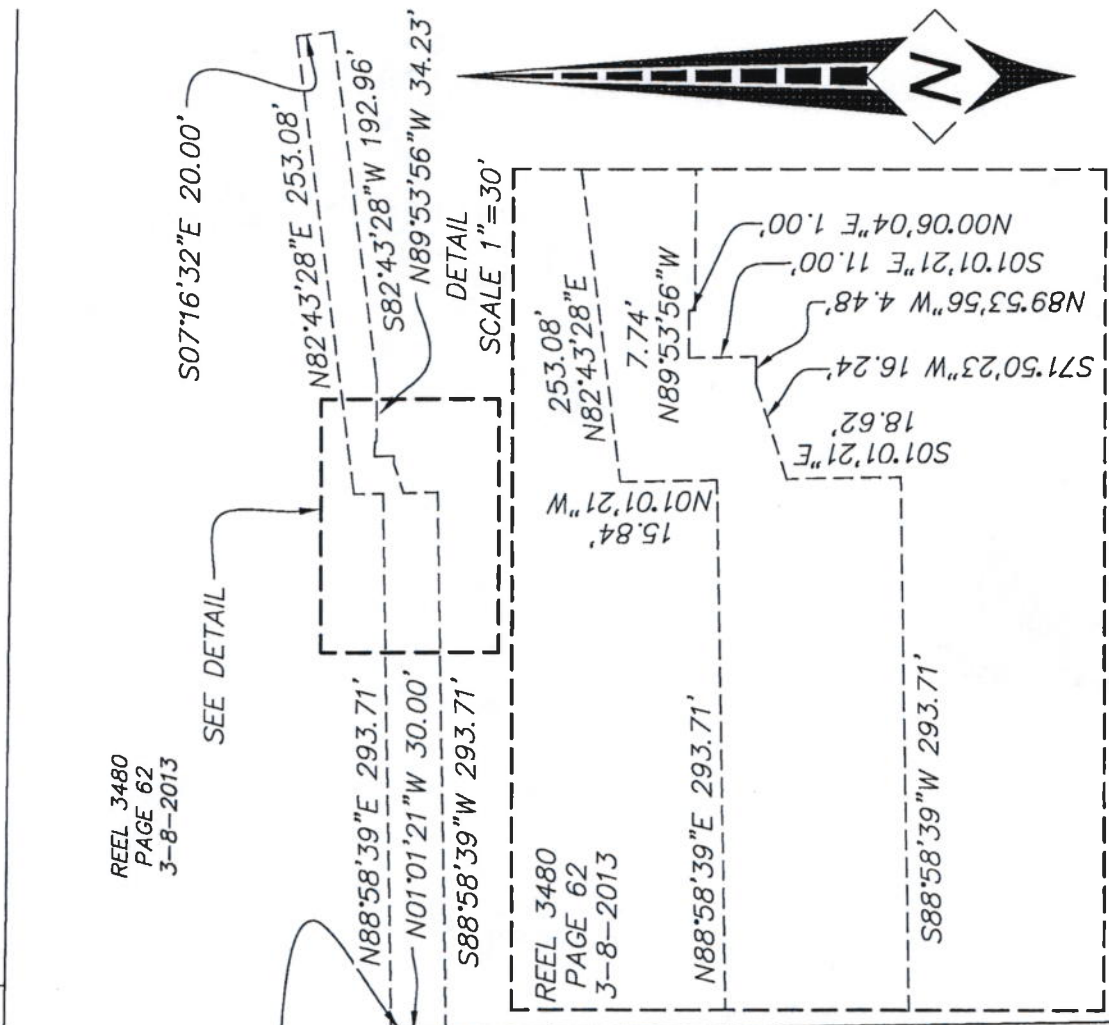
**REGISTERED
PROFESSIONAL
LAND SURVEYOR**


**OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379**

VALID THROUGH DECEMBER 31, 2019

EXHIBIT "B"

Sketch for Legal Description of Permanent Easement



REEL 3480
PAGE 62
3-8-2013

REEL 3480
PAGE 62
3-8-2013

BROWN STREET

SIGNED ON: 12-23-2019

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379LS

RENEWS: DECEMBER 31, 2019

POINT OF
BEGINNING

N 89'56'16" E 287.45'
5.00'
25.00'

REEL 1659
PAGE 302
12-27-1999

SE CORNER, PARCEL 1
PP 2006-055

CLIENT: **ICON**
ORIG. DATE: **15APRIL19**
DRAWN BY: **RLC**
SHEET No. **1 OF 1**
REV: 8-31-18

EXHIBIT "B"
EASEMENT
CITY OF WOODBURN, MARION COUNTY, OREGON
SCALE: 1"=100'


CENTERLINE CONCEPTS
LAND SURVEYING, INC.
729 MOLALLA AVE., SUITE 1 & 2
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES

2019 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
AGGRAVATED ASSAULT	2	1	1	3	5	2	6	1	0	2	3	26
ANIMAL CRUELTY	0	0	0	1	0	0	2	2	0	1	0	6
ANIMAL ORDINANCES	6	1	4	0	3	2	2	0	3	8	1	30
ARSON	0	2	0	0	0	0	0	0	0	0	0	2
ASSAULT SIMPLE	10	9	1	9	10	11	9	14	4	8	13	98
ATTEMPTED MURDER	0	0	0	1	0	0	0	0	0	0	0	1
BURGLARY - BUSINESS	0	0	1	0	0	0	0	0	0	0	0	1
BURGLARY - OTHER STRUCTURE	0	0	0	0	1	0	1	0	0	2	0	4
BURGLARY - RESIDENCE	1	0	3	0	4	1	2	2	0	2	3	18
CHILD NEGLECT	0	0	0	0	0	1	0	0	0	0	0	1
CRIME DAMAGE-NO VANDALISM OR ARSON	2	1	1	4	1	0	2	5	0	3	3	22
CRIMINAL MISTREATMENT	0	0	0	0	0	0	1	0	0	0	1	2
CURFEW	1	0	0	1	0	1	6	0	3	1	0	13
CUSTODY - MENTAL	9	6	8	5	5	3	10	4	4	2	3	59
CUSTODY - PROTECITVE	0	0	0	2	0	0	0	0	0	2	0	4
DISORDERLY CONDUCT	3	10	3	5	14	13	12	11	3	6	8	88
DRIVING UNDER INFLUENCE	5	6	8	5	9	8	6	9	8	6	6	76
DRUG LAW VIOLATIONS	9	6	13	16	10	23	22	16	18	14	12	159
DWS/REVOKED-MISDEMEANOR	1	1	1	2	1	1	2	0	0	1	1	11
ELUDE	0	0	2	0	1	0	4	1	0	0	4	12
EMBEZZLEMENT	0	0	0	0	0	0	0	0	0	0	1	1
ESCAPE FROM YOUR CUSTODY	0	0	2	0	0	0	0	0	0	0	0	2
FAIL TO DISPLAY OPERATORS LICENSE	1	0	0	0	0	1	1	1	0	2	0	6
FAILURE TO REGISTER AS SEX OFFENDER	0	0	0	0	0	0	0	0	0	1	2	3
FORCIBLE RAPE	3	0	0	2	1	1	0	0	0	0	3	10
FORGERY/COUNTERFEITING	2	0	3	1	2	1	4	1	1	1	1	17
FRAUD - BY DECEPTION/FALSE PRETENSES	1	0	3	0	1	2	0	0	1	1	0	9
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0	1	0	0	2	0	0	0	0	0	3
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	1	0	0	0	0	0	0	0	1
FRAUD - WIRE	0	0	0	1	0	0	0	0	0	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	45	26	37	37	38	36	51	39	43	52	32	436
FURNISHING	0	0	1	0	0	0	0	0	0	0	0	1
GARBAGE LITTERING	1	0	0	0	0	0	0	0	0	0	1	2
HIT AND RUN FELONY	0	0	1	0	1	0	0	1	0	0	0	3
HIT AND RUN-MISDEMEANOR	6	2	3	5	3	2	3	2	1	3	3	33
IDENTITY THEFT	2	0	1	0	2	2	1	1	0	1	0	10
INTIMIDATION /OTHER CRIMINAL THREAT	1	2	1	5	2	2	5	5	3	3	1	30
INVASION OF PERSONAL PRIVACY	0	0	0	0	0	1	0	0	0	0	0	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	0	0	0	0	1	0	0	1	3
MINOR IN POSSESSION	0	0	5	1	2	0	1	1	1	0	0	11
MINOR ON PREMISES	0	0	0	0	0	1	0	0	0	0	0	1
MOTOR VEHICLE THEFT	1	1	0	0	2	4	4	1	2	2	6	23
OTHER	7	2	5	4	7	6	10	3	5	6	5	60
PROSTITUTION - ENGAGE IN	0	0	0	0	0	0	0	1	0	0	0	1
RECKLESS DRIVING	1	4	3	3	5	2	5	3	4	3	2	35
RECKLESSLY ENDANDERING	2	2	2	0	5	1	4	1	2	2	1	22
RESTRAINING ORDER VIOLATION	1	1	0	3	0	1	1	1	1	0	0	9
ROBBERY - BUSINESS	0	0	0	0	0	0	0	1	0	0	0	1
ROBBERY - CAR JACKING	0	0	0	0	0	1	0	1	0	0	0	2
ROBBERY - CONV.STORE	0	0	0	0	1	0	0	0	0	0	0	1
ROBBERY - OTHER	0	0	0	0	0	1	0	2	0	0	0	3
RUNAWAY	0	0	0	0	1	2	0	1	1	2	1	8
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	1	0	1	0	0	0	0	1	0	0	0	3
SEX CRIME - EXPOSER	1	0	1	0	0	0	0	0	0	0	0	2

