

PROCLAMATION

Hispanic, Latinx, and Indigenous Heritage Month September 15th - October 15th, 2021

WHEREAS, people who identify themselves as Hispanic, Latinx, or Indigenous from Mexico, South and Central America have contributed to Woodburn's history and successes since the 1880's, and

WHEREAS, Woodburn honors their rich and diverse cultural heritages and historical legacies, and

WHEREAS, Woodburn's Hispanic, Latinx, and Indigenous communities now constitute fifty-seven percent of our population, including leaders, policy makers, educators, students, health care professionals, military, public safety, the trades, business leaders and entrepreneurs, actively involved in our community and in mentoring our next generation; and

WHEREAS, the Governor has proclaimed the month of September 15 through October 15 to be Hispanic, Latinx, and Indigenous Heritage Month, and Oregon proudly joins the nation in celebrating the rich cultures and histories of Hispanic, Latinx, and Indigenous heritages in Oregon. The State of Oregon and the City of Woodburn dedicate ourselves to working together to address the challenges that still face Hispanic, Latinx, and Indigenous Oregonians in equity and access to the prosperity of Oregon.

NOW, THEREFORE, I, Eric Swenson, Mayor of the City of Woodburn, hereby proclaim September 15 through October 15, 2021 to be "HISPANIC, LATINX, AND INDIGENOUS HERITAGE MONTH" in the City of Woodburn, and encourage all to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Woodburn to be affixed.

Eric Swenson, Mayor
City of Woodburn

COUNCIL MEETING MINUTES

AUGUST 9, 2021

DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, AUGUST 9, 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 7:22 p.m.
Councilor Puente	Present- via video conferencing
Councilor Cabrales	Present- via video conferencing

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Acting Police Chief Pilcher, Community Development Director Kerr, Operations Director Stultz, Public Works Projects and Engineering Director Liljequist, Finance Director Turley, Community Services Director Cuomo, Public Affairs and Communications Coordinator Moore, City Recorder Pierson

CONSENT AGENDA

- A. Woodburn City Council minutes of July 26, 2021,
- B. Woodburn City Council Executive Session Meeting minutes of July 26, 2021,
- C. Building Activity for July 2021.

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

PUBLIC HEARING

Liquor License Application for El Perico – Mayor Swenson declared an actual conflict of interest on the public hearing on a Liquor License Application for El Perico and stated that because he operates a coffee shop and sells food in the same building he could have a private pecuniary benefit related to this matter. He stated that he will not vote on this item nor participate in the discussion and that Council President Carney will preside over the agenda item. Mayor Swenson removed himself from the Council Chambers.

Council President Carney declared the hearing open at 7:03 p.m. for the purpose of hearing public input on a Liquor License Application for El Perico. Police Chief Pilcher provided a staff report. George Barajas, 4730 State Street, Salem, provided testimony in favor of the application. No members of the public wished to speak in opposition of a Liquor License Application for El Perico. City Councilors asked questions and provided comments on the Liquor License Application for El Perico. Council President Carney closed the hearing at 8:20 p.m. Council discussion included concerns about minors being allowed in and the City's inability to control whether the security measures discussed would be required to be implemented with the current application. City Attorney Shields reminded City Councilors that Police Chief Pilcher's recommendation is to recommend that the OLCC does not approve the Liquor License Application for El Perico based on the findings, however, the City Council may also recommend that the OLCC does approve the Liquor License Application for El Perico based on the findings.

COUNCIL MEETING MINUTES

AUGUST 9, 2021

Schaub/Cornwell...that we deny the application for a liquor license based upon the attached findings. On roll call vote the motion passed unanimously.

Mayor Swenson introduced Karen Linton who is acting as the liaison to the Woodburn Estates.

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. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3159 duly passed.

COUNCIL BILL NO. 3162 - A RESOLUTION INITIATING LEGISLATIVE AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE RELATING TO THE TRANSPORTATION SYSTEM PLAN (TSP)

Carney introduced Council Bill No. 3162. 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. 3162 duly passed.

AWARD OF CONSTRUCTION CONTRACT FOR THE I-5 PUMP STATION & FORCE MAIN UPGRADES PROJECT TO K&E EXCAVATING, INC.

Public Works Projects and Engineering Director Liljequist provided a staff report. **Carney/Cornwell**... 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. The motion passed unanimously.

AWARD A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE I-5 PUMP STATION AND FORCE MAIN UPGRADES PROJECT TO MURRAYSMITH, INC.

Public Works Projects and Engineering Director Liljequist provided a staff report. **Carney/Schaub**... award a Contract for construction management services for the I-5 Pump Station and Force Main Upgrades Project for \$556,245.00 to Murrysmith, Inc. and authorize the City Administrator to sign the Agreement. The motion passed unanimously.

AWARD A CONTRACT FOR ENGINEERING DESIGN SERVICES FOR THE YOUNG STREET SANITARY SEWER IMPROVEMENTS PROJECT TO PBS ENGINEERING & ENVIRONMENTAL, INC.

Public Works Projects and Engineering Director Liljequist provided a staff report. **Carney/Schaub**... 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. The motion passed unanimously.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

- Extreme heat is expected Wednesday, Thursday, and Friday. The Library will be a cooling station. The City is reaching out to other community partners who may also

COUNCIL MEETING MINUTES

AUGUST 9, 2021

be able to provide cooling stations.

