

# **COUNCIL MEETING MINUTES**

**July 26, 2021**

**DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JULY 26, 2021**

**CONVENED** The meeting convened at 7:01 p.m. with Mayor Swenson presiding.

## **ROLL CALL**

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present
Councilor Schaub	Present
Councilor Swanson	Present- via video conferencing
Councilor Puente	Present- via video conferencing
Councilor Cabrales	Present- via video conferencing

**Staff Present:** City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Economic Development Director Johnk, Acting Police Chief Pilcher, Community Development Director Kerr, Operations Director Stultz, Finance Director Turley, Human Resources Director Gregg, Community Services Director Cuomo, Public Affairs and Communications Coordinator Moore, City Recorder Pierson

## **APPOINTMENTS**

**Carney/Cornwell...** reappoint Ayanna Zamora and David Piper to the Woodburn Recreation and Parks Board. The motion passed unanimously.

## **PROCLAMATION**

National Night Out - Mayor Swenson proclaimed Tuesday, August 3, 2021 as "2021 National Night Out" in the City of Woodburn.

Mayor Swenson noted that the Fiesta Court was in attendance. Community Relations Manager Guerrero introduced the Fiesta Court and invited the City Council to the Fiesta Court Coronation on August 6 at 5:00 p.m. in the Downtown Plaza.

## **PRESENTATION**

Ann-Marie Banfield with Marion County Mental Health provided information on the Intergovernmental Agreement for mobile crisis services and is excited about the work they are doing and the partnership they have with the police department.

Woodburn Opportunity Center – Terri Gonzalez, Immanuel Lutheran Church Building Team Chair and Bill Weismann provided a presentation on the Woodburn Opportunity Center and shared the results of their feasibility study. Ashley Hamilton, Program Director with Mid-Willamette Valley Community Action, John Zobrist, Chamber of Commerce Executive Director and Meg Guerra with Farmworkers Housing, spoke in support of the Woodburn Opportunity Center.

# **COUNCIL MEETING MINUTES**

**July 26, 2021**

COVID-19 Update – Community Services Director Cuomo, Irene Konev, with Konev Consulting, and Community Relations Manager Guerrero provided an overview of the response to COVID-19 in Woodburn.

Emergency Management 101 – Chief Pilcher provided a presentation on the City of Woodburn Emergency Operations Center, Emergency Management and the lessons learned from the ice storm this year.

## **CONSENT AGENDA**

- A. Woodburn City Council minutes of June 28, 2021,
- B. Silver Falls Library District Network Support Agreement,
- C. Intergovernmental Agreement (#HE-4136-21) Marion County and City of Woodburn,
- D. Intergovernmental Agreement for School Resource Officers.

**Carney/Schaub...** adopt the Consent Agenda. The motion passed unanimously.

## **TABLED BUSINESS**

Local Option Tax Exemption – City Administrator Derickson stated that this item was tabled to return at this meeting and that it requires a motion to be removed from the table and then staff can bring it back at a future meeting. **Carney/Cornwell...** remove from the table. The motion passed unanimously.

## **COUNCIL BILL NO. 3159 - AN ORDINANCE ESTABLISHING AN ENHANCED PENALTY FOR AN INTENTIONAL VIOLATION OF THE TREE PERMIT REQUIREMENTS OF THE WOODBURN DEVELOPMENT ORDINANCE AND THE STREET TREE ORDINANCE AND DECLARING AN EMERGENCY**

**Carney** introduced Council Bill No. 3159. City Recorder Pierson read the bill twice by title only since there were no objections from the Council. City Attorney Shields and Community Development Director Kerr provided a staff report. Councilor Carney stated that he would like to recommend a wording change from removal to destruction. City Attorney Shields stated that they will work on the wording change and bring the ordinance back at the next meeting.

## **COUNCIL BILL NO. 3160 - A RESOLUTION INITIATING LEGISLATIVE AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE RELATED TO TREES**

**Carney** introduced Council Bill No. 3160. City Recorder Pierson read the bill by title only since there were no objections from the Council. Community Development Director Kerr provided a staff report. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3160 duly passed.

## **COUNCIL BILL NO. 3161 - A RESOLUTION INITIATING LEGISLATIVE AMENDMENTS TO THE WOODBURN COMPREHENSIVE PLAN AND WOODBURN DEVELOPMENT ORDINANCE RELATING TO THE MIDDLE HOUSING PROJECT**

**Carney** introduced Council Bill No. 3161. City Recorder Pierson read the bill by title only since there were no objections from the Council. Community Development Director Kerr provided a staff report. On roll call vote for final passage, the bill passed 5-1, with Councilor Cabrales voting no. Mayor Swenson declared Council Bill No. 3161 duly passed.

## **AWARD A CONTRACT FOR PROFESSIONAL ENGINEERING AND BUILDING SERVICES TO PROVIDE PLAN REVIEW FOR PROJECT BASIE (AMAZON)**

# COUNCIL MEETING MINUTES

**July 26, 2021**

Community Development Director Kerr provided a staff report. **Carney/Cornwell**...award a Contract for Professional Engineering and Building Services to provide Plan Review for Project Basie to Clair Company, Inc. and authorize the City Administrator to sign the Agreement. The motion passed unanimously.

## **CITY ADMINISTRATOR'S REPORT**

The City Administrator reported the following:

- The City hosted Greeters for the Chamber of Commerce on Friday and they took a bus tour through the community and toured the residential, commercial and the Amazon property.

## **MAYOR AND COUNCIL REPORTS**

Cornwell stated that she appreciates the hard work that was done on the tree ordinance.

Mayor Swenson stated that there is a lot of cool stuff happening, Relay for Life is July 31, and the farmers market has been taking place. He added that many other events are happening and they can be found by looking in the E-blast or through the Chamber.

## **EXECUTIVE SESSION**

Mayor Swenson entertained a motion to adjourn into executive session under the authority of ORS 192.660 (2)(h) and ORS 192.660 (2)(f). **Carney/Schaub**... move into executive session. The motion passed unanimously. The Council adjourned to executive session at 9:55 p.m. and reconvened at 10:20 p.m. and Mayor Swenson stated that no action was taken by the Council while in executive session.

## **ADJOURNMENT**

**Carney/Schaub** ... meeting be adjourned. The motion passed unanimously.

The meeting adjourned at 10:21 p.m.

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

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

**EXECUTIVE SESSION  
COUNCIL MEETING MINUTES  
JULY 26, 2021**

**DATE** COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JULY 26, 2021

**CONVENED** The meeting convened at 10:03 p.m. with Mayor Swenson presiding.

**ROLL CALL**

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present
Councilor Schaub	Present
Councilor Swanson	Present- via video conferencing
Councilor Puente	Present- via video conferencing
Councilor Cabrales	Present- via video conferencing

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

**Media Present:** None.

**Staff Present:** City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Operations Director Stultz, City Recorder Pierson

The executive session was called:

To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h).

To consider records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f).

**ADJOURNMENT**

The executive session adjourned at 10:20 p.m.

APPROVED \_\_\_\_\_  
Eric Swenson, Mayor

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

**CITY OF WOODBURN**  
**Community Development Department**

**MEMORANDUM**

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

**Date:** August 2, 2021

**To:** Chris Kerr, Community Development Director

**From:** Melissa Gitt, Building Official

**Subject:** Building Activity for July 2021

	2019		2020		2021	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	6	\$1,396,079	6	\$1,165,167	29	\$9,592,407
Multi-Family Residential	0	\$0	0	\$0	1	\$2,841,215
Assisted Living Facilities	0	\$0	0	\$0	0	0
Residential Adds & Alts	4	\$99,548	8	\$81,552	7	\$51,850
Industrial	0	\$0	1	\$1,372,000	0	\$0
Commercial	7	\$656,282	4	\$1,165,458	3	\$1,535,449
Signs and Fences	0	\$0	0	\$0	0	\$0
Manufactured Homes	0	\$0	0	\$0	0	\$0
<b>TOTALS</b>	17	\$2,151,909	19	\$3,784,177	40	\$14,020,921
<b>Fiscal Year to Date (July 1 – June 30)</b>		<b>\$2,151,909</b>		<b>\$3,784,177</b>		<b>\$14,020,921</b>



# Agenda Item

August 9, 2021

TO: Honorable Mayor and City Council through City Administrator  
THRU: Marty Pilcher, Chief of Police  
FROM: Jason Millican, Lieutenant  
SUBJECT: **Liquor License Application**

## **RECOMMENDATION:**

Recommend that the OLCC does NOT approve the **Liquor License Application** for El Perico based upon the attached Findings.

## **BACKGROUND:**

Applicant: Micheladas Y Antojitos El Perico, LLC  
686 Lancaster Dr. NE,  
Salem, Oregon 97301

Point of  
Contact: Gloria Loera Arechiga  
1710 Wilshire Place  
Stayton, Oregon 97383  
503-607-3116

Business: El Perico, LLC  
347 N. Front St  
Woodburn, OR 97071  
503-607-3116

Owner(s): Gloria Loera Arechiga

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

License Type(s):

**Full On-Premises, Other Public Location** - May sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. May sell malt beverages, wine, and cider to individuals in a securely covered container (growler) for consumption off the licensed premises.

On June 21, 2021, the Woodburn Police Department received an application for Full On-Premises, Other Public Location, for El Perico. The business will operate as a bar and event space. The business will be located at 347 N. Front St., Woodburn, Oregon 97071. The hours of operation are from 7 AM to 2 AM Friday-Sunday. There will be a DJ and/or live music from 5PM to 2AM Friday-Sunday.