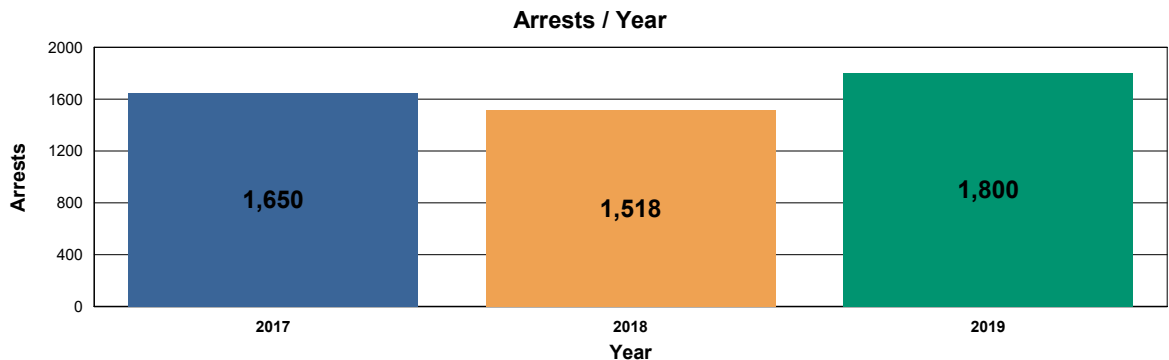
Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES

2019 Year to Date

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
SEX CRIME - FORCIBLE SODOMY	2	0	0	0	0	1	0	0	0	0	1	4
SEX CRIME - INCEST	2	0	0	0	0	0	0	0	0	0	1	3
SEX CRIME - MOLEST (PHYSICAL)	1	0	0	0	0	0	0	0	0	0	2	3
SEX CRIME - NON-FORCE RAPE	0	0	1	0	0	1	1	0	0	0	0	3
SEX CRIME - OTHER	1	0	0	0	0	1	0	0	0	0	0	2
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	0	0	0	0	0	0	1	0	1
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	0	1	0	2	0	0	0	0	1	5
STALKER	0	1	1	0	2	0	0	0	0	0	1	5
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	1	0	0	0	2	1	1	0	1	0	6
THEFT - BICYCLE	0	0	0	0	0	0	1	1	0	0	0	2
THEFT - BUILDING	1	0	0	1	0	1	1	0	0	3	2	9
THEFT - FROM MOTOR VEHICLE	4	1	3	0	0	0	1	2	0	1	0	12
THEFT - OTHER	5	1	0	2	1	7	1	2	3	1	1	24
THEFT - PURSE SNATCH	0	1	0	0	0	0	0	0	0	0	0	1
THEFT - SHOPLIFT	2	8	7	5	12	5	13	9	1	2	3	67
TRAFFIC VIOLATIONS	10	11	8	7	8	4	17	8	7	8	9	97
TRESPASS	18	3	9	6	7	6	12	10	8	10	4	93
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	1	1	2	0	0	0	0	2	0	1	4	11
VANDALISM	1	0	2	0	1	1	1	1	0	2	2	11
VEHICLE RECOVERD FOR OTHER AGENCY	1	0	5	1	1	1	0	2	2	3	0	16
WEAPON - CARRY CONCEALED	1	1	1	1	0	2	0	0	0	0	0	6
WEAPON - EX FELON IN POSSESSION	1	0	1	1	0	1	0	0	1	0	0	5
WEAPON - POSSESS ILLEGAL	0	2	1	4	3	4	3	1	3	2	0	23
WEAPON - SHOOTING IN PROHIBITED AREA	0	1	0	0	0	0	2	0	1	0	0	4

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
2019 Total	178	115	157	146	172	174	231	172	134	172	149	1,800
2018 Total	187	111	138	136	147	101	162	155	144	136	101	1518
2017 Total	135	169	176	166	164	143	152	155	138	111	141	1650



Woodburn Police Department

MONTHLY CRIMINAL OFFENSES

2019 Year to Date

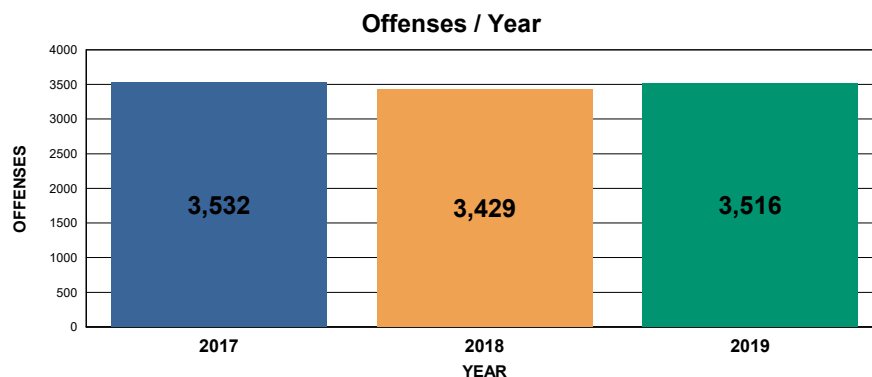
CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
AGGRAVATED ASSAULT	3	4	2	4	5	4	6	3	0	3	6	40
ANIMAL CRUELTY	0	0	0	1	1	0	3	1	0	1	0	7
ANIMAL ORDINANCES	3	1	3	0	2	1	2	0	3	4	1	20
ARSON	1	2	0	0	0	0	0	1	0	0	0	4
ASSAULT SIMPLE	12	8	7	14	13	18	12	17	8	14	10	133
ATTEMPTED MURDER	0	0	0	1	0	0	0	0	0	0	0	1
BURGLARY - BUSINESS	2	1	1	0	3	2	0	2	0	7	6	24
BURGLARY - OTHER STRUCTURE	2	1	3	1	4	1	2	3	1	4	1	23
BURGLARY - RESIDENCE	8	2	5	6	14	7	7	5	6	10	4	74
CHILD NEGLECT	0	0	0	0	0	2	0	1	0	0	0	3
CRIME DAMAGE-NO VANDALISM OR ARSON	16	14	15	10	15	18	14	16	5	18	10	151
CRIMINAL MISTREATMENT	1	0	0	0	0	0	1	0	0	0	0	2
CURFEW	1	0	0	1	0	1	2	0	3	1	0	9
CUSTODY - MENTAL	10	6	9	5	5	3	10	4	4	2	3	61
CUSTODY - PROTECTIVE	0	0	0	1	0	0	0	0	0	1	0	2
DISORDERLY CONDUCT	3	6	5	5	11	12	9	15	6	6	7	85
DRIVING UNDER INFLUENCE	5	7	8	5	9	8	6	9	8	6	6	77
DRUG LAW VIOLATIONS	9	7	15	9	11	14	22	12	14	13	8	134
DWS/REVOKED-MISDEMEANOR	1	1	1	2	1	0	2	0	0	1	2	11
ELUDE	1	1	1	2	1	0	3	1	0	1	1	12
EMBEZZLEMENT	0	0	0	0	0	0	0	0	0	0	1	1
ESCAPE FROM YOUR CUSTODY	0	0	2	0	0	0	0	0	0	0	0	2
EXPLOSIVES	1	0	0	0	0	0	0	0	0	0	0	1
EXTORTION/BLACKMAIL	0	0	0	0	0	0	0	0	3	0	0	3
FAIL TO DISPLAY OPERATORS LICENSE	1	0	0	0	0	1	1	1	0	2	0	6
FAILURE TO REGISTER AS SEX OFFENDER	0	0	0	0	0	0	0	1	0	0	2	3
FORCIBLE RAPE	2	1	1	3	4	1	1	3	0	2	2	20
FORGERY/COUNTERFEITING	9	2	7	3	4	4	8	3	1	6	3	50
FRAUD - ACCOUNT CLOSED CHECK	0	0	0	0	0	0	1	1	1	0	0	3
FRAUD - BY DECEPTION/FALSE PRETENSES	2	5	6	2	4	4	2	3	4	4	5	41
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	3	2	2	2	0	5	2	2	2	1	0	21
FRAUD - IMPERSONATION	0	0	0	0	0	0	1	0	0	0	0	1
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	1	0	0	0	0	0	0	0	1
FRAUD - OF SERVICES/FALSE PRETENSES	1	0	0	0	1	1	0	1	0	0	0	4
FRAUD-OTHER	0	0	0	0	0	0	0	1	0	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	27	18	28	26	29	31	40	25	26	32	23	305
FURNISHING	0	0	1	0	1	0	0	0	0	0	0	2
GARBAGE LITTERING	1	0	0	0	0	0	0	0	0	0	1	2
HIT AND RUN FELONY	1	1	1	0	3	0	1	0	0	1	0	8
HIT AND RUN-MISDEMEANOR	23	8	13	19	19	15	16	15	21	21	17	187
IDENTITY THEFT	6	5	3	3	4	2	1	8	1	3	2	38
INTIMIDATION /OTHER CRIMINAL THREAT	1	0	1	6	2	3	2	7	2	2	1	27
INVASION OF PERSONAL PRIVACY	0	0	0	0	1	0	0	0	0	0	0	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	0	0	0	0	2	2	0	0	5
KIDNAP - FOR RANSOM	0	0	0	0	0	0	0	0	1	0	0	1
MINOR IN POSSESSION	0	0	2	1	1	0	1	1	1	0	0	7
MINOR ON PREMISES	0	0	0	0	0	1	0	0	0	0	0	1
MISCELLANEOUS	19	18	25	21	23	29	13	19	18	12	19	216
MOTOR VEHICLE THEFT	8	6	13	9	15	21	6	11	16	19	13	137
NON CRIMINAL DOMESTIC DISTURBANCE	20	12	8	12	12	21	15	16	10	14	13	153
OTHER	6	3	7	5	9	7	11	3	5	8	5	69
PROPERTY - FOUND LOST MISLAID	3	4	4	2	1	4	3	3	4	3	1	32
PROPERTY RECOVER FOR OTHER AGENCY	2	2	0	0	0	0	0	1	1	1	1	8
PROSTITUTION - ENGAGE IN	0	0	0	0	0	0	0	1	0	0	0	1
RECKLESS DRIVING	2	6	3	5	6	2	7	3	5	3	3	45
RESTRAINING ORDER VIOLATION	2	3	0	3	1	2	1	1	1	0	0	14
ROBBERY - BUSINESS	0	0	0	0	1	0	0	1	0	0	1	3