- Thanked staff that made the Fiesta happen.
- The City is set to receive a \$15 million state allocation to go towards the Community Center Project which will help bring the project into a state of final completion in terms of design and engineering. There will likely be Gap financing required to finish the project.
- Looking to bring a presentation on the Legion Park Project with the Parks Board in September.

MAYOR AND COUNCIL REPORTS

Councilor Carney complimented Chief Pilcher and his team for a job well done on gathering evidence for tonight's meeting. He also thanked other Councilors for their professionalism.

Councilor Cabrales thanked staff for the Fiesta Mexicana.

Councilor Puente stated that he was out of state during Fiesta but he saw it on Facebook and that it looked great. He noted that Legion Park looks great. He congratulated Councilor Swanson on her volunteer award.

Councilor Swanson gave a shout out to Pastor Luis for what he is doing for the young people in the community.

Mayor Swenson gave a shout out to Curtis Stultz for removing a swarm of bees from downtown.

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

**CITY COUNCIL SPECIAL MEETING MINUTES
AUGUST 11, 2021**

DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, AUGUST 11, 2021

CONVENED The meeting convened at 7:02 p.m. with Mayor Swenson presiding.

ROLL CALL

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

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Attorney McKenzie Granum, Economic Development Director Johnk, City Recorder Pierson

COUNCIL BILL NO. 3163 - A RESOLUTION TO CHANGE THE BOUNDARY OF- AND FORMALLY ACKNOWLEDGE THE CHANGE IN NAME OF THE WOODBURN ENTERPRISE ZONE

Carney introduced Council Bill No. 3163. City Recorder Pierson read the bill by title only since there were no objections from the Council. City Administrator Derickson provided a staff report. On roll call vote for final passage, the bill passed unanimously. Mayor Swenson declared Council Bill No. 3163 duly passed.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

- With the Governor's new mask mandate all patrons who come into city hall or any other City building, including employees, will need to wear a mask.
- The library and the aquatic center will remain open.
- Asked that residents comply with the mask mandate so the City can keep offices open.
- May have some employees work a hybrid remote work schedule
- Still questions about what OSHA will do in regards to the new mandate.

ADJOURNMENT

Carney/Schaub ... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 7:15 p.m.

APPROVED _____
ERIC SWENSON, MAYOR

**CITY COUNCIL SPECIAL MEETING MINUTES
AUGUST 11, 2021**

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



Agenda Item

September 13, 2021

TO: Honorable Mayor and City Council through City Administrator
FROM: Eric Liljequist, Public Works Projects & Engineering Director
SUBJECT: **Purchase and Acceptance of a Public Utility Easement at 1560 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC07100)**

RECOMMENDATION:

Authorize the purchase and acceptance of a Public Utility Easement granted by The Diocese of Oregon, property owner of the property located at 1560 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC07100).

BACKGROUND:

In order to construct the W. Hayes Street Improvements, a 5-foot wide Public Utility Easement is required along the frontage of 1560 W. Hayes Street. The value of the Public Utility Easement was proportionately determined from the latest land value information provided by the Marion County Assessor's property records. Total costs for Public Utility Easements are calculated at 50% of the most current land assessment values.

DISCUSSION:

The 5-foot wide Public Utility Easement is located along the property frontage, adjacent to W. Hayes Street. The acquisition of this easement will allow completion of the W. Hayes Street Improvements Project. The Public Utility Easement will allow a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain public utilities on the described land.

FINANCIAL IMPACT:

The cost to the City for the Public Utility Easement is \$2,450.00 and will be taken from the approved W. Hayes Street Improvements Project budget.

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

ATTACHMENTS

A Copy of the properly signed public utility easement documents is included in Exhibit "A" and Exhibit "B".

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)**

DIOCESE OF OREGON, AN OREGON NOT FOR PROFIT CORPORATION,
GRANTOR, grants to the CITY OF WOODBURN, OREGON, hereinafter called *CITY*,
a permanent easement and right-of-way, including the permanent right to
construct, reconstruct, operate, and maintain PUBLIC UTILITIES on the following
described land:

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

GRANTOR also grants to *CITY* a temporary easement and right-of-way
upon, across, and under so much of the aforesaid land as described as:

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 two-thousand four-hundred and
fifty dollars (\$2,450.00), 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 12 day of August, 2021.

Diocese of Oregon,
An Oregon not for Profit Corporation

BY: Nancy Elgren Shepley
Secretary, Diocese of Oregon

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Mult.) ss.

The foregoing instrument was acknowledged before me this 12th day of August 2021 by Nancy Elgren Shepley of Diocese of Oregon, and Oregon not for Profit 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.

Tracy Lynn Esquerra
NOTARY PUBLIC FOR OREGON
My Commission Expires: 7/29/22

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)



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

City Recorder:

Heather Pierson

EXHIBIT A

City of Woodburn
Public Utility Easement
SEPTEMBER 9, 2020

PUBLIC UTILITY EASEMENT

A parcel of land lying in the SW 1/4 of the SW 1/4 of Section 7, Township 5 South, Range 1 West, W.M., Marion County, Oregon and being a portion of that property described in that Warranty Deed to The Diocese of Oregon recorded April 3, 1964 in Volume 584, Page 391, Marion County Records; the said parcel being that portion of said property included in a strip of land 5.00 feet wide lying on the South side of the center line of West Hayes Street, which center line is described as follows:

Beginning at the center line intersection of Cascade Drive and West Hayes Street at Engineer's center line Station 13+36.84, said station being the southwest corner of the George Leasure D.L.C. No 78; Thence South 86°56'07" East, 2,603.38 feet to the center line intersection of Settlemier Street and West Hayes Street at Engineer's Station 39+40.22.