The business will have live music, DJ, dancing and Karaoke for entertainment. The business will have no outside seating.

#### **DISCUSSION:**

On July 12, 2021, Chief Pilcher and I attended a downtown business meeting to discuss events and concerns in the downtown area. During this meeting, we received information regarding a new place that opened up and had live entertainment. We were able to determine they were talking about the upstairs area of 347 N. Front St (Metropolis). I was immediately concerned because I was in the process of reviewing their (El Perico Night Club) OLCC application. One of the business owners told me there were juveniles in the downtown area the weekend before that appeared intoxicated. The business owner then showed be a picture on their phone that appeared to a grand opening advertisement for the El Perico Night Club on August 6, 2021. They are planning to have four different live entertainers and the night club is open for people who are 16 years and older.

Chief Pilcher and I walked down to the location and I noticed the upstairs area had been set up as the diagram originally proposed in the OLCC application. There were also bottles of mixers and distilled spirits near the bar area.

Soon after, I reached out to OLCC and contacted Stephanie Boyd who is an OLCC Liquor Inspector. Stephanie told me the business owner had received a onetime special event permit for July 2. Also later that week I received a short video from Chief Pilcher. It was from a third party and it captured a large group of people dancing to live music. I forwarded the video to Stephanie and she advised she would forward it to the OLCC investigator who was reviewing the application because "This particular video does not reflect a minor friendly environment."

On July 14, 2021, I advised Detective Aaron Devoe to contact Jorge Barajas Loera, a representative of the applicant El Perico, in regards to the concerns surrounding the video, flyer, and our concerns about the event that occurred on July 2. Jorge initially told Detective Devoe it was a private event on July 2. After admitting that anyone could come and buy a ticket to enter, Jorge then said it was a public event.

Jorge advised they used bracelets to differentiate between minors and adults for alcohol sales. Jorge advised to his knowledge, no minors were drinking in the premises.

Jorge told him when they open, they plan to have public events on Fridays as well as private events at different times. Jorge advised for future events they plan to use "bank lobby style poles and ropes" to provide a barrier and possibly look into moveable metal railings. Detective Devoe suggested to Jorge that he submit a new floor plan outlining how they intend to keep minors separate in the establishment.

I contacted Stephanie Boyd again to advise her of the information we had received from Jorge. Stephanie contacted me a few days later advising Jorge had submitted an updated floor plan. Stephanie also told me they were requiring a Minor Control Plan for the premises. On July 21, Stephanie sent me an updated plan for El Perico Night Club.

The Police Department has completed a background investigation on the subject listed on the OLCC application, Gloria Loera Arechiga. Gloria has a valid Oregon driver's license. In 2002, Gloria was arrested for illegal entry into the U.S. and removed. Gloria was clear in all other police database checks.

Jorge Barajas Loera was listed as a contact for the application and does have a conviction for DUI and an arrest for possession of methamphetamine in 2008.

Given all the information we have received, the Woodburn Police Department is recommending that the City Council deny the OLCC Liquor License Application for El Perico Night Club for the following reasons:

- As advertised, this a night club not just an event space
- This night club environment, where alcohol will be served, is not a minor friendly environment



**FINANCIAL IMPACT:**

None

Attachment  
Findings of Fact

**Findings Supporting the City of Woodburn’s Local Government Recommendation that OLCC Deny the Liquor License Application for El Perico for a Licensed Premises at 347 N. Front Street, Woodburn, Oregon**

**FINDINGS OF FACT**

**Nature of the Application**

- A. On June 21, 2021, the City of Woodburn (“the City”), through the Woodburn Police Department, received a liquor license application (“the Application”) from Micheladas y Antojitos El Perico, LLC (“the Applicant”). The Application was filed on June 21, 2021 with the Oregon Liquor Control Commission (“OLCC”).
- B. The Applicant is now seeking a “local government recommendation” from the City, as is required by law.
- C. The Application is for “Full On-Premises, Other Public Location.” This would allow the applicant to sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Also, the applicant could sell malt beverages, wine, and cider to individuals in a securely covered container (“growlers”) for consumption off the licensed premises.
- D. The licensed premises would be located at 347 N. Front Street, in the center of downtown Woodburn.
- E. The licensed premises would be within approximately 20 feet of the Woodburn Downtown Plaza Park.
- F. The hours of operation would be from 7 AM to 2 AM Friday – Sunday.
- G. There would be live music from 5 PM to 2 AM Friday– Sunday.
- H. Entertainment would consist of live music, DJ, dancing, and karaoke.
- I. The business would have no outside seating.

**Applicant’s July 2, 2021 “Special Event”**

- A. The Applicant earlier filed an application with OLCC for Temporary Use of an Annual License seeking approval for a “special event” to occur on July 2, 2021. at 347 North Front Street, Woodburn, the same location where the Applicant is currently seeking a new OLCC Annual License.
- B. As required by law, the Applicant sought a local recommendation to OLCC by the Woodburn Police Department for the “special event.”

- C. Woodburn Police Chief Pilcher then recommended that OLCC grant approval for the July 2, 2021, “special event.”
- D. Chief Pilcher’s approval recommendation to OLCC was consistent with a series of other previous special events (i.e., birthday parties, awards ceremonies, and private parties) that occurred at this location.
- E. Contrary to what the Applicant represented to OLCC, the July 2, 2021 occurrence was not a “special event” but was actually “soft opening” of what the Applicant characterizes as a “Night Club” (See Exhibit 1)
- F. After initially maintaining that the “special event” was private, the Applicant then admitted to the City that paid tickets to the event were available to anyone and the July 2, 2021 occurrence was a public event.
- G. A downstairs business owner at 347 North Front Street filmed a short video of what actually occurred at the July 2, 2021 “special event.” This video is attached and incorporated into these Findings. The video depicts a Night Club atmosphere that is not minor friendly, with trays of drinks being served and minors and adults mingling together.

[https://youtu.be/n6xmK7Qc\\_d0](https://youtu.be/n6xmK7Qc_d0)

#### Applicant’s Promotion of a “16+ Night Club” in Downtown Woodburn

- A. According to the Applicant, a “Grand Opening” of “El Pericos Nightclub” will occur on August 6, 2021. The Applicant’s Promotional Flyer clearly states that the proposed licensed premises is a “16+ Night Club.” (See Exhibit 1)
- B. Promotional material by the Applicant on its website and on social media advertises a Night Club atmosphere that is not minor friendly but is in enticing to minors. (See Exhibit 2)

<https://www.facebook.com/george.barajasloera/videos/4296362377124849>

#### Proposed Licensed Premises is Located in Downtown Woodburn

- A. The site of the proposed licensed premises is located at 347 North Front Street in downtown Woodburn.
- B. Downtown Woodburn is an area of the City that has a history of persistent problems with unlawful activities involving drugs and alcohol. .
- C. OLCC’s records show that there are already 12 licensed premises in the Woodburn downtown. (See Exhibit 3)

- D. The Applicant has not shown that creating an additional licensed premises in downtown Woodburn will not contribute to downtown Woodburn's current problems.

Proposed Licensed Premises is Located Approximately 20 Feet from a City Park

- A. The site of the proposed licensed premises is located at 347 North Front Street and this is approximately 20 feet from the Woodburn Downtown Plaza Park. (See Exhibit 4)
- B. Looking at a photograph of the proximity of the entrance of 347 North Front Street to the benches in the Woodburn Downtown Plaza Park makes it clear that if OLCC approves this licensed premises it will have an adverse impact by "spilling over" and changing the general character of the park area. (See Exhibit 4)

**APPLICABLE LAW**

**A. 845-005-0308**

**Valid Bases for Adverse Local Government Recommendations**

(3) For the unfavorable recommendation of a local governing body to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0325 or 845-005-0326, or the license restriction bases of 845-005-0355, and must be supported by reliable factual information.

**B. ORS 471.313**

**Grounds for refusing to issue license or for issuing restricted license**

The Oregon Liquor Control Commission may refuse to issue a license, or may issue a restricted license, to any applicant under the provisions of this chapter if the commission has reasonable ground to believe any of the following to be true:

(1) That there are sufficient licensed premises in the locality set out in the application, or that the granting of a license in the locality set out in the application is not demanded by public interest or convenience.

\* \* \*

(4) That the applicant:

(b) Has made false statements to the commission.

(5) That there is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises proposed to be licensed or involving patrons of the establishment in the immediate vicinity of the premises if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior which is grounds for refusal of a license under this section, where so related to the sale or service of alcohol, includes, but is not

limited to obtrusive or excessive noise, music or sound vibrations; public drunkenness; fights; altercations; harassment; unlawful drug sales; alcohol or related litter; trespassing on private property; and public urination.

**C. 845-005-0325**

**License Refusal Reasons: Applicant Qualifications**

(6) The applicant provides material false or misleading information to the Commission.

**D. 845-005-0326**

**License Not Demanded by Public Interest or Convenience**

(2) Proximity to Facilities:

(a) The licensed premises:

A. Will be located within 500 feet in urban or suburban areas or within 1,500 feet in a rural area of the boundary (measured property line to property line) of a licensed child care facility or elementary or secondary school; a church; a hospital, nursing care facility or convalescent care facility; a park or children-oriented recreational facility; or alcohol and other drug treatment or rehabilitation facility; and

B. Will adversely impact the facility.

(3) Problem Areas:

A. The licensed premises will be located in an area that has a history of serious or persistent problems with unlawful activities, noise or disturbances. These problems need not be alcohol-related.