Woodburn Police Department

MONTHLY CRIMINAL OFFENSES 2019 Year to Date

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
ROBBERY - CAR JACKING	0	0	0	0	0	1	2	0	1	0	1	5
ROBBERY - CONV.STORE	0	0	0	0	1	0	0	0	0	0	1	2
ROBBERY - OTHER	0	0	0	0	1	1	0	1	3	0	0	6
ROBBERY - RESIDENCE	0	0	0	0	0	1	0	0	0	1	0	2
RUNAWAY	0	1	1	3	4	5	0	2	1	5	2	24
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	0	0	0	0	0	1	1	0	0	0	2
SEX CRIME - EXPOSER	1	0	0	1	0	0	1	1	0	0	0	4
SEX CRIME - FORCIBLE SODOMY	2	0	0	0	0	0	0	1	0	0	0	3
SEX CRIME - INCEST	1	0	0	0	0	0	0	0	0	1	0	2
SEX CRIME - MOLEST (PHYSICAL)	2	1	1	0	2	2	2	1	0	1	1	13
SEX CRIME - NON-FORCE RAPE	1	0	2	0	1	0	1	1	0	0	1	7
SEX CRIME - OTHER	1	0	0	0	0	0	0	0	0	0	0	1
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	0	3	0	0	0	0	1	0	4
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	0	0	1	1	0	0	0	0	0	0	0	2
STALKER	0	1	1	0	2	0	0	0	0	0	1	5
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	1	0	0	0	1	2	1	2	0	0	7
SUICIDE	0	0	0	0	0	0	0	1	0	0	1	2
THEFT - BICYCLE	1	1	0	6	8	1	3	3	1	1	1	26
THEFT - BUILDING	0	2	5	3	1	4	1	0	5	5	2	28
THEFT - COIN OP MACHINE	0	1	0	1	0	1	2	0	0	0	0	5
THEFT - FROM MOTOR VEHICLE	25	18	27	8	15	14	10	19	25	32	11	204
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	2	2	1	1	3	2	1	3	1	4	4	24
THEFT - OTHER	14	7	16	24	23	29	19	17	9	10	22	190
THEFT - PICKPOCKET	1	1	1	0	1	0	0	0	0	0	0	4
THEFT - PURSE SNATCH	1	1	0	0	2	1	0	1	0	1	2	9
THEFT - SHOPLIFT	12	14	22	21	24	17	20	16	12	9	8	175
TRAFFIC VIOLATIONS	11	6	11	8	9	6	19	11	8	7	10	106
TRESPASS	8	6	10	8	12	14	13	15	13	11	2	112
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	3	0	2	1	0	1	1	2	2	1	2	15
VANDALISM	16	8	13	12	17	13	15	20	8	13	14	149
VEHICLE RECOVERD FOR OTHER AGENCY	5	3	5	3	2	6	0	0	3	3	2	32
WEAPON - CARRY CONCEALED	1	1	1	1	0	2	0	1	0	0	0	7
WEAPON - EX FELON IN POSSESSION	1	0	1	1	0	1	0	0	1	0	0	5
WEAPON - POSSESS ILLEGAL	1	0	1	4	3	5	1	3	3	3	0	24
WEAPON - SHOOTING IN PROHIBITED AREA	1	3	1	0	1	1	4	2	1	1	2	17

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
2019 Total	330	235	325	297	371	374	352	346	282	336	268	3,516
2018 Total	409	284	317	342	316	309	311	308	292	298	243	3,429
2017 Total	322	292	355	317	330	307	317	321	307	311	353	3,532