Center line Stationing is based upon Survey 39225, Marion County Survey Records.

The said 5.00 foot wide strip of land lays north of the following described line:

Station	to	Station	Width on South Side of Center Line
20+50.00		24+75.00	46.50'

This description contains 2,000 Square Feet, more or less.

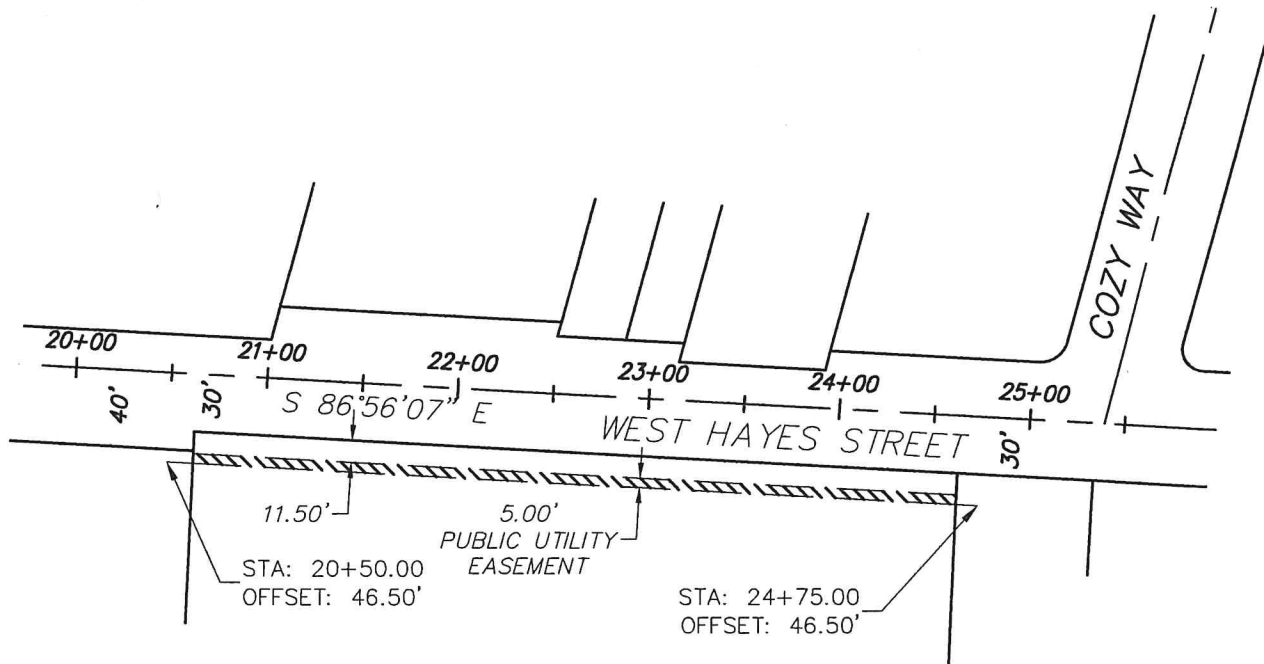
Except that portion laying within the existing right of way of West Hayes Street.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

E. D. Lynch

OREGON
JULY 12, 2005
ERIC D. LYNCH
56544

EXPIRES 12-31-20



TAX MAP 5S1W07CC
LOT 7100
VOLUME 584, PAGE 391
MARION COUNTY, OREGON



SCALE: 1" = 100'



PUBLIC UTILITY EASEMENT
2,000 SQ. FT. +/-

BASIS OF BEARINGS AND CENTER LINE STATIONING IS PER SURVEY 39225, MARION COUNTY SURVEY RECORDS.

PROJECT NO. 0492-016
ORIG. DATE: 9/8/2020
DRAWN BY: EDL
SHEET No. 2 OF 2

EXHIBIT "B"
PUBLIC UTILITY EASEMENT
CITY OF WOODBURN
WOODBURN, OREGON

EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 515-5528
FAX: (503) 639-9592
www.emeriodesign.com



Agenda Item

September 13, 2021

TO: Honorable Mayor and City Council through City Administrator

FROM: Eric Liljequist, Public Works Projects & Engineering Director

SUBJECT: **Purchase and Acceptance of a Statutory Warranty Deed for Right-of-Way Dedication at 1560 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC07100)**

RECOMMENDATION:

Authorize the purchase and acceptance of a Right-of-Way dedication granted by The Diocese of Oregon, property owner of the property located at 1560 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC07100).

BACKGROUND:

In order to construct the W. Hayes Street Improvements, an 11½-foot wide right-of-way dedication along the frontage of 1560 W. Hayes Street is required. The value of the right-of-way dedication was proportionately determined from the latest land value information provided by the Marion County Assessor's property records.

DISCUSSION:

The 11½-foot wide Right-of-Way dedication is located along the property frontage, adjacent to W. Hayes Street. The acquisition of this right-of-way will allow completion of the W. Hayes Street Improvements Project.

FINANCIAL IMPACT:

The cost to the City for the Right-of-Way Dedication is \$11,270.00 and will be taken from the approved W. Hayes Street Improvements Project budget.