**CONCLUSIONS**

After allowing the Applicant to be heard before the City Council on August 9, 2021 and then applying the Applicable Law to the Findings of Fact, the City Council makes the following conclusions:

**Nature of the Local Government Recommendation**

- A. The City Council's unfavorable local government recommendation is based on the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0325 or 845-005-0326, and the license restriction bases of 845-005-0355, and is supported by reliable factual information.
- B. Accordingly, the City Council's local government recommendation to deny the liquor license of El Perico, that is pending before OLCC is valid and OLCC should deny the El Perico liquor license.

#### July 2, 2021 “Special Event”

- A. The Applicant was not transparent with either the City or OLCC about the “special event” it held at 347 North Front Street, Woodburn on July 2, 2021.
- B. In seeking approval, the Applicant led the City and OLCC to believe that the proposed “special event” on July 2, 2021 would be consistent with the series of previous special events (i.e., birthday parties, awards ceremonies, and private parties) held at 347 North First Street, Woodburn.
- C. In fact the July 2, 2021 “special event” served as a “soft opening” for the Night Club, encouraging the participation of minors, which is the subject of the Applicant’s pending liquor license application.
- D. The video taken of the July 2, 2021 “special event” shows a Night Club atmosphere that is not minor friendly, with trays of drinks being served and minors and adults mingling together.

[https://youtu.be/n6xmK7Qc\\_d0](https://youtu.be/n6xmK7Qc_d0)

- E. After the July 2, 2021 “special event” and during the entire period preceding action of its pending liquor license application by OLCC, the Applicant has aggressively advertised and promoted its new proposed “16+ Night Club”, which will have full-on premises liquor service. (See Exhibit 1)
- F. Accordingly, it is the Applicants own promotional material related to the “16 Night Club” that is the most compelling reason for OLCC to find that the Applicant’s liquor license is not in the public’s interest and the Application should be denied.

#### This Additional Licensed Premises in Downtown Woodburn will Contribute to Downtown’s Current Problems

- A. The proposed licensed premises, located at 347 North Front Street is in the heart of downtown Woodburn.
- B. Despite extensive efforts by the City to improve and enhance the quality of life downtown for all Woodburn residents, the downtown area has a history of persistent problems with unlawful activities involving drugs and alcohol. This is well documented by Woodburn Police Department records. (See Exhibit 5)
- C. Under OAR 845-005-0326(3), the burden is on the Applicant to show that alcoholic beverage sale or service will not contribute to these downtown problems and the Applicant has not done this. To the contrary, the Applicant’s insistence on a “16+ Night Club” shows

an insensitivity to this issue and demonstrates that, if the proposed licensed premises is approved, downtown problems will likely increase.

The Proposed Licensed Premises is Approximately 20 feet from a City Park

- A. The proposed licensed premises, located at 347 North Front Street is approximately 20 feet from the Woodburn Downtown Plaza Park.
- B. The Downtown Plaza Park is an integral part of the City's efforts to improve and enhance the quality of life downtown for all Woodburn residents. The Gazebo was added to the Plaza through the volunteer efforts of community organizations to assist the City. Benches were added to the Plaza so there would be a family friendly atmosphere.
- C. Under OAR 845-005-0326(2) the burden is on the Applicant to show that alcoholic beverage sale or service is consistent with the general character of the area and that the Applicant's activities will not unreasonably impact the Park and the Applicant has not done this. To the contrary, the Applicant's insistence on a "16+ Night Club" shows an insensitivity to this issue and demonstrates that, if the proposed licensed premises is approved, problems caused by the licensed premises will likely "spillover" into the Woodburn Downtown Plaza Park and adversely impact it.

There are Sufficient Licensed Premises in the Woodburn Downtown

- A. OLCC has statutory authority to refuse a liquor license where it determines that there are already sufficient licensed premises in the locality set out in the application.
- B. Based on OLCC's records, there are currently 12 licensed premises in the Woodburn downtown. (See Exhibit 3)
- C. Accordingly, since there are already sufficient licensed premises in the Woodburn downtown, the Application should be denied.



Violates ORS  
419C.680 (Curfew)  
for Unaccompanied  
Minors

Nightclub atmosphere  
Promoting alcohol use  
Not minor friendly

“Nightclub”  
For 16+

“Home of the Bands for  
all ages”

Exhibit 1



## Original Facebook Post in Spanish

Posted: Wednesday, August 4, 2021 at 9:26 PM

 George Amador Barajas Loera  
12h · 🌐

Este viernes la casa de las bandas para los menores de edad 16+ las esperamos 8pm a 3am 🍹🔥



2 3 Shares

Like Comment Share

## Posting Translation on Facebook

 George Amador Barajas Loera  
12h · 🌐

This Friday the house of the bands for minors 16+ we wait for you 8pm to 3am 🍹🔥



2 3 Shares

Like Comment Share

Exhibit 2



## District 2 Renewals

## WOODBURN

Page 1

License No./ Premises No.		Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic.	307396	<b>7 SEAS RESTAURANT &amp; BAR</b>	595 N PACIFIC HWY STE B	PO BOX 264
Prem.	23121	SOTERO ENCISO CHAVEZ F-COM - FULL ON-PREMISES SALES	WOODBURN, OR 97071 503-868-1167	WOODBURN, OR 97071
Lic.	308558	<b>7-ELEVEN STORE #2362-17416C</b>	893 N PACIFIC HWY	PO BOX 219088
Prem.	3101	BZO WOODBURN LLC O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-981-4774	DALLAS, TX 75221
Lic.	308942	<b>A &amp; J MARKET</b>	134 HARRISON ST	
Prem.	40170	THAPAS CORPORATION O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-981-9093	
Lic.	315105	<b>ABBY'S LEGENDARY PIZZA</b>	1215 N PACIFIC HWY	2722 NE STEPHENS ST
Prem.	3092	ABBY'S INC AN ARIZONA CORPORATIC L - LIMITED ON-PREMISES SALES	WOODBURN, OR 97071 503-981-5494	ROSEBURG, OR 97470
Lic.	305993	<b>ANTOJITOS ZARAGOZA</b>	611 N PACIFIC HWY	
Prem.	61005	FLAVIA ZARAGOZA L - LIMITED ON-PREMISES SALES	WOODBURN, OR 97071 503-981-0797	
Lic.	306893	<b>BI-MART #643</b>	1600 MT HOOD AVE	PO BOX 2310
Prem.	19239	BI-MART CORP O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-981-2106	EUGENE, OR 97402
Lic.	308417	<b>C &amp; M MARKET</b>	936 N PACIFIC HWY	
Prem.	44992	PR BROTHERS CORP O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-982-6000	
Lic.	307207	<b>CARNICERIA EL RANCHITO</b>	977 N PACIFIC HWY	
Prem.	49761	CARNICERIA EL RANCHITO LLC O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-981-3060	
Lic.	307402	<b>CASA MARQUEZ MEXICAN GRILL</b>	553 FRONT ST	
Prem.	40496	ENRIMAR GROUP LLC F-COM - FULL ON-PREMISES SALES	WOODBURN, OR 97071 503-981-3962	
Lic.	307160	<b>CHIPOTLE MEXICAN GRILL</b>	3001 NEWBERG HWY	PO BOX 182566
Prem.	56885	CHIPOTLE MEXICAN GRILL INC F-COM - FULL ON-PREMISES SALES	WOODBURN, OR 97071	COLUMBUS, OH 43218
Lic.	308142	<b>CROSSROADS GROCERY &amp; DELI</b>	303 N PACIFIC HWY	495 IRONWOOD TERR
Prem.	12113	SOON I. LEE O - OFF-PREMISES SALES	WOODBURN, OR 97071	WOODBURN, OR 97071
Lic.	309366	<b>DEDE'S DELI</b>	1537 MT HOOD AVE #101	92 CENTENNIAL LOOP
Prem.	43582	CJ EATERIES LLC L - LIMITED ON-PREMISES SALES	WOODBURN, OR 97071 541-520-8383	EUGENE, OR 97401
Lic.	311023	<b>DEL SOL MARKET</b>	397 N FRONT ST	
Prem.	48356	SNY LLC O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-981-1441	
Lic.	310922	<b>DENNY'S WOODBURN</b>	2919 NEWBERG HWY	
Prem.	24782	WOODBURN-DENN LLC F-COM - FULL ON-PREMISES SALES	WOODBURN, OR 97071 503-901-9738	
Lic.	316417	<b>DENNY'S WOODBURN</b>	2919 NEWBERG HWY	
Prem.	24782	WOODBURN-DENN LLC O - OFF-PREMISES SALES	WOODBURN, OR 97071 503-901-9738	