Woodburn Police Department

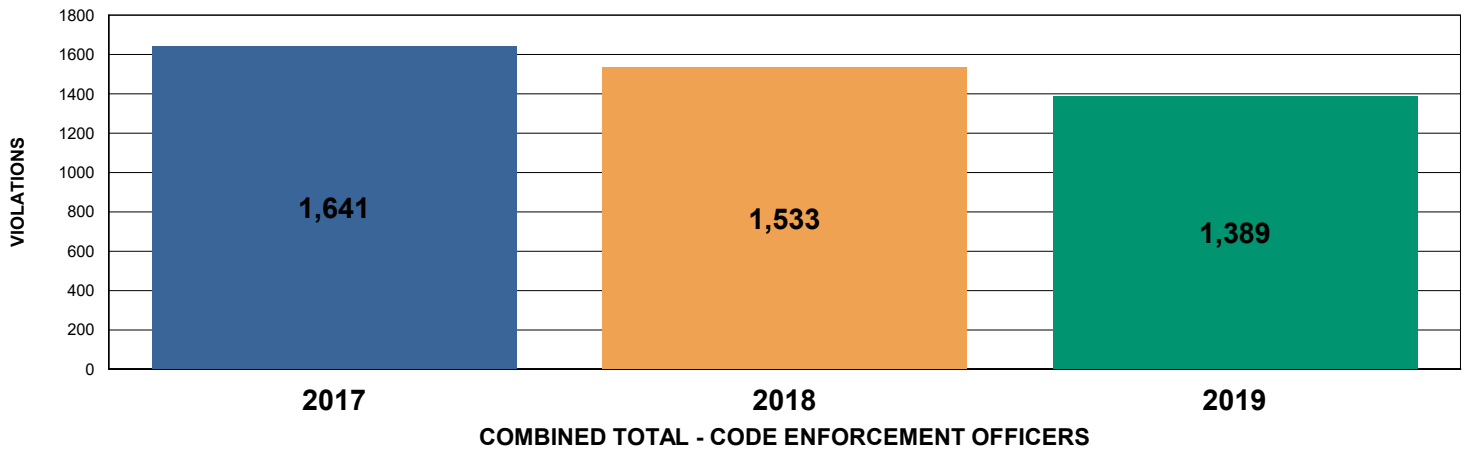
ORDINANCE VIOLATIONS

2019 Year to Date

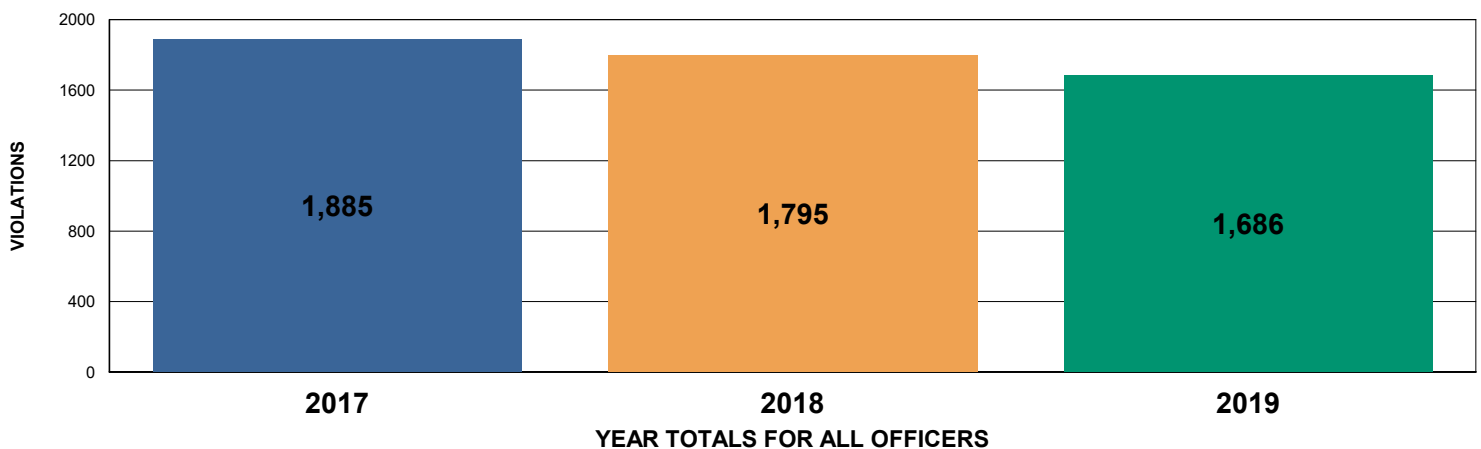
12/16/2019

Ordinance Discription	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
Animal Complaint	38	29	44	36	50	38	48	80	40	51	32	486
Ordinance - Abate/Nuisances	0	1	0	0	2	0	1	0	2	0	0	6
Ordinance - Abandoned Vehicles	66	39	50	34	18	48	38	51	42	45	40	471
Ordinance - Abate Graffiti	2	0	1	0	6	2	1	4	3	5	5	29
Ordinance - Land Use Violations	1	0	2	1	2	1	0	4	3	1	2	17
Ordinance - Oth Violation	34	30	51	45	40	74	68	60	53	41	32	528
Ordinance - Tall Grass	0	0	0	0	87	34	17	8	1	2	0	149
2019 Total	141	99	148	116	205	197	173	207	144	145	111	1,686
2018 Total	176	133	156	182	223	167	140	205	121	185	107	1,795
2017 Total	94	126	176	177	290	284	175	170	149	129	115	1,885

Ordinance Violations / Code Enforcement Officers



Ordinance Violations / Year



CITY OF WOODBURN

Economic and Development Services Department

MEMORANDUM

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

Date: January 2, 2020

To: Chris Kerr, Community Development Director

From: Ted Cuno, Building Division 

Subject: Building Activity for December 2019

	2017		2018		2019	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	0	\$0	1	\$227,187	0	\$0
Multi-Family Residential	0	\$0	0	\$0	0	\$0
Assisted Living Facilities	0	\$0	0	\$0	0	\$0
Residential Adds & Alts	3	\$236,148	1	\$8,722	2	\$49,847
Industrial	0	\$0	0	\$0	0	\$0
Commercial	8	\$855,906	5	\$152,156	7	\$280,995
Signs and Fences	0	\$0	0	\$0	0	\$0
Manufactured Homes	1	\$1,000	0	\$0	0	\$0
TOTALS	12	\$1,093,054	7	\$388,065	9	\$330,842
Fiscal Year to Date (July 1 – June 30)		\$12,321,581		\$24,002,120		\$4,127,581



Permits Issued

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

12/1/2019 through 12/31/2019

www.ci.woodburn.or.us

Includes all valuations

building.dept@ci.woodburn.or.us

Record Types Selected: -All-

Commercial Alarm or Suppression Systems

971-19-000391-FIRE	Issued: 12/16/19	Fees: \$1,106.07	Valuation: \$30,000.00
---------------------------	-------------------------	-------------------------	-------------------------------

Address: 591 GATCH ST, WOODBURN, OR 97071

Parcel: 051W18AA05700

Owner: MID-VALLEY COMMUNITY CHURCH

Licensed Prof:

Category of Construction: Commercial **Type of Work:** New

Work Description: Add New Fire Sprinkler System in New Gymnasium

971-19-000449-FIRE	Issued: 12/18/19	Fees: \$485.30	Valuation: \$8,776.00
---------------------------	-------------------------	-----------------------	------------------------------

Address: 367 W CLEVELAND ST, WOODBURN, OR 97071

Parcel: 051W18BA07800

Owner: PEREGRINA PROPERTIES LLC

Licensed Prof: JET INDUSTRIES INC

Category of Construction: Multi-family **Type of Work:** New

Work Description: Install new NFPA 13R sprinkler system in renovated apartment building

Commercial Alarm or Suppression Systems	2 permits issued	\$1,591.37	\$38,776.00
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Permits Issued:

Commercial Mechanical

971-19-000424-MECH	Issued: 12/6/19	Fees: \$206.70	Valuation: \$1,450.00
Address: 126 WORKMAN DR, WOODBURN, OR 97071		Parcel: 051W18BB01700	
Owner: FIRST CHRISTIAN CHURCH WOODBURN			
Licensed Prof:			
Category of Construction: Commercial	Type of Work: Alteration		
Work Description: Remove paneling on walls replace with sheet rock Remove Fire place and Chimney Remove two walls and install two curtian doors Remove sliding glass door install exterior double door with panic bars Remove entry door to room replace with ADA door Replace carpet Remove electrical where needed and repair switches Electrical done by others			
971-19-000435-MECH	Issued: 12/6/19	Fees: \$230.23	Valuation: \$2,685.00
Address: 1776 COUNTRY CLUB RD, WOODBURN, OR 97071		Parcel: 052W12A 00100	
Owner: SENIOR ESTATES COUNTRY CLUB			
Licensed Prof:			
Category of Construction: Commercial	Type of Work: Replacement		
Work Description: Remove existing gas furnace and replace with Trane 80,000 btu 80% efficient gas furnace			
971-19-000436-MECH	Issued: 12/9/19	Fees: \$442.02	Valuation: \$11,387.00
Address: 1543 MT HOOD AVE NE, WOODBURN, OR 97071		Parcel: 051W08A 05300	
Owner: ARGO WOODBURN LLC			
Licensed Prof: A 1 MECHANICAL LLC			
Category of Construction: Commercial	Type of Work: Replacement		
Work Description: Remove and Replace 1 RTU			
971-19-000440-MECH	Issued: 12/20/19	Fees: \$253.76	Valuation: \$3,200.00
Address: 1749 MT JEFFERSON AVE, WOODBURN, OR 97071		Parcel:	
Owner:			
Licensed Prof:			
Category of Construction: Commercial	Type of Work: Alteration		
Work Description: Installation of HVAC system in tenant improvement remodel			
971-19-000447-MECH	Issued: 12/19/19	Fees: \$347.89	Valuation: \$7,179.00
Address: 245 YOUNG ST, WOODBURN, OR 97071		Parcel: 051W18AB07300	
Owner: WITHERS LUMBER CO			
Licensed Prof:			
Category of Construction: Commercial	Type of Work: Alteration		
Work Description: Install gas furnace & AC			

Permits Issued:

Commercial Mechanical

5 permits issued

\$1,480.60

\$25,901.00

Permits Issued:

Commercial Structural

971-19-000419-STR Issued: 12/6/19 Fees: \$1,083.11 Valuation: \$42,000.00

Address: 105 ARNEY RD NE, WOODBURN, OR 97071 Parcel: 052W12BC06600

Owner: MASTER DEVELOPMENT LLC 40.12% &

Licensed Prof: TURNER CONSTRUCTION COMPANY

Category of Construction: Commercial Type of Work: Tenant Improvement

Work Description: Tenant Improvement for the X-Ray Room 114

971-19-000425-STR Issued: 12/6/19 Fees: \$1,953.69 Valuation: \$70,000.00

Address: 126 WORKMAN DR, WOODBURN, OR 97071 Parcel: 051W18BB01700

Owner: FIRST CHRISTIAN CHURCH WOODBURN

Licensed Prof:

Category of Construction: Commercial Type of Work: Alteration

Work Description: Remove paneling on walls replace with sheet rock
 Remove Fire place and Chimney
 Remove two walls and install two curtian doors
 Remove sliding glass door install exterior double door with panic bars
 Remove entry door to room replace with ADA door
 Replace carpet
 Remove electrical where needed and repair switches
 Electrical done by others

971-19-000426-STR Issued: 12/30/19 Fees: \$2,286.09 Valuation: \$89,500.00

Address: 2979 N PACIFIC HWY, WOODBURN, OR 97071 Parcel: 051W05D 03600

Owner: WOODBURN PARTNERSHIP DBA

Licensed Prof:

Category of Construction: Commercial Type of Work: Tenant Improvement

Work Description: Remodel of first floor office and mezzanine

971-19-000427-STR Issued: 12/11/19 Fees: \$1,201.40 Valuation: \$47,750.00

Address: 1001 ARNEY RD NE 100, WOODBURN, OR 97071 Parcel: 052W12B 00200

Owner: WOODBURN PREMIUM OUTLETS LLC

Licensed Prof:

Category of Construction: Commercial Type of Work: Tenant Improvement

Work Description: Cashwrap replacement (like for like, but smaller footprint) and infill of existing display half-wall with new shelving standard
 install on display wall.

971-19-000438-STR Issued: 12/31/19 Fees: \$270.08 Valuation: \$2,000.00

Address: 1001 ARNEY RD NE 626, WOODBURN, OR 97071 Parcel: 052W12B 00200

Owner: WOODBURN PREMIUM OUTLETS LLC

Licensed Prof: WANG KOOK PARK

Category of Construction: Commercial Type of Work: Alteration

Work Description: Install a new door in kitchen.