ATTACHMENTS

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

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

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

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

STATUTORY WARRANTY DEED

Diocese of Oregon, an Oregon not for Profit Corporation, Grantor, conveys and warrants to CITY OF WOODBURN, a municipal corporation of the State of Oregon, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Description: See attached Exhibit A and Exhibit B

Exceptions: none

The true and whole consideration for this conveyance is **\$11,270.00**.

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

Dated this 12 day of August, 2021.

Signed: Neyser Elger Shepley Secretary
GRANTOR Diocese of Oregon

STATE OF OREGON)
) ss
County of Marion)

This instrument was acknowledged before me on August 12, 2021, by

Neyser Elger Shepley.

By: Tracy Lynn Esquerra
Notary Public for Oregon
My Commission Expires: 7/29/2022



City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

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

City Recorder:

Heather Pierson

EXHIBIT A

City of Woodburn
Right of Way Dedication
SEPTEMBER 9, 2020

RIGHT OF WAY DEDICATION

A parcel of land lying in the SW 1/4 of the SW 1/4 of Section 7, Township 5 South, Range 1 West, W.M., Marion County, Oregon and being a portion of that property described in that Warranty Deed to The Diocese of Oregon recorded April 3, 1964 in Volume 584, Page 391, Marion County Records; the said parcel being that portion of said property included in a strip of land lying on the South side of the center line of West Hayes Street, which center line is described as follows:

Beginning at the center line intersection of Cascade Drive and West Hayes Street at Engineer's center line Station 13+36.84, said station being the southwest corner of the George Leasure D.L.C. No 78; Thence South 86°56'07" East, 2,603.38 feet to the center line intersection of Settlemier Street and West Hayes Street at Engineer's Station 39+40.22.

Center line Stationing is based upon Survey 39225, Marion County Survey Records.

The said strip of land lays north of the following described line:

Station	to	Station	Width on South Side of Center Line
20+50.00		24+75.00	41.50'

This description contains 4,600 Square Feet, more or less.

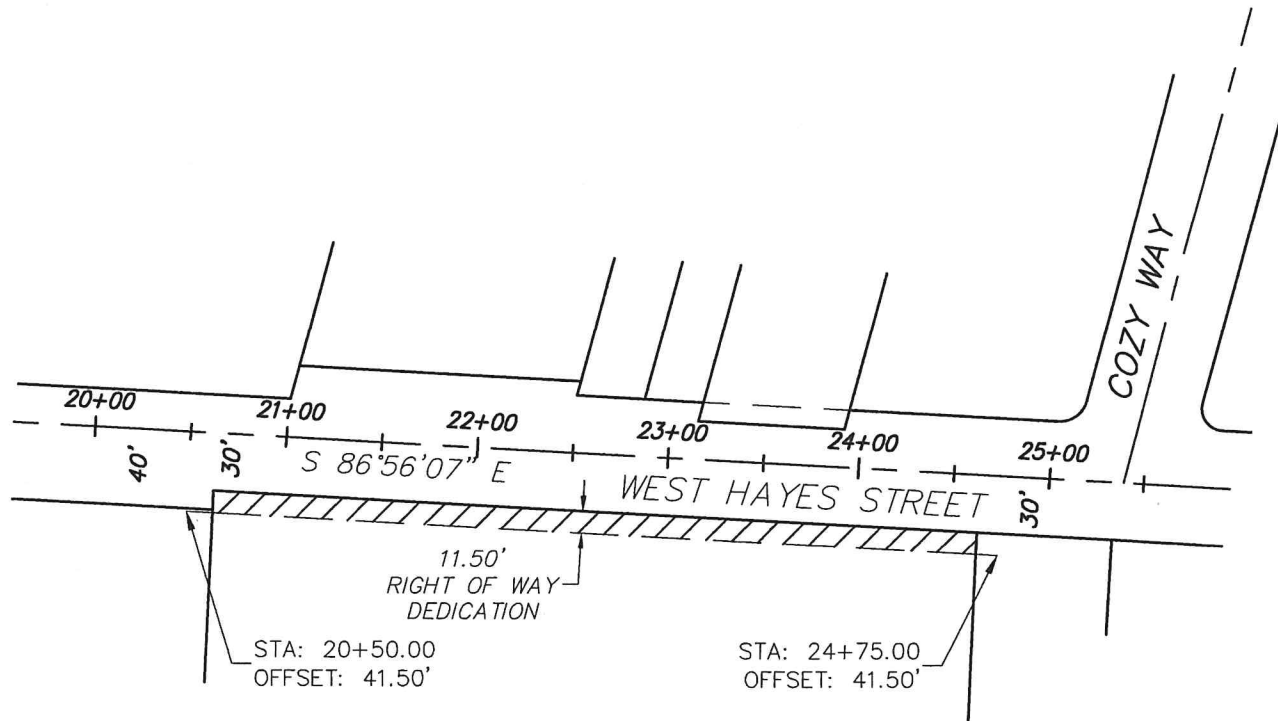
Except that portion laying within the existing right of way of West Hayes Street.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

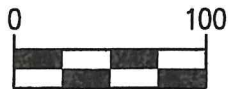
Eric D. Lynch

OREGON
JULY 12, 2005
ERIC D. LYNCH
56544


EXPIRES 12-31-20



TAX MAP 5S1W07CC
LOT 7100
VOLUME 584, PAGE 391
MARION COUNTY, OREGON



SCALE: 1" = 100'

 RIGHT OF WAY DEDICATION
4,600 SQ. FT. +/-

BASIS OF BEARINGS AND CENTER LINE STATIONING IS PER SURVEY 39225, MARION COUNTY SURVEY RECORDS.