Exhibit 3

<u>License No./ Premises No.</u>	<u>Tradename/Licensee/License Type</u>	<u>Premises Address &amp; Phone</u>	<u>Premises Mailing Address</u>
Lic. 307389 Prem. 2233	<b>EAGLES LODGE #3284 WOODBURN</b> EAGLES LODGE #3284 WOODBURN F-CLU - FULL ON-PREMISES SALES	371 S PACIFIC HWY WOODBURN, OR 97071 503-981-3011	PO BOX 782 WOODBURN, OR 97071
Lic. 309161 Prem. 42438	<b>EL TULE TAQUERIA</b> VICENTA ZARAGOZA CABRERA L - LIMITED ON-PREMISES SALES	450 N FIRST ST WOODBURN, OR 97071 503-981-9000	
Lic. 307348 Prem. 35961	<b>ELMER'S BREAKFAST LUNCH DINNER</b> ELMER'S RESTAURANTS INC F-COM - FULL ON-PREMISES SALES	255 N ARNEY RD WOODBURN, OR 97071 503-363-3950	8338 NE ALDERWOOD RD #17 PORTLAND, OR 97202
Lic. 306819 Prem. 27173	<b>EZ STOP GROCERY &amp; DELI</b> BAAJ CORPORATION O - OFF-PREMISES SALES	111 N FRONT ST WOODBURN, OR 97071 503-981-9039	
Lic. 307589 Prem. 57808	<b>GINA'S RESTAURANT</b> CHUN LIU HUANG L - LIMITED ON-PREMISES SALES	1186 N PACIFIC HWY WOODBURN, OR 97071 503-981-3868	
Lic. 307530 Prem. 54932	<b>GUACAMOLE'S MARKET</b> GUACAMOLE'S MARKET INC O - OFF-PREMISES SALES	1335 N PACIFIC HWY WOODBURN, OR 97071 503-981-3131	
Lic. 307636 Prem. 40292	<b>LA AZTECA</b> LA AZTECA INC O - OFF-PREMISES SALES	153 GRANT ST WOODBURN, OR 97071 971-207-5810	
Lic. 306429 Prem. 51477	<b>LA PARRANDA NIGHTCLUB</b> LA PARRANDA NIGHTCLUB & SPORTS F-COM - FULL ON-PREMISES SALES	990 N PACIFIC HWY STE B & C WOODBURN, OR 97071 503-984-8596	2244 SHELTON ST SE SALEM, OR 97301
Lic. 307350 Prem. 57547	<b>LA TOVARA</b> EL TORITO MEAT MARKET WOODBURN O - OFF-PREMISES SALES	1032 N PACIFIC HWY WOODBURN, OR 97071 503-981-7361	2158 LANCASTER DR NE SALEM, OR 97305
Lic. 307356 Prem. 57548	<b>LA TOVARA</b> EL TORITO MEAT MARKET WOODBURN F-COM - FULL ON-PREMISES SALES	1032 N PACIFIC HWY WOODBURN, OR 97071 503-981-7361	2158 LANCASTER DR NE SALEM, OR 97305
Lic. 309319 Prem. 35320	<b>LOS CABOS MEXICAN RESTAURANT</b> LOS CABOS RESTAURANT INC F-COM - FULL ON-PREMISES SALES	1565 N PACIFIC HWY WOODBURN, OR 97071 503-982-9600	
Lic. 308872 Prem. 54010	<b>LOS CUATRO HERMANOS MEXICAN R</b> TRAPALA BREWPUB & ROTISSERIA LL F-COM - FULL ON-PREMISES SALES	152 GARFIELD ST WOODBURN, OR 97071 503-982-4614	430 N 1ST ST WOODBURN, OR 97071
Lic. 307761 Prem. 51541	<b>MARISCOS EL SARANDEADO</b> MARISCOS EL SARANDEADO MEXICAN O - OFF-PREMISES SALES	320 N PACIFIC HWY #110 WOODBURN, OR 97071 503-982-1717	
Lic. 307768 Prem. 51541	<b>MARISCOS EL SARANDEADO</b> MARISCOS EL SARANDEADO MEXICAN F-COM - FULL ON-PREMISES SALES	320 N PACIFIC HWY #110 WOODBURN, OR 97071 503-982-1717	
Lic. 316051 Prem. 59232	<b>METROPOLIS GROWLERS</b> METROPOLIS LLC L - LIMITED ON-PREMISES SALES	347 N FRONT ST #7 WOODBURN, OR 97071 503-989-2318	



## District 2 Renewals

## WOODBURN

Page 3

Lic. Prem.	License No./ Premises No.	Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic. 320300 Prem. 59232	<b>METROPOLIS GROWLERS</b> METROPOLIS LLC O - OFF-PREMISES SALES	347 N FRONT ST #7 WOODBURN, OR 97071 503-989-2318		
Lic. 308172 Prem. 40230	<b>NEW AM PM OF WOODBURN</b> LB GROUP LLC O - OFF-PREMISES SALES	850 LAWSON AVE WOODBURN, OR 97071 503-982-2131		
Lic. 318924 Prem. 22946	<b>OGA GOLF COURSE INC</b> OGA GOLF COURSE INC F-COM - FULL ON-PREMISES SALES	2850 HAZELNUT DR WOODBURN, OR 97071 503-981-4653		
Lic. 309218 Prem. 57730	<b>PEPPER'S DELI &amp; PUB</b> WEST COAST CAR SALES LLC L - LIMITED ON-PREMISES SALES	1088 N PACIFIC HWY WOODBURN, OR 97071 503-304-8255	1850 HOFFMAN RD NE SALEM, OR 97305	
Lic. 308414 Prem. 18679	<b>PIZZA HUT</b> PIZZA HUT OF SE KANSAS INC L - LIMITED ON-PREMISES SALES	1425 MOUNT HOOD WOODBURN, OR 97071 503-982-3333	208 S MAIZE RD WICHITA, KS 67209	
Lic. 308470 Prem. 54703	<b>RED ROBIN GOURMET BURGERS AND</b> RED ROBIN INTERNATIONAL INC F-COM - FULL ON-PREMISES SALES	3060 SPRAGUE LANE WOODBURN, OR 97071 503-980-1598	6312 S FIDDLER'S GREEN CIF GREENWOOD VILLAGE, CO 8	
Lic. 315895 Prem. 54703	<b>RED ROBIN GOURMET BURGERS AND</b> RED ROBIN INTERNATIONAL INC O - OFF-PREMISES SALES	3060 SPRAGUE LANE WOODBURN, OR 97071 503-980-1598	6312 S FIDDLER'S GREEN CIF GREENWOOD VILLAGE, CO 8	
Lic. 308494 Prem. 2288	<b>RUMOR'S BAR &amp; GRILL</b> RUMORS BAR INC F-COM - FULL ON-PREMISES SALES	327 N PACIFIC HWY WOODBURN, OR 97071 503-932-3942	1250 NEWBERG HWY WOODBURN, OR 97071	
Lic. 308789 Prem. 36483	<b>SAFEWAY STORE #1976</b> SAFEWAY INC O - OFF-PREMISES SALES	1550 N PACIFIC HWY WOODBURN, OR 97071 503-982-2756	PO BOX 29096 PHOENIX, AZ 85038	
Lic. 309409 Prem. 36779	<b>SHARI'S OF WOODBURN</b> SHARI'S MANAGEMENT CORP L - LIMITED ON-PREMISES SALES	1543 MT HOOD AVE WOODBURN, OR 97071 503-605-4299	9400 SW GEMINI DR BEAVERTON, OR 97008	
Lic. 307934 Prem. 3091	<b>SUNRISE FOOD MART &amp; DELI</b> G S MALWA INC O - OFF-PREMISES SALES	695 N SETTLEMIER AVE WOODBURN, OR 97071 503-981-6378		
Lic. 307704 Prem. 59824	<b>SUSHI BROTHERS</b> MJ BROTHER INC L - LIMITED ON-PREMISES SALES	111 N ARNEY RD STE B WOODBURN, OR 97071 503-981-3838	2830 SE 136TH PL PORTLAND, OR 97236	
Lic. 309038 Prem. 2290	<b>THE END ZONE SPORTS BAR AND GRI</b> TAYZAC LLC F-COM - FULL ON-PREMISES SALES	980 N PACIFIC HWY WOODBURN, OR 97071 503-981-3663	439 NE 19TH AVE CANBY, OR 97013	
Lic. 308453 Prem. 8541	<b>THE RAVEN BAR &amp; GRILL</b> THE RAVEN INN INC F-COM - FULL ON-PREMISES SALES	262 N PACIFIC HWY WOODBURN, OR 97071 503-982-2951	7976 CLEARLAKE CT N KEIZER, OR 97303	
Lic. 308971 Prem. 59988	<b>TIENDA MEXICANA MONTE ALBAN</b> TIENDA MEXICANA MONTE ALBAN LLC O - OFF-PREMISES SALES	425 N 1ST ST WOODBURN, OR 97071 503-970-0714		