Permits Issued:

Residential Mechanical

971-19-000433-MECH	Issued: 12/10/19	Fees: \$100.80	Valuation: \$0.00
Address: 294 WILLOW AVE, WOODBURN, OR 97071			
Owner: TORRES,DULCE CABALLERO			
Parcel: 052W11AD04300			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: New		
Work Description: Remodel garage into living space. Install clothes dryer exhaust and bath fan. up-date 12-3-2019 PSA ; new heat ducts to extend from existing gas furnace			
971-19-000434-MECH	Issued: 12/4/19	Fees: \$100.80	Valuation: \$5,660.00
Address: 344 CHARLES ST, WOODBURN, OR 97071			
Owner: ZURIAGA,EDUARDO &			
Parcel: 051W07DD04200			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: Installing Gas Furnace			
971-19-000437-MECH	Issued: 12/10/19	Fees: \$100.80	Valuation: \$4,127.00
Address: 370 HARRISON ST, WOODBURN, OR 97071			
Owner: DIGMAN-MCNASSAR,VERONICA &			
Parcel: 051W07CD12101			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Replacement		
Work Description: Replace oil furnace with gas furnace.			
971-19-000442-MECH	Issued: 12/12/19	Fees: \$100.80	Valuation: \$0.00
Address: 559 IRONWOOD TER, WOODBURN, OR 97071			
Owner: US BANK NATIONAL ASSOCIATION			
Parcel: 051W07AA02700			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Addition		
Work Description: install gas furnace and water heater			
971-19-000443-MECH	Issued: 12/12/19	Fees: \$100.80	Valuation: \$5,700.00
Address: 3392 CAMAS ST, WOODBURN, OR 97071			
Owner: ARREGUIN,JAVIER HUERTA SR			
Parcel: 052W11AA02400			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Replacement		
Work Description: replace elec furnace and HP			
971-19-000444-MECH	Issued: 12/20/19	Fees: \$100.80	Valuation: \$0.00
Address: 1158 PRINCETON RD, WOODBURN, OR 97071			
Owner: SHEPARD,BARBARA J			
Parcel: 052W12AD06800			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: New		
Work Description: Install one (1) free standing gas fire place and extend gas line to free standing gas fire place.			

Permits Issued:

Residential Mechanical

971-19-000448-MECH	Issued: 12/13/19	Fees: \$100.80	Valuation: \$750.00
Address: 797 HARRISON ST, WOODBURN, OR 97071		Parcel: 051W07CA04000	
Owner: ANDRADE,BLAS &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Replacement		
Work Description: Install wood insert			
971-19-000451-MECH	Issued: 12/16/19	Fees: \$112.00	Valuation: \$16,799.00
Address: 290 WORKMAN DR, WOODBURN, OR 97071		Parcel: 051W18BB08500	
Owner: KAREN E VANLIEU LT &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: Install Gas Furnace, Water Heater and Gas Line "UP-DATE" PSA 12-18-2019 Install Gas Furnace, Gas Fireplace Insert and Gas line.			
971-19-000464-MECH	Issued: 12/17/19	Fees: \$100.80	Valuation: \$3,131.00
Address: 297 STARK ST, WOODBURN, OR 97071		Parcel: 051W18BD02200	
Owner: ANDERSON,PAUL W			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: Installing Gas Furnace			
971-19-000465-MECH	Issued: 12/17/19	Fees: \$100.80	Valuation: \$3,700.00
Address: 510 LEASURE ST, WOODBURN, OR 97071		Parcel: 051W07CC00900	
Owner: PEREZ,CARMEN V &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: INSTALL HEAT PUMP			
971-19-000471-MECH	Issued: 12/20/19	Fees: \$100.80	Valuation: \$3,411.00
Address: 1508 AZTEC DR, WOODBURN, OR 97071		Parcel: 051W17BA05500	
Owner: MONTESINOS,HONORILDA &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: Install Gas Furnace			
971-19-000472-MECH	Issued: 12/23/19	Fees: \$100.80	Valuation: \$1,625.00
Address: 272 S COLUMBIA DR, WOODBURN, OR 97071		Parcel: 052W12DC05100	
Owner: RAYMOND C JOHNISEE RLT &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: Installing Gas Piping to Range & BBQ			

Permits Issued:

Residential Mechanical

971-19-000473-MECH	Issued: 12/23/19	Fees: \$100.80	Valuation: \$0.00
Address: 1614 QUINN RD, WOODBURN, OR 97071		Parcel: 052W12AA04000	
Owner: DA ROSS LT &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Replacement		
Work Description: replace gas water heater			
971-19-000474-MECH	Issued: 12/24/19	Fees: \$100.80	Valuation: \$0.00
Address: 1371 VANDERBECK LN, WOODBURN, OR 97071		Parcel: 051W06CC13200	
Owner: FERRIS,CHRISTOPHER WAYNE &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Replacement		
Work Description: REPLACE ELECTRIC FURNACE AND HEAT PUMP			
971-19-000475-MECH	Issued: 12/27/19	Fees: \$100.80	Valuation: \$6,635.00
Address: 2575 MERIDIAN CT, WOODBURN, OR 97071		Parcel: 051W07AB09600	
Owner: PEREPCHUK,KAY F &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Alteration		
Work Description: Install Gas Furnace			
971-19-000477-MECH	Issued: 12/30/19	Fees: \$100.80	Valuation: \$0.00
Address: 1995 THOMPSON RD, WOODBURN, OR 97071		Parcel: 051W07BB05000	
Owner: ROTH,JANET &			
Licensed Prof:			
Category of Construction: Single Family Dwelling	Type of Work: Replacement		
Work Description: REPLACE GAS FURNACE			

Residential Mechanical	16 permits issued	\$1,624.00	\$51,538.00
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Agenda Item

January 13, 2020

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *ck*,
Colin Cortes, AICP, CNU-A, Senior Planner

Subject: **Briefing: Planning Commission Meeting to Host Discussion of Rent Burden / Housing Affordability as Required by OAR 813-112-0030**

RECOMMENDATION:

Staff recommends no particular action and provides this information as an item of interest for the Council.

BACKGROUND:

State Mandate

In 2018, the Oregon Legislature passed House Bill 4006 that through [Oregon Administrative Rules \(OAR\) 813-112-0030](#) required that:

“(1) When a city with a population greater than 10,000 is informed by the Housing and Community Services Department that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting within the year of being informed, to discuss:

- (a) The causes and consequences of severe rent burdens within the city;
- (b) The barriers to reducing rent burdens; and
- (c) Possible solutions to reduce the rent burdened households within the city.”

The City through the Planning Division and with the assistance of the Community Relations Manager has duly complied by hosting the second annual discussion as part of the November 14, 2019 Planning Commission meeting.

Staff mailed notice of the meeting pursuant to OAR 813-112-0030 to the Marion County Housing Authority and the Mid Willamette Valley Community Action Agency and opted to add more recipients including:

- AARP Oregon (formerly the American Association of Retired Persons Oregon)
- ARCHES/Marion County Resource Services (a homeless service)
- Chemeketa Cooperative Regional Library Service (CCRLS)
- churches and other houses of worship
- Columbia Land Trust and Coalition of Oregon Land Trusts
- housing advocacy organizations including Farmworker Housing Development Corp. (FHDC), North Willamette Valley Habitat for Humanity, United Way of the Mid-Willamette Valley
- Oregon Affordable Housing Assistance Corp. (OAHAC)
- Oregon Housing and Community Services (OHCS)
- private employers in the city (three of the largest: BrucePac, Food Services of America, & WinCo Foods)
- Woodburn Estates & Golf
- Woodburn School District
- two presumably rent-burdened individuals who commented at the December 13, 2018 meeting and also provided their full names and mailing addresses.

Staff will e-mail a report to the Oregon Housing and Community Services Department (OHSC) by February 1, 2020 per rule subsection (2)(c). The Commission meeting draft minutes are Attachment 2.

Attendees

There was one attendee, Benjamin Wilt, Construction Manager, North Willamette Valley Habitat for Humanity. He submitted commentary on Habitat letterhead (Attachment 1).

2019 Survey

Staff conducted a survey open through December 2 that received no responses either online or in print. Below, staff repeats the summary from the Council briefing of the 2018 survey that received many responses.

2018 Survey

Staff conducted the first annual survey open through December 20, 2018 that received 36 responses, 35 online via SurveyMonkey and 1 in print. Staff summarizes the responses to the one-page, four-question survey:

1. *A "rent-burdened" household spends more than 50% of its income on rent. Are you rent-burdened? [Yes or No]*

Yes, 28; No, 8.

2. *What do you consider to be "affordable" housing?*

Of the 36 respondents, 17 gave a dollar figure or range for monthly rent or mortgage payment, while 12 gave a percentage or ratio of income. The remaining 7 skipped or gave nonsensical or vague responses.

The most common dollar figure was \$700, with 5 respondents. The lowest figure was \$450 and the highest \$1,000. The average of the dollar figures and ranges is \$610 rounded.

The most common percentage was a tie between 25% and 33-1/3%, with 3 respondents each. The lowest percentage was 25% and the highest 50%. The average of the percentages or ratios is 36% rounded.

As background, the standard minimum wage in and near Woodburn is \$10.75 hourly and will increase July 1, 2019 to \$11.25. The [U.S. Census](#) American Community Survey (ACS) Table S1901 estimated that for 2017 the Woodburn median household income was \$47,042, equal to \$3,920 monthly. The percentage of households that earn below \$50,000 was 52.1%, and the percentage of households that earn below \$25,000 was 23.9%.

Assuming \$700 monthly rent or mortgage payment, for a household with \$25,000 income it would equal 33.6% of income. Alternately, assuming 36% rent for a \$25,000 household, the amount would equal \$750 monthly.