PROJECT NO. 0492-016
ORIG. DATE: 9/8/2020
DRAWN BY: EDL
SHEET No. 2 OF 2

EXHIBIT "B"

RIGHT OF WAY DEDICATION

CITY OF WOODBURN
WOODBURN, OREGON

EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 515-5528
FAX: (503) 639-9592
www.emeriodesign.com

CITY OF WOODBURN
Community Development Department

MEMORANDUM

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

Date: September 2, 2021

To: Chris Kerr, Community Development Director

From: Melissa Gitt, Building Official

Subject: Building Activity for August 2021

	2019		2020		2021	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	1	\$241,108	7	\$1,449,434	32	\$8,106,672
Multi-Family Residential	0	\$0	0	\$0	0	\$0
Assisted Living Facilities	0	\$0	0	\$0	0	\$0
Residential Adds & Alts	3	\$32,527	6	\$173,430	6	\$46,818
Industrial	0	\$0	0	\$0	0	\$0
Commercial	10	\$162,097	5	\$637,165	3	\$108,000
Signs and Fences	0	\$0	0	\$0	0	\$0
Manufactured Homes	0	\$0	0	\$0	0	\$0
TOTALS	14	\$435,732	18	\$2,260,029	41	\$8,261,490
Fiscal Year to Date (August 1 – 31)		\$2,587,641		\$6,044,206		\$22,282,411

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES

2021 Year to Date

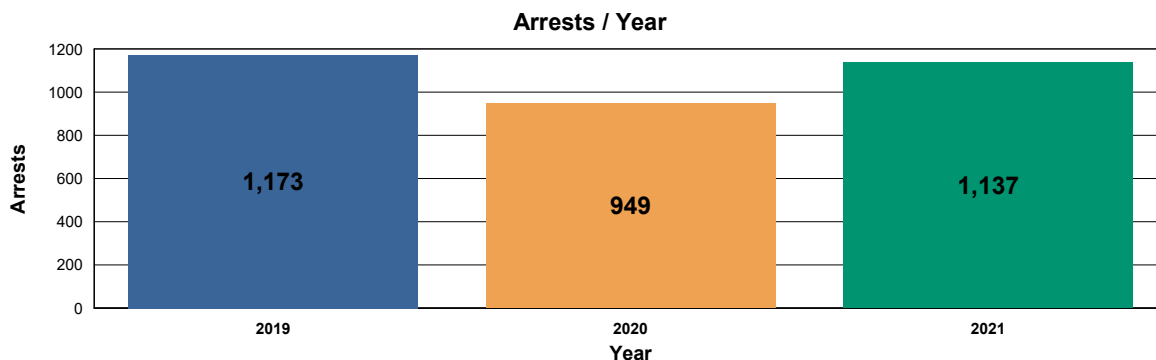
CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
AGGRAVATED ASSAULT	4	0	0	6	4	5	7	26
ANIMAL CRUELTY	0	0	0	0	1	1	0	2
ANIMAL ORDINANCES	1	0	0	2	2	0	1	6
ARSON	1	0	0	0	0	0	1	2
ASSAULT SIMPLE	9	4	5	22	10	10	13	73
ATTEMPTED MURDER	0	1	0	0	0	0	0	1
BURGLARY - BUSINESS	0	1	0	0	0	0	1	2
BURGLARY - OTHER STRUCTURE	1	0	0	0	1	0	0	2
BURGLARY - RESIDENCE	0	1	0	0	3	2	1	7
COMPUTER CRIME	0	0	0	2	0	0	0	2
CRIME DAMAGE-NO VANDALISM OR ARSON	3	1	0	4	1	1	3	13
CRIMINAL MISTREATMENT	0	0	0	0	0	0	1	1
CURFEW	4	0	0	0	1	1	0	6
CUSTODIAL INTERFERENCE	0	1	0	0	0	0	0	1
CUSTODY - MENTAL	8	3	3	6	1	3	5	29
DISORDERLY CONDUCT	6	3	2	12	10	7	1	41
DRIVING UNDER INFLUENCE	10	7	12	18	11	17	37	112
DRUG LAW VIOLATIONS	10	4	1	4	3	3	1	26
DWS/REVOKED - FELONY	0	0	1	2	0	0	0	3
DWS/REVOKED-MISDEMEANOR	3	4	7	4	2	4	9	33
ELUDE	1	2	0	4	3	4	1	15
EXTORTION/BLACKMAIL	1	0	0	6	0	0	0	7
FAIL TO DISPLAY OPERATORS LICENSE	0	1	0	0	0	2	3	6
FAILURE TO REGISTER AS SEX OFFENDER	1	0	1	2	0	0	0	4
FORCIBLE RAPE	3	0	0	0	0	1	1	5
FORGERY/COUNTERFEITING	0	0	0	0	0	0	2	2
FRAUD - BY DECEPTION/FALSE PRETENSES	0	0	0	0	0	0	1	1
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0	0	0	1	0	2	3
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	0	2	0	0	0	2
FUGITIVE ARREST FOR ANOTHER AGENCY	48	33	26	76	33	44	39	299
FURNISHING	0	0	0	0	0	1	0	1
GARBAGE LITTERING	0	0	0	0	0	1	0	1
HIT AND RUN FELONY	0	0	0	0	2	1	2	5
HIT AND RUN-MISDEMEANOR	3	0	1	6	7	5	5	27
IDENTITY THEFT	0	0	0	0	1	0	1	2
INTIMIDATION /OTHER CRIMINAL THREAT	7	1	1	12	3	4	3	31
INVASION OF PERSONAL PRIVACY	0	0	0	0	0	1	0	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	4	0	1	0	6
MINOR IN POSSESSION	0	1	0	0	2	3	0	6
MINOR IN POSSESSION - TOBACCO	0	0	0	0	0	1	0	1
MOTOR VEHICLE THEFT	1	0	2	4	3	2	3	15
OTHER	5	2	2	4	1	4	3	21
PROVIDE FALSE INFORMATION TO LAW ENFORCEMENT	1	3	0	6	1	2	2	15
RECKLESS DRIVING	2	3	1	10	7	11	20	54
RECKLESSLY ENDANGERING	4	0	0	4	2	2	7	19
RESTRAINING ORDER VIOLATION	1	0	2	2	2	3	3	13
ROBBERY - BUSINESS	1	1	0	0	0	1	0	3
ROBBERY - RESIDENCE	1	0	0	0	0	0	0	1
RUNAWAY	1	1	1	0	1	1	1	6
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	0	0	2	0	0	0	2
SEX CRIME - EXPOSER	0	0	0	4	0	0	0	4
SEX CRIME - FORCIBLE SODOMY	0	0	0	0	0	0	1	1
SEX CRIME - MOLEST (PHYSICAL)	0	0	0	0	0	0	1	1
SEX CRIME - NON-FORCE RAPE	0	0	0	2	0	0	1	3