Exhibit 3

Lic. Prem.	License No./ Premises No.	Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic. 308972 Prem. 54609		<b>TIENDA MEXICANA MONTE ALBAN</b> TIENDA MEXICANA MONTE ALBAN LLC O - OFF-PREMISES SALES	311 N FRONT ST SUITE B WOODBURN, OR 97071 503-972-0714	
Lic. 308870 Prem. 51907		<b>TRAPALA RESTAURANT</b> TRAPALA RESTAURANT LLC F-COM - FULL ON-PREMISES SALES	430 N 1ST ST WOODBURN, OR 97071 503-981-3000	
Lic. 310027 Prem. 50471		<b>VALLEY PACIFIC FLORAL / WOODBUR</b> VALLEY PACIFIC FLORAL & INTERIORS O - OFF-PREMISES SALES	1537 MT HOOD AVE #103 WOODBURN, OR 97071 503-981-1702	
Lic. 309186 Prem. 48086		<b>WALGREENS #12095</b> WALGREEN CO O - OFF-PREMISES SALES	1000 N EVERGREEN RD WOODBURN, OR 97071 503-982-8198	PO BOX 901 DEERFIELD, IL 60015
Lic. 306943 Prem. 37011		<b>WALMART #1793</b> WALMART INC O - OFF-PREMISES SALES	3002 STACY ALLISON WAY WOODBURN, OR 97071 503-981-9622	702 SW 8TH ST MS 0500 BENTONVILLE, AR 72716
Lic. 307995 Prem. 60205		<b>WHEELER DEALER</b> J & B LIQUIDATORS INC O - OFF-PREMISES SALES	1750 MT JEFFERSON AVE WOODBURN, OR 97071 503-982-5553	862 CUMMINGS LN N KEIZER, OR 97303
Lic. 310304 Prem. 11528		<b>WOODBURN BOWL</b> WOODBURN BOWL LLC F-COM - FULL ON-PREMISES SALES	435 N PACIFIC HWY WOODBURN, OR 97071 503-981-1500	
Lic. 307125 Prem. 50223		<b>WOODBURN ESTATES &amp; GOLF / COUN</b> COUNTRY COTTAGE RESTAURANT LL L - LIMITED ON-PREMISES SALES	1776 COUNTRY CLUB RD WOODBURN, OR 97071 503-982-1776	
Lic. 309104 Prem. 18759		<b>WOODBURN FAST SERV</b> WOODBURN FAST SERV INC O - OFF-PREMISES SALES	993 LAWSON AVE WOODBURN, OR 97071 503-981-0991	111 SE 3RD AVE STE F HILLSBORO, OR 97123
Lic. 308232 Prem. 57732		<b>WOODBURN LIQUOR STORE</b> OLC SPIRITS & MORE INC O - OFF-PREMISES SALES	1515 N PACIFIC HWY WOODBURN, OR 97071 503-981-1227	
Lic. 309129 Prem. 47904		<b>WOODBURN MARKET</b> WOODBURN MARKET INC O - OFF-PREMISES SALES	398 N PACIFIC HWY WOODBURN, OR 97071 503-982-4552	
Lic. 306848 Prem. 21011		<b>WOODBURN MEGA FOODS</b> B & E4 LLC O - OFF-PREMISES SALES	1542 MT HOOD AVE WOODBURN, OR 97071 503-981-3735	3695 DEVONSHIRE AVE NE SALEM, OR 97305
Lic. 318335 Prem. 21011		<b>WOODBURN MEGA FOODS</b> B & E4 LLC L - LIMITED ON-PREMISES SALES	1542 MT HOOD AVE WOODBURN, OR 97071 503-981-3735	3695 DEVONSHIRE AVE NE SALEM, OR 97305
Lic. 308277 Prem. 16952		<b>WOODBURN STOP N GO</b> O'DONNELL ENTERPRISES INC O - OFF-PREMISES SALES	100 ARNEY RD WOODBURN, OR 97071 503-981-5833	

Count for WOODBURN

59





August 3, 2021

N. Robert Shields, City Attorney  
City of Woodburn  
270 Montgomery St  
Woodburn, OR 97071

Re: Woodburn Downtown Plaza Park

Dear Mr. Shields:

In response to your inquiry, I can confirm that the Woodburn Downtown Plaza Park is located approximately 20 feet from the Metropolis Building, located at 347 N Front St, Woodburn, OR 97071.

Please let me know if you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Row".

Jim Row  
Assistant City Administrator



August 3, 2021

To: Whom It May Concern

**RE: 347 N Front Street (Metropolis)**

347 N Front Street (Metropolis Marketplace & Venue) is located within 500 feet from the Plaza Park, see Marion County O51W18AB map below:

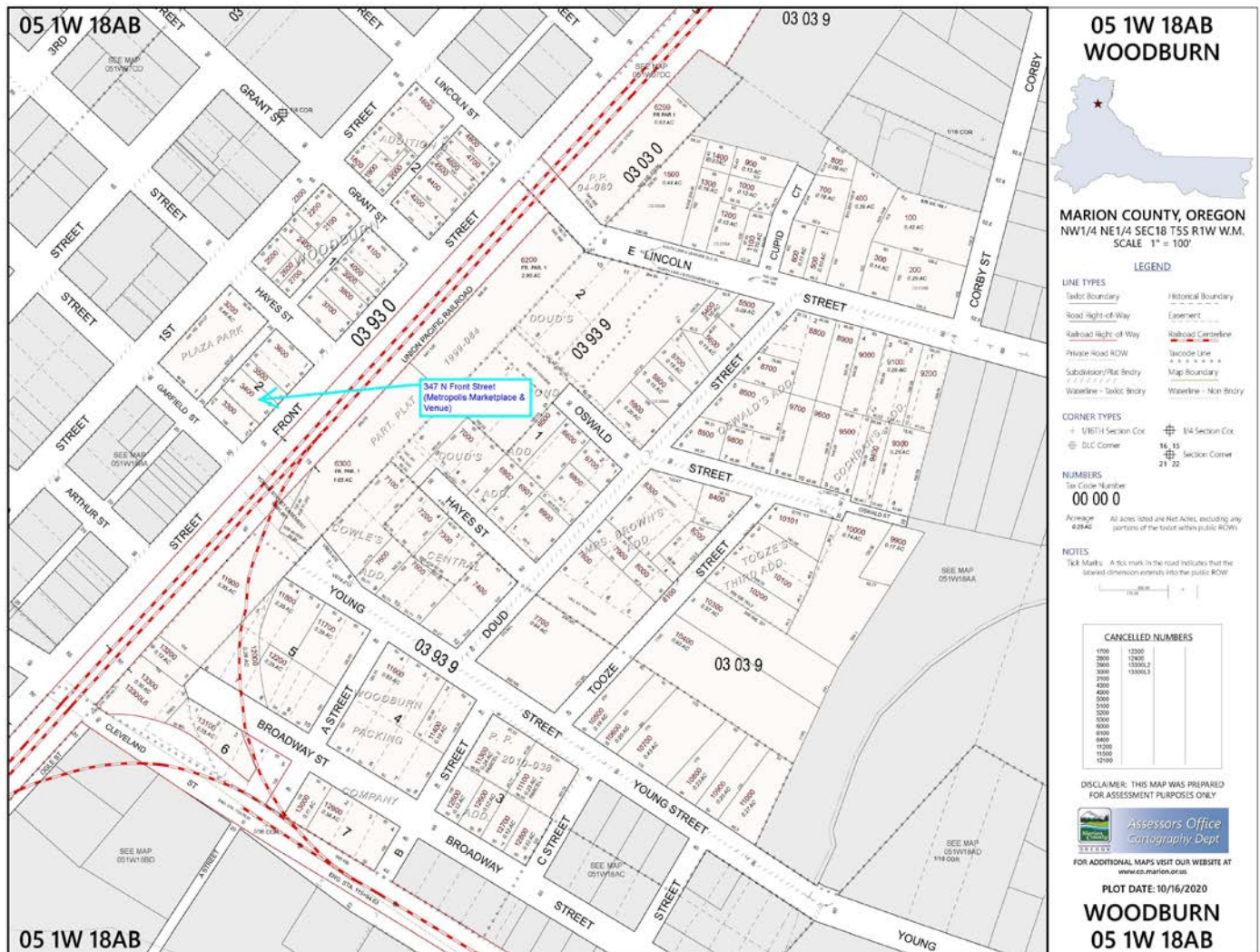






Exhibit 4



## 2019 Drug/Alcohol related Calls (District 2 Includes Downtown)

Create Date.Calendar	Calendar 2019
ORI	OR0240500
Canceled	No

Call Count		Beat			
Call Type	Call Type Description	DIST 1	DIST 2	DIST 3	Grand Total
<b>DRUG</b>	Drug Offense	25	28	13	66
<b>INTOX SUBJECT</b>	Intoxicated Person	20	42	36	98
<b>LIQ</b>	Liquor Violation	1	4	3	8
<b>MIP A</b>	MIP Alcohol	2	2	1	5
<b>Grand Total</b>		<b>48</b>	<b>76</b>	<b>53</b>	<b>177</b>

**2020-21 Drug/Alcohol Related Calls  
(District 2 Includes Downtown)**

Create Date.Calendar	(Multiple Items)
ORI	OR0240500
Canceled	No

Call Count		Beat			
Call Type	Call Type Description	DIST 1	DIST 2	DIST 3	Grand Total
<b>DRUG</b>	Drug Offense	9	16	10	35
<b>INTOX SUBJECT</b>	Intoxicated Person	27	38	25	90
<b>LIQ</b>	Liquor Violation	3	2		5
<b>MIP A</b>	MIP Alcohol			1	1
<b>Grand Total</b>		<b>39</b>	<b>56</b>	<b>36</b>	<b>131</b>