3. *Do you believe a lack of affordable housing is a problem in Woodburn?*

Yes, 32; No, 4.

4. *What do you believe would make housing affordable? How?*

Of the 36 respondents, 8 respondents indicated rent control based on incomes, with one of them also specifying caps on mortgage payments as percentages of salaries and a different respondent specifying rent control based on the conditions of properties.

Further, 6 respondents indicated increasing housing supply, 4 indicated increasing income or minimum wage, and 4 indicated simply to lower rents.

Idiosyncratic comments included to:

- Allow tiny houses and provide low-interest or interest-free loans to build tiny houses;

Honorable Mayor and City Council

January 13, 2020

Page 4

- Cap homebuilder/landlord profit margins to 25%;
- Cap housing prices by area based on average income of an area;
- Increase supply of income-restricted housing;
- Increase supply of middle class housing for those too wealthy to qualify for income-restricted housing but too poor to afford market-rate housing; and
- Raise taxes on the wealthy.

Attachments:

1. Commentary from Habitat for Humanity received November 14, 2019 (2 pages)
2. Planning Commission November 14, 2019 meeting draft minutes (2 pages)



We build strength, stability, self-reliance and shelter.

Habitat for Humanity's vision is a world where everyone can afford a decent place to live.

North Willamette Valley Habitat for Humanity has been focused on building affordable housing since we were founded in 1986, and has since put nearly 50 families into permanent affordable housing. We have built 7 homes in Woodburn, and in addition plan to build 4 homes in 2020. The average mortgage payment for our homes starts at \$445 for a 2 bedroom 0 lot line townhome to \$945 for a 4 bedroom (taxes included).

Our homeowners are building wealth while contributing to their communities, state and county. Transitioning families from a rental to homeownership frees up rental units to those that are below 60% AMI.

While we focus our development efforts on owner-occupied units, we recognize the need to advocate and partner for the development and preservation of affordable rental units as part of a holistic way of meeting the needs of all in the communities we serve.

Woodburn, like much of Oregon, is facing a housing crisis, where a majority of rental households are unable to afford their housing. Over a quarter of rental households are spending the majority (more than 50%) of their income on housing. We are not meeting the needs of our most vulnerable populations, and we have the responsibility to do better.

Causes

Market rate rentals fail to provide affordability for most Woodburn residents because rent does not relate to resident's income.

Lack of truly affordable housing stems from inaccessible resources, investment, appropriate land usage, and public support, along with stagnant wages. As a result, people are left choosing between necessities, pitting food, medical care, and transportation against a place to call home. Lack of affordable housing is a root cause of most houselessness.

In addition, our housing stock does not match our household composition, and this disparity is predicted to grow. Nationwide, more households are comprised of a single adult living alone than are of nuclear and single parent families combined. In comparison, studio and 1br units account for a little over 12% of inventory, while 3br and larger units are over 60% of housing. (AARP's Making Room) These statistics indicate the need to promote smaller unit size, particularly for aging and young adult individuals.

RECEIVED

Attachment 1

NOV 1 4 2019

COMMUNITY DEVELOPMENT
DEPARTMENT

Barriers

Lack of affordable housing inventory and the difficulty of securing new units are the main barriers to reducing rent burden.

In our own attempt to provide housing, we have found a complicated regulatory environment that requires the use of planners, engineers, and other expensive contractors for relatively simple projects.

Readily buildable land is hard to find, and development can't take place without it. Building subsidized affordable projects takes time and complex layers of funding, which easily falls out of sync with land purchase.

Action Plan

A diverse set of solutions exist to address these structural and systemic problems. With a clear path to policy that initiates action, we can do great service to current and future mixed income households.

- Identify available land and request affordable housing proposals
- Use inclusionary zoning to mandate a portion of new development be designated affordable
- Adopt publicly available building plans with streamlined permitting for varying unit types, like small homes, ADU's, courtyard apartments, and cottage clusters. These would be simple and efficient to build, flexible to lot constraints, and allow homeowners and small contractors to create rental and ownership opportunities without excessive capital.
- Create Community Land Trusts to maintain affordability in the midst of market pressures. Widely successful in other communities, ownership of land is held in perpetuity, and leased long term to the developer or unit owner. A City-held ground lease could reduce initial costs of development while securing long term affordability for residents, and resisting the forces of gentrification and displacement. This would also provide a long term income stream from lease revenue and increased tax base.
- Reduce regulatory barriers and adopt sensible land usage policy to encourage affordable development
- Allow triplexes and duplexes on single family lots, in compliance with H.B. 2001
- Allow small homes on foundation and wheels, and ADU's
- Reduce parking requirements on new development
- Establish neighborhood revitalization plan, reviving investment, access to capital, and economic opportunities in distressed neighborhoods

**WOODBURN PLANNING COMMISSION PUBLIC
HEARING/MEETING MINUTES
November 14, 2019**

CONVENED: The Planning Commission met in a 7pm public meeting session in the City Hall Council Chambers, Chair Charlie Piper presiding.

ROLL CALL:

Chair	Piper	Present
Vice-Chair	Bandelow	Absent
Commissioner	Aiken	Present
Commissioner	Corning	Present
Commissioner	Dos Reis	Absent
Commissioner	Lassen	Present
Commissioner	Berlin	Absent

Staff Present:

Chris Kerr, Community Development Director
Dan Handel, Associate Planner
McKenzie Granum, Assistant City Attorney

Introduction

Chair Piper opened the workshop/meeting at 7 pm, and led the Commissioners in the flag salute.

Minutes

The October 10 and 24, 2019 Planning Commission minutes were approved.

Business from the Audience

None.

Communication

None.

Public Hearing

- a. **GEM Equipment:** DR 2019-11 & PLA 2019-05, 2765 National Way. Proposal to build a new 70,868 sq ft industrial building with related improvements and standard street frontage upgrades, including sidewalk and street trees.

Associate Planner Handel presented the staff report and recommendation of approval with conditions. A representative for the applicant testified in favor of the proposal and provided background information on the company and what kind of work they do. No parties testified in opposition.

Commissioner Corning motioned to approve the application package, Commissioner Aiken seconded. The motion passed unanimously.

Workshop

a. **Rent Burden / OAR 813-112:**

This was the second annual “rent burden” meeting to discuss affordability of housing as required for Woodburn and other cities by Oregon Administrative Rule (OAR) 813-112-0030. At least 25% of renter households spend more than half of their household income on gross rent.

One party, Ben Wilt with North Willamette Valley Habitat for Humanity, presented the attached letter regarding the various causes of a rent-burdened community, barriers to increasing affordable housing, and possible solutions for addressing these housing issues.

Staff Update:

A tentative meeting is scheduled for December 12, 2019.

Adjournment

The meeting was adjourned at 7:57pm.

APPROVED	_____	_____
	Charlie Piper, Chair	Date
ATTEST	_____	_____
	Chris Kerr	Date
	Community Development Director	
	City of Woodburn, Oregon	

Attachment: North Willamette Valley Habitat for Humanity Housing Letter



Agenda Item

January 13, 2020

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

RECOMMENDATION:

Recommend that the OLCC approve the Liquor License Application of La Parranda Night Club and Sports Bar.

BACKGROUND:

Applicant: La Parranda Night Club and Sports Bar, LLC.
990 N. Pacific Hwy Suite B & C
Woodburn, OR 97071
503-998-2694

Point of
Contact: Timoteo Soto
2244 Shelton St. SE
Salem, OR 97301
503-998-2694

Business: La Parranda Night Club and Sports Bar, LLC.
990 N. Pacific Hwy Suite B & C
Woodburn, OR 97071
503-998-2694

Owner(s): Timoteo Soto

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

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

On December 03, 2019, the Woodburn Police Department received an application for Full On-Premises, Commercial sales liquor license for La Parranda Night Club and Sports Bar, LLC. The business will operate as a night club bar and restaurant. The business will have seating for up to 256 persons. La Parranda Night Club and Sports Bar is located at 990 N. Pacific Hwy. Suite B & C in Woodburn, Oregon 97071. The hours of operation are from 8:00 PM to 3:00 AM Thursday through Sunday. Alcohol service will be from 8:00 PM to 2:00 AM and food service will be from 8:00 PM to 3:00 AM.

The establishment will have live music, DJ music, recorded music, karaoke and a dance floor. Entertainment hours will be from 8:00 PM to 2:00 AM Thursday through Sunday. 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, Timoteo Soto. Timoteo Soto has three separate arrest cycles in his criminal history. On May 5, 1997, Timoteo Soto was convicted of a misdemeanor charge of harassment. On August 9, 1998, Timoteo Soto was arrested for a Bench Warrant for Failure to Appear. On August 7, 2001, Timoteo Soto was convicted of a Probation Violation. None of the arrests in Timoteo Soto's criminal history are of a felony level. It has been nearly twenty years since Timoteo Soto's last arrest/conviction.

Timoteo Soto has a valid Oregon operator's license status and no negative driving record entries were noted.(No DMV entries)

FINANCIAL IMPACT:

None



Agenda Item

January 13, 2020

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

RECOMMENDATION:

Recommend that the OLCC approve the Liquor License Application of Antojitos Zaragoza.