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES 2021 Year to Date

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	4	0	0	0	4
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	0	0	1	0	0	2
STALKER	0	0	0	6	1	1	2	10
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	1	0	0	2	0	1	1	5
THEFT - BUILDING	0	1	0	0	1	1	0	3
THEFT - FROM MOTOR VEHICLE	0	4	0	0	0	0	0	4
THEFT - OTHER	3	0	0	4	1	0	2	10
THEFT - PICKPOCKET	0	0	0	0	1	0	0	1
THEFT - SHOPLIFT	3	2	1	4	2	2	4	18
TRAFFIC VIOLATIONS	8	0	10	0	1	6	5	30
TRESPASS	1	3	0	8	3	5	6	26
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	1	2	0	0	0	0	1	4
VANDALISM	4	3	1	0	1	1	0	10
VEHICLE RECOVERD FOR OTHER AGENCY	2	2	0	4	1	2	0	11
WEAPON - CARRY CONCEALED	0	0	0	0	0	1	0	1
WEAPON - EX FELON IN POSSESSION	1	1	1	2	0	1	1	7
WEAPON - POSSESS ILLEGAL	5	1	0	6	2	3	2	19
WEAPON - SHOOTING IN PROHIBITED AREA	1	0	0	0	0	0	0	1

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
2021 Total	173	97	81	272	134	173	207	1,173
2020 Total	161	139	105	133	149	153	109	949
2019 Total	178	115	157	146	172	174	231	1173