**2020 - 2021**  
**Police Calls with Front Street Address**

Case Number	Reported Date/Time	Occurred Incident Type	Location
2021-00007654	7/7/2021 11:09	All Other Offense	1601 N FRONT ST 169, WOODBURN
2021-00006632	6/13/2021 15:46	All Other Offense	N FRONT ST / NEWBERG HW, WOODBURN
2021-00005986	5/28/2021 16:25	All Other Offense	247 N FRONT ST, WOODBURN
2021-00005436	5/15/2021 11:33	All Other Offense	347 N FRONT ST, WOODBURN
2021-00003280	3/25/2021 21:56	All Other Offense	689 N FRONT ST, WOODBURN
2020-00009699	9/9/2020 18:39	All Other Offense	1425 N FRONT ST, WOODBURN
2020-00009590	9/6/2020 20:53	All Other Offense	1601 N FRONT ST 123, WOODBURN
2021-00008586	7/28/2021 22:48	Assault	449 S FRONT ST, WOODBURN
2021-00006825	6/18/2021 12:51	Assault	751 N FRONT ST, WOODBURN
2021-00006821	6/18/2021 11:27	Assault	605 S FRONT ST, WOODBURN
2021-00005232	5/9/2021 21:56	Assault	449 N FRONT ST, WOODBURN
2020-00010824	10/8/2020 23:44	Assault	749 N FRONT ST, WOODBURN
2020-00009589	9/6/2020 19:51	Assault	141 N FRONT ST, WOODBURN
2020-00009287	8/29/2020 22:49	Assault	1100 FRONT ST, WOODBURN
2020-00008513	8/9/2020 19:43	Assault	GARFIELD ST / N FRONT ST, WOODBURN
2021-00001950	2/17/2021 13:51	Burglary	553 N FRONT ST, WOODBURN
2021-00000627	1/17/2021 2:37	Burglary	1601 N FRONT ST 172, WOODBURN
2020-00009243	8/29/2020 6:09	Burglary	1679 N FRONT ST, WOODBURN
2021-00007520	7/3/2021 23:04	Criminal Mischief	N FRONT ST / E CLEVELAND ST, WOODBURN
2021-00006414	6/7/2021 16:56	Criminal Mischief	1601 N FRONT ST, WOODBURN
2021-00005604	5/18/2021 18:51	Criminal Mischief	1601 N FRONT ST 168, WOODBURN
2021-00005544	5/17/2021 8:51	Criminal Mischief	868 N FRONT ST, WOODBURN
2021-00003170	3/22/2021 23:21	Criminal Mischief	111 N FRONT ST, WOODBURN
2021-00000776	1/20/2021 12:17	Criminal Mischief	607 N FRONT ST, WOODBURN
2021-00000092	1/2/2021 15:32	Criminal Mischief	1601 N FRONT ST, WOODBURN
2020-00012392	11/22/2020 10:29	Disorderly Conduct	523 N FRONT ST, WOODBURN
2021-00007313	6/29/2021 20:27	Drug Investigation	1601 N FRONT ST 169, WOODBURN
2021-00008430	7/25/2021 10:54	DUII	N FRONT ST / GARFIELD ST, WOODBURN
2021-00007917	7/13/2021 18:35	DUII	S FRONT ST / CHERRY ST, WOODBURN
2021-00007326	6/30/2021 2:04	DUII	NEWBERG HW / N FRONT ST, WOODBURN
2021-00005613	5/18/2021 21:00	DUII	141 N FRONT ST, WOODBURN
2021-00003283	3/26/2021 0:12	DUII	N FRONT ST / SHENANDOAH LN, WOODBURN
2021-00001972	2/17/2021 23:02	DUII	GARFIELD ST / N FRONT ST, WOODBURN

**2020 - 2021**  
**Police Calls with Front Street Address**

2021-00001155	1/29/2021 22:50	DUII	HARRISON ST / N FRONT ST, WOODBURN
2021-00000932	1/24/2021 3:32	DUII	N FRONT ST / HAZELNUT DR, WOODBURN
2021-00000499	1/13/2021 20:34	DUII	N FRONT ST / GARFIELD ST, WOODBURN
2020-00013185	12/15/2020 18:05	DUII	N FRONT ST / W HAYES ST, WOODBURN
2020-00012461	11/24/2020 14:54	DUII	1009 N FRONT ST, WOODBURN
2020-00009257	8/29/2020 13:25	DUII	N FRONT ST / W HAYES ST, WOODBURN
2021-00005248	5/10/2021 14:26	Elude	S FRONT ST / TOUT ST, WOODBURN
2020-00012451	11/24/2020 9:32	Elude	HARDCASTLE AV / N FRONT ST, WOODBURN
2021-00007323	6/30/2021 0:43	Family Offenses	1601 N FRONT ST 169, WOODBURN
2021-00006942	6/20/2021 20:45	Family Offenses	607 N FRONT ST, WOODBURN
2020-00011482	10/27/2020 10:25	Family Offenses	1601 N FRONT ST 205, WOODBURN
2020-00010528	10/1/2020 13:41	Family Offenses	1601 N FRONT ST 205, WOODBURN
2020-00010138	9/21/2020 7:12	Family Offenses	1601 N FRONT ST 205, WOODBURN
2020-00009013	8/23/2020 11:25	Family Offenses	1601 N FRONT ST 246, WOODBURN
2020-00008766	8/16/2020 22:23	Family Offenses	868 N FRONT ST, WOODBURN
2021-00000048	1/1/2021 19:06	Forgery	111 N FRONT ST, WOODBURN
2021-00000043	1/1/2021 17:45	Forgery	111 N FRONT ST, WOODBURN
2021-00008566	7/28/2021 11:36	Fraud	479 N FRONT ST, WOODBURN
2021-00008554	7/28/2021 8:31	Fraud	479 N FRONT ST, WOODBURN
2021-00008028	7/16/2021 9:47	Fraud	263 N FRONT ST, WOODBURN
2021-00004089	4/13/2021 11:52	Fraud	2549 N FRONT ST, WOODBURN
2021-00001935	2/17/2021 10:08	Fraud	1601 N FRONT ST APT 118, WOODBURN
2020-00009831	9/12/2020 17:49	Fraud	479 N FRONT ST, WOODBURN
2021-00004886	5/2/2021 13:58	Harassment	1601 N FRONT ST 270, WOODBURN
2021-00004405	4/20/2021 18:05	Harassment	449 N FRONT ST, WOODBURN
2021-00002084	2/20/2021 21:41	Harassment	1053 N FRONT ST, WOODBURN
2020-00010484	9/30/2020 12:50	Harassment	1601 N FRONT ST 205, WOODBURN
2021-00008672	7/31/2021 0:12	Hit and Run	575 N FRONT ST, WOODBURN
2021-00008164	7/18/2021 22:37	Hit and Run	N FRONT ST / W LINCOLN ST, WOODBURN
2021-00008157	7/18/2021 17:40	Hit and Run	N FRONT ST / ARTHUR ST, WOODBURN
2021-00004535	4/23/2021 17:04	Hit and Run	311 N FRONT ST, WOODBURN
2021-00002894	3/14/2021 22:05	Hit and Run	HARRISON ST / N FRONT ST, WOODBURN
2021-00002092	2/21/2021 1:51	Hit and Run	N FRONT ST / GARFIELD ST, WOODBURN
2021-00001369	2/3/2021 19:36	Hit and Run	N FRONT ST / GARFIELD ST, WOODBURN
2021-00001299	2/1/2021 19:36	Hit and Run	N FRONT ST / GARFIELD ST, WOODBURN

**2020 - 2021**  
**Police Calls with Front Street Address**

2021-00000068	1/2/2021 2:11	Hit and Run	N FRONT ST / E LINCOLN ST, WOODBURN
2020-00012581	11/28/2020 21:51	Hit and Run	GARFIELD ST / N FRONT ST, WOODBURN
2020-00011542	10/29/2020 2:05	Hit and Run	1601 N FRONT ST, WOODBURN
2020-00011372	10/24/2020 12:39	Hit and Run	E LINCOLN ST / N FRONT ST, WOODBURN
2020-00010696	10/5/2020 19:22	Hit and Run	825 S FRONT ST, WOODBURN
2020-00010142	9/21/2020 10:06	Hit and Run	755 N FRONT ST, WOODBURN
2020-00009315	8/30/2020 15:22	Hit and Run	607 N FRONT ST, WOODBURN
2020-00013114	12/13/2020 16:59	Menacing	689 N FRONT ST, WOODBURN
2021-00002666	3/8/2021 18:47	Missing/Runaway	1601 N FRONT ST 290, WOODBURN
2021-00006744	6/16/2021 6:03	Motor Vehicle Theft	1601 N FRONT ST 288, WOODBURN
2021-00006175	6/2/2021 5:14	Motor Vehicle Theft	1601 N FRONT ST 154, WOODBURN
2021-00005803	5/23/2021 16:07	Motor Vehicle Theft	E LINCOLN ST / N FRONT ST, WOODBURN
2021-00003454	3/30/2021 13:54	Motor Vehicle Theft	1601 N FRONT ST 246, WOODBURN
2021-00000685	1/18/2021 19:28	Motor Vehicle Theft	1679 N FRONT ST, WOODBURN
2020-00010170	9/22/2020 9:48	Motor Vehicle Theft	TOUT ST / S FRONT ST, WOODBURN
2020-00010137	9/21/2020 6:03	Motor Vehicle Theft	1601 N FRONT ST 233, WOODBURN
2020-00009536	9/5/2020 11:27	Motor Vehicle Theft	347 N FRONT ST, WOODBURN
2020-00008774	8/17/2020 4:41	Motor Vehicle Theft	1601 N FRONT ST 229, WOODBURN
2020-00008662	8/14/2020 5:50	Motor Vehicle Theft	1601 N FRONT ST 109, WOODBURN
2020-00008553	8/11/2020 5:39	Motor Vehicle Theft	1601 N FRONT ST 201, WOODBURN
2021-00008223	7/20/2021 16:35	Public Health & Safety	N FRONT ST / HARDCASTLE AV, WOODBURN
2021-00008082	7/16/2021 23:43	Public Health & Safety	347 N FRONT ST, WOODBURN
2021-00000037	1/1/2021 16:19	Public Health & Safety	311 N FRONT ST, WOODBURN
2021-00005343	5/13/2021 1:38	Recovered Motor Vehicle	1601 N FRONT ST, WOODBURN
2020-00012667	12/1/2020 10:22	Recovered Motor Vehicle	N FRONT ST / GRANT ST, WOODBURN
2021-00007580	7/5/2021 13:36	Restraining Order	523 N FRONT ST, WOODBURN
2021-00006560	6/11/2021 21:01	Restraining Order	523 N FRONT ST, WOODBURN
2021-00005920	5/26/2021 19:10	Robbery	263 N FRONT ST, WOODBURN
2021-00008323	7/22/2021 23:47	Runaway	903 N FRONT ST, WOODBURN
2021-00006080	5/30/2021 19:19	Runaway	1601 N FRONT ST 286, WOODBURN
2021-00006073	5/30/2021 15:19	Sex Offense	1601 N FRONT ST 179, WOODBURN
2021-00004840	5/1/2021 10:48	Sex Offense	429 S FRONT ST, WOODBURN
2021-00000527	1/14/2021 12:04	Sex Offense	1425 N FRONT ST, WOODBURN
2021-00004562	4/24/2021 13:30	Stalking Order	1601 N FRONT ST 108, WOODBURN
2020-00010207	9/23/2020 5:52	Stalking Order	1601 N FRONT ST 205, WOODBURN