BACKGROUND:

Applicant: Flavia Zaragoza
345 Bridlewood Lane
Woodburn, OR 97071
408-966-7763

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

Business: Antojitos Zaragoza
611 N. Pacific Hwy.
Woodburn, OR 97071
503-981-0797

Owner(s): Flavia Zaragoza

Agenda Item Review: City Administrator City Attorney Finance

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 December 23, 2019, the Woodburn Police Department received an application for Limited On-Premises sales liquor license for Antojitos Zaragoza. The business will operate as restaurant and has seating for up to 39 persons. Antojitos Zaragoza is located at 611 N. Pacific Hwy. in Woodburn, Oregon 97071. The hours of operation are from 7:00 AM to 9:00 PM Monday through Thursday and 7:00 AM to 10:00 PM Friday, Saturday and Sunday. The business will operate from 7:00 AM to 10:00 PM Sunday through Saturday during the summer period. 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, Flavia Zaragoza. Flavia Zaragoza has no criminal history and is clear in all database checks. Flavia Zaragoza has a valid State of California operator's license status and no driving record entries were noted.(No DMV entries)

FINANCIAL IMPACT:

None



Agenda Item

January 13, 2020

TO: Honorable Mayor and City Council through City Administrator

FROM: Josh Udermann, Aquatic Program Supervisor

SUBJECT: **Intergovernmental Agreement with Marion County
Woodburn Aquatic Center Memberships**

RECOMMENDATION:

Authorize the City Administrator to sign the attached Intergovernmental Agreement (IGA) with Marion County.

BACKGROUND:

In the summer of 2015, the Marion County Health Department was awarded funding through Kaiser Permanente Foundation’s HEAL Communities Grant Initiative. The City agreed to collaborate with the Health Department to implement many of the program’s community health projects.

Through its involvement with the program, the City agreed to participate in developing community walking groups, nutrition and wellness classes, worksite wellness programs, and to create a “prescription program”, which will allow health care providers to refer patients to the Woodburn Aquatic Center and local parks for exercise. The City also agreed to install outdoor exercise equipment in Legion Park with grant funding.

The Aquatic Center and the Recreation Department received additional funds in the summer of 2019 to continue supporting wellness programs within the City. The recreation department received \$23,900 for the installation of playground surfacing at the new Library Square Playground and the Aquatic Center an additional \$10,000 to continue to offset the cost of prescription exercise family memberships.

Marion County has agreed to continue supporting the prescription exercise program with this latest agreement covering an additional 2-year timeframe and up to \$20,000. Prescriptions for this program are written by local pediatric clinics targeting families and children with obesity concerns. The County will

Agenda Item Review: City Administrator City Attorney Finance

subsidize \$52 per family membership, the family will be responsible for \$30 and the City will subsidize the balance (\$126).

Prescription exercise membership attendance to the Aquatic Center in 2019 included 1,733 family admissions.

DISCUSSION:

The enclosed IGA formalizes the partnership between the City and Marion County. The Aquatic Center will continue to work with local pediatric clinics to administer this program.

The IGA is effective through December 31, 2021.

FINANCIAL IMPACT:

Contributions from Marion County and families that are prescribed memberships would contribute to the Aquatic Center's revenue, which has been included in the adopted FY 19/20 budget.

INTERGOVERNMENTAL AGREEMENT #HE-3200-19
Between
MARION COUNTY and CITY OF WOODBURN

1. PARTIES TO AGREEMENT

This Agreement between *City of Woodburn*, hereafter called Agency, 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 County will provide Agency with funding to promote the following activity relating to public health: (a) providing subsidized memberships to the Woodburn Aquatic Center pursuant to the Prescription for Exercise program. These services are further described in Section 5.

3. TERM AND TERMINATION

3.1 This Agreement shall be effective upon all signatures through December 31, 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 Agency 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 Agency to provide the services required by this agreement is for any reason denied,

revoked or not renewed.

- d. If Agency fails to provide services called for by this agreement within the time specified herein or any extension thereof.
- e. If Agency 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 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 **\$20,000**. Payments under this contract shall be made on a fixed fee for service basis according to the following terms: Agency shall submit invoices quarterly for the Aquatic Center memberships.

4.2 Requests for payment shall be submitted to the County immediately upon execution of this agreement.

5. **OBLIGATIONS UNDER THE TERMS OF THIS AGREEMENT**

5.1 **UNDER THE TERMS OF THIS AGREEMENT, AGENCY SHALL:**

- a. Provide subsidized Aquatic Center memberships to families who qualify under the Prescription for Exercise program. The prescription includes 3-month family memberships to the Woodburn Aquatic Center. The total cost of a 3-month family membership is \$208.00. The County will subsidize \$52.00 per membership, the family will be responsible for \$30.00, and the Woodburn Aquatic Center will subsidize the balance with in-kind donations.
- b. Upon request from County, provide data on the usage of the items described in 5.1 (a) and on the impact of those items within the area served by Agency.

5.2 **UNDER THE TERMS OF THIS AGREEMENT, COUNTY SHALL:**

- (a) Remit to Agency up to a total of **\$20,000** to subsidize City of Woodburn Aquatic Center memberships under Prescription for Exercise Program, as outlined above in 5.1 (a).

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. NOTICES

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

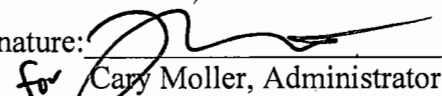
For Agency:
City of Woodburn
270 Montgomery Street
Woodburn, OR 97071
ATTN: Jesse Cuomo


For County:
Health & Human Services Dept
Rebecca Werner
3180 Center St NE Suite 2100
Salem, OR 97301

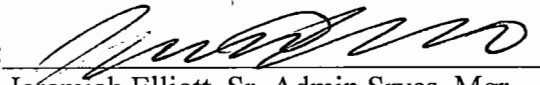
SIGNATURES

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.

Authorized Signature:  11/20/19
for Cary Moller, Administrator Date

Authorized Signature:  11/19/19
Katrina Rothenberger, Division Director Date

Authorized Signature:  11/19/19
Jeremiah Elliott, Sr. Admin Srvcs. Mgr. Date

Authorized Signature: N/A
Chief Administrative Officer Date

Reviewed by Signature: N/A
Marion County Legal Counsel Date

Reviewed by Signature:  11/27/19
Marion County Contracts & Procurement Date

CITY OF WOODBURN SIGNATURE

Authorized Signature: _____ Date: _____

Title: _____

January 13, 2020

TO: Honorable Mayor and City Council
 FROM: Jim Row, Assistant City Administrator
 SUBJECT: **Resolution Updating Parks and Recreation SDC Fees**

RECOMMENDATION:

Adopt the resolution approving a Parks and Recreation SDC schedule, which has been updated to account for increasing construction costs, consistent with Ordinance 2250; and establishing an effective date of February 1, 2020.

BACKGROUND:

System development charge legislation was first adopted by the State of Oregon in 1989. The City of Woodburn has collected and utilized parks and recreation SDCs to meet the needs of the growing Woodburn community since 1992. The parks SDC methodology was most recently updated in 2016 and fees were most recently adjusted in March 2019.

Ordinance 2250 provides for SDC fees to be annually adjusted in an amount equal to the change in construction costs according to the *Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index*. As of December 2019, the annual construction cost index increase was 5.0%.

DISCUSSION:

Effective Feb 1, 2020, all Parks and Recreation SDC fees will increase 5.0%.

The updated schedule is as follows:

	Old Fee	New Fee
Residential (all housing types)	\$3,530/ dwelling unit	\$3,707/ dwelling unit
Non-residential	\$140/ employee	\$147/ employee

FINANCIAL IMPACT:

The increased revenues that are expected to result from the updated SDC fee schedule are unknown at this time.

Agenda Item Review: City Administrator City Attorney Finance

COUNCIL BILL NO. 3117

RESOLUTION NO. 2147

A RESOLUTION SETTING THE AMOUNTS OF THE PARKS AND RECREATION SYSTEMS DEVELOPMENT CHARGES UNDER AN EXISTING METHODOLOGY; ESTABLISHING AN ALTERNATIVE RATE REVIEW FEE; AND SETTING AN EFFECTIVE DATE FOR IMPOSITION OF THE FEES AND CHARGES

WHEREAS, ORS 223.297 – 223.314 authorizes local governments to impose system development charges; and

WHEREAS, the City has adopted Ordinance 2250 establishing Parks and Recreation Systems Development Charges; and

WHEREAS, the City has adopted methodologies pursuant to Ordinance 2250 to justify the Parks and Recreation Systems Development Charges; and

WHEREAS, Ordinance 2250 provides that the amounts of the Parks and Recreation and Parks Systems Development shall be set by resolution; and

WHEREAS, Ordinance 2250 provides that the amounts of the Parks and Recreation and Parks Systems Development charges shall be adjusted annually to account for changes in the cost of constructing facilities; and

WHEREAS, Ordinance 2250 also allows the City to establish an alternative rate review fee by resolution; **NOW THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. Parks and Recreation Systems Development Charge.

The schedule of Parks and Recreation Systems Development Charges attached as Exhibit "A", and, by this reference, incorporated herein is hereby adopted.