Woodburn Police Department

MONTHLY CRIMINAL OFFENSES 2021 Year to Date

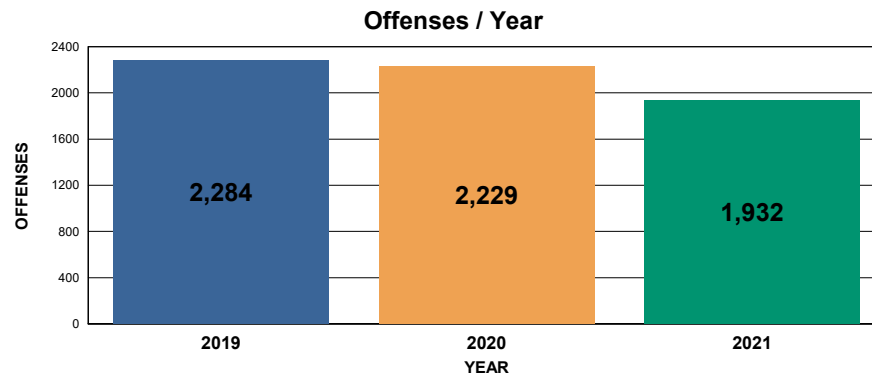
CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
AGGRAVATED ASSAULT	2	3	1	7	5	9	13	40
ANIMAL CRUELTY	0	0	1	0	1	1	0	3
ANIMAL ORDINANCES	1	0	0	1	1	0	1	4
ARSON	1	0	0	0	0	0	1	2
ASSAULT SIMPLE	10	7	9	10	16	12	16	80
ATTEMPTED MURDER	0	1	0	0	0	0	0	1
BURGLARY - BUSINESS	1	4	3	2	1	1	4	16
BURGLARY - OTHER STRUCTURE	0	3	0	4	2	1	2	12
BURGLARY - RESIDENCE	2	4	1	1	7	9	0	24
CHILD NEGLECT	0	0	0	0	0	1	0	1
COMPUTER CRIME	0	0	0	1	0	0	0	1
CRIME DAMAGE-NO VANDALISM OR ARSON	5	10	12	18	6	7	11	69
CRIMINAL MISTREATMENT	1	0	0	0	0	1	0	2
CURFEW	1	0	1	0	1	1	0	4
CUSTODIAL INTERFERENCE	0	1	0	0	0	0	0	1
CUSTODY - MENTAL	8	3	3	3	1	3	5	26
DISORDERLY CONDUCT	5	4	4	5	7	7	2	34
DRIVING UNDER INFLUENCE	10	7	12	9	11	17	38	104
DRUG LAW VIOLATIONS	6	3	1	2	3	1	1	17
DWS/REVOKED - FELONY	0	0	1	1	1	0	0	3
DWS/REVOKED-MISDEMEANOR	3	4	7	2	2	4	8	30
ELUDE	2	2	3	4	5	4	2	22
ESCAPE FROM YOUR CUSTODY	0	0	1	0	0	0	0	1
EXTORTION/BLACKMAIL	1	1	0	2	0	1	0	5
FAIL TO DISPLAY OPERATORS LICENSE	0	1	1	0	0	2	3	7
FAILURE TO REGISTER AS SEX OFFENDER	1	0	1	1	0	0	0	3
FORCIBLE RAPE	2	2	3	2	2	2	1	14
FORGERY/COUNTERFEITING	2	0	3	2	1	3	5	16
FRAUD - BY DECEPTION/FALSE PRETENSES	2	1	4	4	6	4	3	24
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	1	4	1	1	3	1	3	14
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	0	1	0	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	33	26	27	28	19	32	27	192
FURNISHING	0	0	0	0	0	1	0	1
GARBAGE LITTERING	0	0	0	0	0	1	1	2
HIT AND RUN FELONY	1	0	1	2	1	1	4	10
HIT AND RUN-MISDEMEANOR	15	13	14	15	18	25	20	120
IDENTITY THEFT	2	2	4	0	3	5	3	19
INTIMIDATION /OTHER CRIMINAL THREAT	3	1	1	5	5	8	5	28
INVASION OF PERSONAL PRIVACY	0	0	0	0	0	1	0	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	2	0	0	2	0	4	0	8
MINOR IN POSSESSION	0	2	1	0	2	2	0	7
MISCELLANEOUS	10	19	22	21	20	14	22	128
MOTOR VEHICLE THEFT	9	6	14	12	15	14	15	85
NON CRIMINAL DOMESTIC DISTURBANCE	9	10	11	8	8	2	0	48
OTHER	5	4	3	4	1	4	4	25
PROPERTY - FOUND LOST MISLAID	4	3	2	1	1	1	3	15
PROPERTY RECOVER FOR OTHER AGENCY	2	1	1	3	1	1	0	9
RECKLESS DRIVING	1	3	3	7	7	12	23	56
RESTRAINING ORDER VIOLATION	1	0	2	1	5	4	3	16
ROBBERY - BUSINESS	1	1	0	0	0	2	0	4
ROBBERY - CAR JACKING	0	0	0	0	2	0	1	3
ROBBERY - CONV.STORE	0	1	0	0	0	0	0	1
ROBBERY - OTHER	0	0	1	1	0	1	1	4
ROBBERY - RESIDENCE	1	0	0	0	0	0	0	1
RUNAWAY	2	1	1	0	2	2	2	10
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	1	0	0	0	2	0	3
SEX CRIME - EXPOSER	0	0	0	0	1	0	0	1

Woodburn Police Department

MONTHLY CRIMINAL OFFENSES

2021 Year to Date

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
SEX CRIME - FORCIBLE SODOMY	1	0	1	1	0	0	0	3
SEX CRIME - MOLEST (PHYSICAL)	1	1	1	1	2	1	0	7
SEX CRIME - NON-FORCE RAPE	0	0	0	1	0	2	0	3
SEX CRIME - OBSCENE PHONE CALL	0	0	0	0	1	1	0	2
SEX CRIME - OTHER	0	0	0	0	1	0	0	1
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	1	0	0	1	0	0	0	2
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	1	0	1	0	0	3
STALKER	0	0	1	1	1	2	1	6
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	1	0	1	1	0	0	1	4
THEFT - BICYCLE	1	0	0	0	0	2	5	8
THEFT - BUILDING	2	0	1	2	1	3	0	9
THEFT - FROM MOTOR VEHICLE	8	8	7	14	6	10	9	62
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	6	1	6	3	9	1	3	29
THEFT - OTHER	12	12	12	10	10	17	14	87
THEFT - PURSE SNATCH	0	0	0	0	1	1	0	2
THEFT - SHOPLIFT	15	11	14	11	16	16	23	106
TRAFFIC VIOLATIONS	10	1	14	3	1	8	3	40
TRESPASS	3	6	2	4	5	7	3	30
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	2	0	1	0	1	0	2	6
VANDALISM	18	9	10	8	14	13	17	89
VEHICLE RECOVERD FOR OTHER AGENCY	6	3	2	3	2	3	0	19
WEAPON - CARRY CONCEALED	0	0	0	0	0	2	0	2
WEAPON - EX FELON IN POSSESSION	0	1	1	1	0	1	1	5
WEAPON - POSSESS ILLEGAL	2	1	1	3	6	8	3	24
WEAPON - SHOOTING IN PROHIBITED AREA	1	0	0	1	2	1	0	5
	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
2021 Total	259	213	257	262	273	330	338	1,932
2020 Total	307	322	249	278	361	376	336	2,229
2019 Total	330	235	325	297	371	374	352	2,284