**2020 - 2021**  
**Police Calls with Front Street Address**

2021-00003245	3/25/2021 8:39	Stored Vehicle	1601 N FRONT ST 246, WOODBURN
2021-00008031	7/16/2021 11:51	Theft	532 S FRONT ST, WOODBURN
2021-00007879	7/12/2021 21:48	Theft	235 N FRONT ST, WOODBURN
2021-00006740	6/15/2021 22:28	Theft	689 N FRONT ST, WOODBURN
2021-00006145	6/1/2021 10:35	Theft	1679 N FRONT ST, WOODBURN
2021-00005500	5/16/2021 14:30	Theft	297 N FRONT ST, WOODBURN
2021-00004953	5/4/2021 10:52	Theft	1785 N FRONT ST, WOODBURN
2021-00004090	4/13/2021 13:00	Theft	2215 N FRONT ST, WOODBURN
2021-00003490	3/31/2021 11:00	Theft	1601 N FRONT ST 275, WOODBURN
2021-00002722	3/10/2021 10:35	Theft	1601 N FRONT ST, WOODBURN
2020-00012981	12/10/2020 6:13	Theft	1365 N FRONT ST, WOODBURN
2020-00012776	12/4/2020 11:56	Theft	1601 N FRONT ST 196, WOODBURN
2020-00010232	9/23/2020 17:25	Theft	1601 N FRONT ST 220, WOODBURN
2020-00008975	8/22/2020 14:50	Theft	429 N FRONT ST, WOODBURN
2020-00008847	8/19/2020 11:41	Theft	1601 N FRONT ST 180, WOODBURN
2021-00003276	3/25/2021 20:35	Traffic Violation	1785 N FRONT ST, WOODBURN
2021-00007605	7/6/2021 8:37	UEMV	175 N FRONT ST, WOODBURN
2020-00012139	11/13/2020 20:25	UEMV	247 N FRONT ST, WOODBURN
2021-00002572	3/6/2021 4:00	Violation of Court Order	1601 N FRONT ST 169, WOODBURN
2021-00007734	7/9/2021 14:22	Warrant Arrest	E CLEVELAND ST / N FRONT ST, WOODBURN
2021-00007139	6/25/2021 20:28	Warrant Arrest	N FRONT ST / YOUNG ST, WOODBURN
2021-00006698	6/15/2021 8:03	Warrant Arrest	1601 N FRONT ST 169, WOODBURN
2021-00005811	5/23/2021 20:58	Warrant Arrest	HARRISON ST / N FRONT ST, WOODBURN
2021-00005252	5/10/2021 16:24	Warrant Arrest	GARFIELD ST / N FRONT ST, WOODBURN
2021-00004241	4/16/2021 21:42	Warrant Arrest	YOUNG ST / N FRONT ST, WOODBURN
2021-00002710	3/9/2021 22:28	Warrant Arrest	141 N FRONT ST, WOODBURN
2020-00013280	12/19/2020 1:53	Warrant Arrest	N FRONT ST / E CLEVELAND ST, WOODBURN
2020-00012709	12/2/2020 15:30	Warrant Arrest	N FRONT ST / E LINCOLN ST, WOODBURN
2020-00012700	12/2/2020 7:53	Warrant Arrest	YOUNG ST / N FRONT ST, WOODBURN
2020-00012686	12/1/2020 22:44	Warrant Arrest	YOUNG ST / N FRONT ST, WOODBURN
2020-00009839	9/12/2020 21:04	Warrant Arrest	S FRONT ST / TOUT ST, WOODBURN
2021-00004485	4/22/2021 12:26	Weapons Violations	449 N FRONT ST, WOODBURN
2021-00004245	4/17/2021 1:47	Weapons Violations	HARDCASTLE AV / N FRONT ST, WOODBURN
			Total Cases: 136



## Agenda Item

August 9, 2021

TO: Honorable Mayor and City Council

FROM: N. Robert Shields, City Attorney  
Chris Kerr, Community Development Director

SUBJECT: **Modification to Proposed Ordinance 2592**

### **RECOMMENDATION:**

Adopt the Ordinance.

### **BACKGROUND**

At the July 26, 2021, City Council meeting, Ordinance 2592 was introduced and briefly discussed. The Council President suggested that what was meant by "remove" a tree should be more specifically specified. The City Council agreed that this modification would improve the ordinance. Staff stated that it would redraft this provision of the ordinance and present it again for consideration.

### **DISCUSSION:**

A new Section 1E was added and reads as follows:

- E. "Remove" means to relocate, cut down, damage, poison, or in any other manner destroy, or cause to be destroyed, a tree.

This new definition of "remove" broadens the term to apply to trees that are illegally destroyed in any manner.

An emergency clause is included so that the proposed ordinance would take effect immediately upon enactment. There is no need to amend the proposed ordinance, since the ordinance presented for consideration already contains the modification discussed and suggested by the City Council.

### **FINANCIAL IMPACT:**

None.

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

Honorable Mayor and City Council  
July 26, 2021  
Page 2

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Attachment:

July 26, 2021 Staff report for Ordinance 2592





## Agenda Item

July 26, 2021

TO: Honorable Mayor and City Council

FROM: N. Robert Shields, City Attorney  
Chris Kerr, Community Development Director

SUBJECT: **Ordinance Establishing an Enhanced Penalty for an Intentional Violation of Tree Permit Requirements**

### **RECOMMENDATION:**

Enact the Ordinance Establishing an Enhanced Penalty for an Intentional Violation of Tree Permit Requirements.

### **BACKGROUND:**

At the June 14, 2021 meeting, Councilors expressed concerns about the effectiveness of the City's tree protection regulations and whether the current penalties were adequately deterring the illegal cutting of trees in the City. More specifically, Councilors mentioned specific instances where trees were allegedly intentionally removed without obtaining City permit approval.

### **DISCUSSION:**

Based on these concerns, the City Attorney prepared a proposed Ordinance for your consideration which would significantly increase the financial penalty for *intentional* violations of the City's tree permit regulations. This will both deter violations and serve as an appropriate penalty for those that intentionally and unlawfully remove trees.

As a separate but related item, Planning Staff prepared a Resolution that would authorize Staff to prepare modifications to the WDO that will provide greater clarity and certainty with regard to protecting trees in the City.

### **Ordinance Establishing Enhanced Penalty for Intentional Violations**

Fortunately, in most cases, the City's tree permit regulations are complied with by homeowners, residents, and developers. In most instances, the City Council's

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

efforts to preserve trees have been successful. However, for occasions where the City's tree permit regulations appear to have been intentionally violated, there appears to be a need for an enhanced penalty. The new proposed ordinance is designed to deter future violations and act as an appropriate penalty for actual intentional violations.

Key points of the proposed new ordinance are as follows:

- "Person" is defined extremely broadly by the new ordinance.
- The new ordinance will apply to City tree permit regulations under both the WDO and the Street Tree Ordinance (Ordinance 2424)
- The new ordinance applies only to intentional violations of tree permit regulations.
- The "enhanced penalty" for violation of the new ordinance is not more than \$10,000 but not less than \$5,000.

#### Resolution Initiating Legislative Amendments to the WDO Related to Trees

Also related to this issue, Planning Staff is requesting that the City Council initiate a review of administrative provisions of the WDO related to trees. This will authorize staff to draft the WDO amendments and then return to the Planning Commission and City Council for public hearings.

#### **FINANCIAL IMPACT:**

None.

**COUNCIL BILL NO. 3159**

**ORDINANCE NO. 2592**

**AN ORDINANCE ESTABLISHING AN ENHANCED PENALTY FOR AN INTENTIONAL VIOLATION OF THE TREE PERMIT REQUIREMENTS OF THE WOODBURN DEVELOPMENT ORDINANCE AND THE STREET TREE ORDINANCE AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Woodburn ("the City") is a home rule municipal corporation of the State of Oregon, created pursuant to Oregon law and the Woodburn City Charter; and

**WHEREAS**, the City takes pride in, its natural, wooded streetscapes and foliage, which are an essential part of the City's character; and

**WHEREAS**, the presence of trees aids in stormwater management, helps prevent erosion, improves air quality, conserves energy, provides a wildlife habitat, and preserves and enhances property values; and

**WHEREAS**, City tree permit regulations have been adopted by the City Council and have been in force for many years; and

**WHEREAS**, more specifically, the Woodburn Development Ordinance ("the WDO") contains tree permit regulations for "significant trees;" and,

**WHEREAS**, Ordinance 2424 (the "Street Tree Ordinance") contains tree permit regulations for "street trees;" and

**WHEREAS**, in the vast majority of cases, the City of Woodburn's tree permit regulations are complied with by most homeowners, residents, and developers and the City Council's efforts to preserve trees have been successful; and

**WHEREAS**, it has come to the attention of the City Council that there have been certain isolated instances where the City of Woodburn's tree permit regulations appear to have been intentionally violated; and

**WHEREAS**, these intentional violations of tree permit regulations are uncommon, when they do occur, the City Council believes that it is fair and appropriate that, in instances where an intentional violation is established, an enhanced penalty should be available; **NOW, THEREFORE**,

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

**Section 1.** As used in this Ordinance, the following terms are defined as follows:

- A. "City" means the City of Woodburn.
- B. "Intentionally" means that a person acts with a conscious objective to cause the result or to engage in the conduct so described.
- C. "Person" means a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.
- D. "Tree permit regulation" means a legal requirement that a person obtain City permit approval pursuant to the Woodburn Development Ordinance or Ordinance 2424 ("the Street Tree Ordinance") prior to acting to remove a tree.
- E. "Remove" means to relocate, cut down, damage, poison, or in any other manner destroy, or cause to be destroyed, a tree.