Section 2. Alternative Rate Review Fee

The minimum fee for review of an alternative rate review calculation shall be two-hundred-and-fifty dollars (\$250), to be paid at the time the alternative rate calculation is submitted for review. If the City hires a consultant to assist in reviewing the information submitted, the cost of the consultant's review shall be shared equally by the City and the applicant, and the applicant shall pay its

share of the cost of the consultant's review at the time the City decides whether or not to accept the alternative rate.

Section 3. EFFECTIVE DATE

The effective date for imposition of the fees and charges identified in this resolution shall be February 1, 2020.

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

EXHIBIT "A"

PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGES SCHEDULE

Effective: February 1, 2020

<u>DEVELOPMENT TYPE</u>	<u>SDC PER UNIT</u>
Residential (all housing types)	\$ 3,707/dwelling unit
Non-residential	\$ 147/employee

The non-residential fee is assessed based on a structure's gross square footage per employee as determined by the following *Metro Employment Density Study* guidelines:

**SQUARE FEET PER EMPLOYEE
(Recommended Guidelines from Metro Employment Density Study)**

<u>Standard Industry Classification (SIC)</u>	<u>Square Feet Per Employee</u>	<u>Standard Industry Classification (SIC)</u>	<u>Square Feet Per Employee</u>
Manufacturing:		Trucking	1,500
General	700	Communications	250
Food Related	775	Utilities	225
Textile, Apparel	575	Retail:	
Lumber, Wood Products	560	General	700
Paper and Related	1,400	Hardware	1,000
Printing and Publishing	600	Food Stores	675
Chemicals, Petrol,		Restaurant/ Bar	225
Rubber, Plastics	850	Appliance/ Furniture	1,000
Cement, Stone, Glass, Clay	800	Auto Dealerships	650
Furniture and Furnishings	600	Gas Station (gas only)	300
Primary Metals	1,000	Gas Station (Gas and Service)	400
Secondary Metals	800	Regional Shopping Center	600
Non-Electrical Machinery	600	Services:	
Electrical Machinery	375	Hotel/ Motel	1,500
Electrical Design	325	Health Services (hospital)	500
Transportation Equipment	500	Health Services (clinic)	350
Other	400	Educational	1,300
Wholesale Trade:		Cinema	1,100
Durable Goods	1,000	Personal Services (office)	600
Non-Durable Goods	1,150	Finance, Insurance, Real Estate,	
Warehousing:		Business Services (office)	350
Storage	20,000	Government Administration	300
Distribution	2,250		

January 13, 2020

TO: Honorable Mayor and City Council through City Administrator
FROM: Eric Liljequist, Public Works Projects & Engineering Director
SUBJECT: **Resolution Updating Water SDC Fees**

RECOMMENDATION:

Adopt the resolution approving a Water System Development Charge (SDC) schedule, which has been updated to account for increasing construction costs, consistent with Ordinance 2070 and establishing an effective date of February 15, 2020.

BACKGROUND:

SDC legislation was first adopted by the State of Oregon in 1989. The City of Woodburn has collected and utilized water SDCs to meet the needs of the growing Woodburn community since 1992. The water SDC methodology was most recently updated in 2018 and fees were most recently adjusted in September 2018.

Pursuant to Resolution 2121, increased adjustments to Water SDCs should occur on an annual basis and pursuant to the regional Construction Cost Index published by Engineering News-Record. It is important for the City to make annual adjustments to the rate of Water SDCs to account for both inflation and increases in regional construction costs.

DISCUSSION:

As of December 2019, the annual Construction Cost Index increased by 5.0%, which is the amount of the increase being proposed as part of the attached Resolution.

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

The updated schedule is as follows:

Old Fee

Water System Development Charge					
<i>SDC Schedule</i>					
Meter Size	SDCr	SDCi	Compliance	SDC	Meter Equivalent ¹
Base (up to ¾-inch)	\$1,284	\$2,377	\$95	\$3,756	1.00
1-inch	\$2,141	\$3,962	\$158	\$6,260	1.67
1 1/2-inch	\$4,281	\$7,923	\$316	\$12,521	3.33
2-inch	\$6,850	\$12,677	\$506	\$20,033	5.33
3-inch	\$14,984	\$27,732	\$1,108	\$43,823	11.67
4-inch	\$26,971	\$49,917	\$1,994	\$78,882	21.00
6-inch	\$55,654	\$103,003	\$4,114	\$162,771	43.33
8-inch	\$68,498	\$126,773	\$5,063	\$200,334	53.33
10-inch	\$98,466	\$182,236	\$7,278	\$287,980	76.67

New Fee

Water System Development Charge					
<i>SDC Schedule</i>					
Meter Size	SDCr	SDCi	Compliance	SDC	Meter Equivalent ¹
Base (up to ¾-inch)	\$1,348	\$2,496	\$100	\$3,944	1.00
1-inch	\$2,248	\$4,160	\$166	\$6,573	1.67
1 1/2-inch	\$4,495	\$8,319	\$332	\$13,146	3.33
2-inch	\$7,192	\$13,311	\$531	\$21,034	5.33
3-inch	\$15,733	\$29,119	\$1,163	\$46,015	11.67
4-inch	\$28,320	\$52,413	\$2,093	\$82,826	21.00
6-inch	\$58,437	\$108,153	\$4,320	\$170,910	43.33
8-inch	\$71,923	\$133,112	\$5,316	\$210,351	53.33
10-inch	\$103,389	\$191,348	\$7,642	\$302,379	76.67

FINANCIAL IMPACT:

The increased revenues that are expected to result from the updated SDC fee schedule are unknown at this time.

COUNCIL BILL NO. 3118

RESOLUTION NO. 2148

A RESOLUTION ADOPTING A NEW FEE SCHEDULE FOR CITY OF WOODBURN WATER SYSTEM DEVELOPMENT CHARGES; REPEALING RESOLUTION 2121; AND SETTING AN EFFECTIVE DATE

WHEREAS, ORS 223.297-223.314, authorizes local governments to impose System Development Charges (SDCs) for water supply, treatment, and distribution; and

WHEREAS, the City adopted Ordinance 2070, establishing SDCs for water and placing certain restrictions on their use; and

WHEREAS, the City amended Ordinance 2070 so that water SDCs could be based on the Water System Development Charges Methodology Report dated May 7, 2018 by the Galardi Rothstein Group, which is incorporated herein by reference; and

WHEREAS, Ordinance 2070 provides that resolutions setting the amounts of SDCs may contain language applying a specific cost index in compliance with ORS 223.304(8)(b); and

WHEREAS, the City finds that the Construction Cost Index published by the *Engineering News-Record* (*the ENR Index*) is a relevant measurement of the average change in prices or costs over an identified time period for materials, labor, and real property, and is published by a recognized organization that produces the index or data for reasons that are independent of the City's system development methodology; and

WHEREAS, the City desires to apply the *ENR Index* to adjust the amount of Water SDCs; and

WHEREAS, Ordinance 2070 provides that the amount of SDCs shall be set by resolution; **NOW, THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

ATTEST: _____
Heather Pierson, City Recorder



Agenda Item

January 13, 2020

TO: Honorable Mayor and City Council (acting in its capacity as the Local Contract Review Board) through City Administrator

FROM: Eric Liljequist, Public Works Projects & Engineering Director

SUBJECT: **Award a Contract for Engineering Design Services for the W. Hayes Street Improvements Project to Kittelson & Associates, Inc.**

RECOMMENDATION:

Award a Contract for engineering design services for the W. Hayes Street Improvements Project to Kittelson & Associates, Inc. in the amount of \$287,479 and *authorize the City Administrator to sign the Agreement.*

BACKGROUND:

Staff utilized a formal Request for Proposals (RFP) process to solicit engineering and design services for the W. Hayes Street Improvements Project. The RFP was advertised on the City website and in the Daily Journal of Commerce. Staff received a total of two proposals that satisfied the requirements of the RFP. Staff reviewed both proposals in accordance with the RFP guidelines and state requirements (ORS 279C.105). After a thorough evaluation process, the City selected Kittelson & Associates, Inc. as the highest-ranking proposer. City staff proceeded to negotiate a scope of work and fee for services to complete this engineering design work.

Kittelson & Associates, Inc. is a well-qualified firm and familiar with the current City transportation system and engineering design standards. The negotiated contract for preliminary engineering design work for this project is in the amount of \$287,479.

DISCUSSION:

The planned street improvement is for the public right-of-way on W. Hayes Street between Settlemier Avenue and Cascade Drive and will include the evaluation and design of a fully signalized intersection at Settlemier Avenue and W. Hayes Street. Sidewalks and bike lanes are planned along both sides of W. Hayes Street. Facilities will be designed in accordance with ODOT Standard

Agenda Item Review: City Administrator City Attorney Finance

Construction Specifications and Details, City of Woodburn standards and specifications as applicable, AASHTO Policy on Geometric Design, National Electrical Code, National Electrical Safety Code, Portland General Electric Standards and Requirements.

Design services will include surveying, roadway geometry, pavement section, curb and gutter, storm drainage collection and conveyance, striping, and related alterations to existing features like driveways, embankments and so forth. The engineering design services are expected to be completed within six to eight months after contract award, followed by formal construction bidding.

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

FINANCIAL IMPACT:

The Personal Service Contract will be funded from the approved 2019/20 fiscal year budget from the street funds.