**Section 2.** No person shall intentionally violate a tree permit regulation contained in the Woodburn Development Ordinance or Ordinance 2424 ("the Street Tree Ordinance").

**Section 3.** A person who violates Section 2 of this Ordinance shall be assessed a civil penalty of not more than \$10,000, but not less than \$5,000, for each violation.

**Section 4.** This ordinance being necessary for the immediate preservation of the public peace, health and safety so that the Woodburn community can be further protected from intentional and unpermitted removal of trees, an emergency is declared to exist and this ordinance shall take effect immediately upon passage and approval by the Mayor.

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

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

Passed by the Council \_\_\_\_\_  
Submitted to the Mayor \_\_\_\_\_  
Approved by the Mayor \_\_\_\_\_  
Filed in the Office of the Recorder \_\_\_\_\_

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



## Agenda Item

August 9, 2021

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director  
Colin Cortes, AICP, CNU-A, Senior Planner

SUBJECT: **A Resolution Initiating Legislative Amendments to the Woodburn Development Ordinance Related to the Transportation System Plan (TSP)**

### **RECOMMENDATION:**

Adopt the attached resolution.

### **BACKGROUND:**

The City Council on September 9, 2019 passed Resolution 2139 initiating legislative amendments to both the Comprehensive Plan and the WDO relating to the TSP. On September 23, 2019 through Ordinance 2575 the City Council adopted a major update of the 2005 [Transportation System Plan \(TSP\)](#).

Both the coronavirus (COVID-19) pandemic and 2020 Council elections intervened between the time of authorization to initiate TSP-related amendments and the present. The Comprehensive Plan is amended, and it remains necessary to amend the WDO to administer the 2019 TSP.

### **DISCUSSION:**

Woodburn Development Ordinance (WDO) 4.01.09 establishes that the Council initiate consideration of any potential legislative amendments to the WDO by resolution. The attached resolution would authorize staff to initiate amendments to the WDO related to the TSP. Staff would return to the Planning Commission and Council for public hearings.

### **FINANCIAL IMPACT:**

None.

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

**COUNCIL BILL NO. 3162**

**RESOLUTION NO. 2177**

**A RESOLUTION INITIATING LEGISLATIVE AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE RELATING TO THE TRANSPORTATION SYSTEM PLAN (TSP)**

**WHEREAS**, the Woodburn Development Ordinance (WDO) establishes the standards that land development is required to meet, and relevance and clarity of standards is critical as the city grows; and

**WHEREAS**, periodic revisions and updates to the Comprehensive Plan and WDO are necessary and expected to comply with revisions to statutes and administrative rules, administer new and revised long-range plans, and address current issues; and

**WHEREAS**, the City Council on September 23, 2019 through Ordinance No. 2575 adopted a major update of the 2005 Transportation System Plan (TSP); and

**WHEREAS**, the City Council on September 9, 2019 passed Resolution No. 2139 initiating legislative amendments to the WDO relating to the TSP; and

**WHEREAS**, both the coronavirus (COVID-19) pandemic and 2020 Council elections intervened between the time of authorization to initiate TSP-related WDO amendments and the present; and

**WHEREAS**, the Comprehensive Plan is amended; and

**WHEREAS**, it remains necessary to amend the WDO to administer the 2019 TSP; and

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

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

**Section 1.** Pursuant to WDO 4.01.09, the City Council initiates review of the draft legislative amendments to the WDO related to the Transportation System Plan (TSP).

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



August 9, 2021

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 of Construction Contract for the I-5 Pump Station & Force Main Upgrades Project to K&E Excavating, Inc.**

**RECOMMENDATION:**

Award the construction contract for the I-5 Pump Station & Force Main Upgrades Project to the lowest responsible and responsive bidder, K&E Excavating, Inc. in the amount of \$5,309,625.00.

**BACKGROUND:**

This project is included in the approved FY 21/22 budget and includes required upgrades to the existing I-5 Pump Station and Force Main system.

Bids were publicly opened July 29, 2021. Six (6) responsible and responsive bids were received as follows:

K&E Excavating, Inc.	\$5,309,625.00
JW Fowler, Inc.	\$5,355,000.00
Canby Excavating, Inc.	\$5,666,050.00
The Saunders Co.	\$5,828,000.00
Pacific Excavation, Inc.	\$5,834,000.00
Emery & Sons, Inc.	\$6,006,740.00

The Engineer's Estimate for the project is: \$5,420,736.00

The recommended award is approximately 2% lower than the Engineer's Estimate

**DISCUSSION:**

The I-5 Pump Station and Force Main Upgrades Project will provide an upgraded pump station and new force main piping that will provide service for future

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customer types within the recently expanded urban growth boundary areas for this particular wastewater collection basin.

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

**FINANCIAL IMPACT:**

The subject project is identified in the adopted fiscal year 2021/22 Budget and funded by the Sewer Fund.



## Agenda Item

August 9, 2021

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 Construction Management Services for the I-5 Pump Station and Force Main Upgrades Project to Murraysmith, Inc.**

### **RECOMMENDATION:**

Award a Contract for construction management services for the I-5 Pump Station and Force Main Upgrades Project for \$556,245.00 to Murraysmith, Inc. and *authorize the City Administrator to sign the Agreement.*

### **BACKGROUND:**

Staff utilized a Request for Proposals (RFP) process to solicit design and construction management services for the I-5 Pump Station and Force Main Upgrades Project. The RFP was advertised on the City website and in the Daily Journal of Commerce. Staff received a total of three proposals that satisfied the requirements of the RFP. Staff reviewed all three proposals in accordance with the RFP guidelines and state requirements (ORS 279C.105). After a thorough evaluation process, the City selected Murraysmith, Inc. as the highest-ranking proposer. The preliminary and final design work has been completed under previous City Council contract awards. The public bid opening for the construction of this project occurred on July 29, 2021. The recommendation for award of this construction contract is on this evening's City Council meeting agenda.

Murraysmith, Inc. is a well-qualified firm and familiar with the current City sewer system. The negotiated contract for construction management services for this project is in the amount of \$556,245.00.

### **DISCUSSION:**

The I-5 Pump Station and Force Main Upgrades Project includes an upgraded pump station and force main piping that will provide service for future customer

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types within the recently expanded urban growth boundary areas for this particular wastewater collection basin. This contract award will facilitate the construction of the I-5 Pump Station and Force Main Upgrades Project, which is highly complex and technical in nature.

The original procurement process for soliciting these services and the contract award is in conformance with public contracting laws of the State of Oregon as outlined in ORS Chapter 279 and the laws and regulations of the City of Woodburn.

**FINANCIAL IMPACT:**

The Contract for these services will be funded from the approved 2021/22 fiscal year budget from the sewer fund.



## Agenda Item

August 9, 2021

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 Young Street Sanitary Sewer Improvements Project to PBS Engineering & Environmental, Inc.**

### **RECOMMENDATION:**

Award a Contract for engineering design services for the Young Street Sanitary Sewer Improvements Project for \$299,216.00 to PBS Engineering & Environmental, Inc. and *authorize the City Administrator to sign the Agreement.*

### **BACKGROUND:**

Staff utilized a Request for Proposals (RFP) process to solicit engineering design services for the Young Street Sanitary Sewer Improvements Project. The RFP was advertised on the City website and in the Daily Journal of Commerce. Staff received a total of three proposals that satisfied the requirements of the RFP. Staff reviewed all three proposals in accordance with the RFP guidelines and state requirements (ORS 279C.105). After a thorough evaluation process, the City selected PBS Engineering & Environmental, Inc. as the highest-ranking proposer. City staff proceeded to negotiate a scope of work and fee for services to complete the required engineering design work.

PBS Engineering & Environmental, Inc. is a well-qualified firm and familiar with the design of sanitary sewer systems. The negotiated contract for final design services for this project is in the amount of \$299,216.

### **DISCUSSION:**

Per the 2010 Woodburn Wastewater Facilities Plan, the implementation of the Young Street Sanitary Sewer Improvements Project will increase sanitary sewer

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capacity that will provide service for future customer types within this particular wastewater collection basin as development within the City expands.

The original procurement process for soliciting these services and the contract award is in conformance with public contracting laws of the State of Oregon as outlined in ORS Chapter 279 and the laws and regulations of the City of Woodburn.

**FINANCIAL IMPACT:**

The Contract Agreement will be funded from the approved 2021/22 fiscal year budget from the sewer fund.