Woodburn Police Department

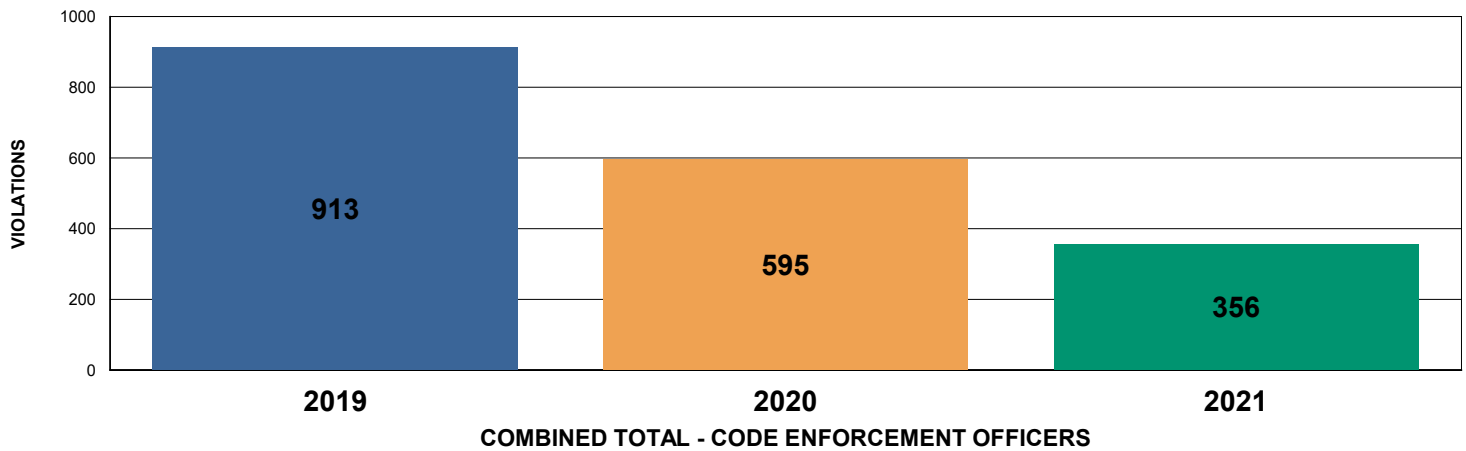
ORDINANCE VIOLATIONS

2021 Year to Date

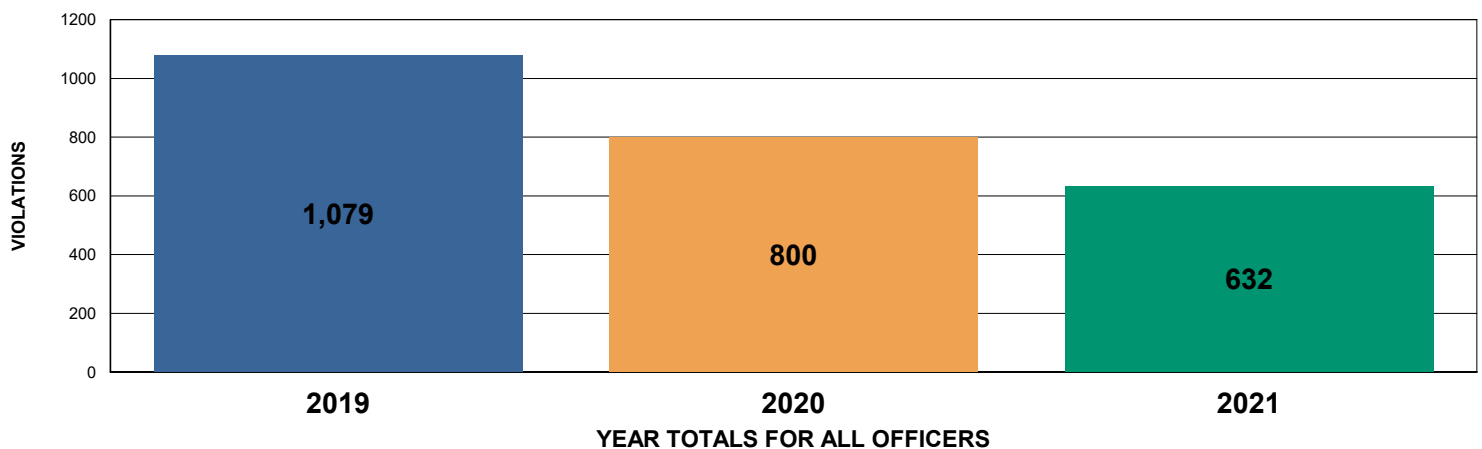
8/17/2021

Ordinance Discription	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
Animal Complaint	18	32	41	47	41	46	38	263
Ordiinance - Abate/Nuisances	2	0	0	0	0	0	0	2
Ordinance - Abandoned Vehicles	16	22	26	26	30	19	40	179
Ordinance - Abate Graffiti	0	0	2	4	0	1	2	9
Ordinance - Land Use Violations	1	0	1	1	0	1	0	4
Ordinance - Oth Violation	14	12	13	18	27	21	21	126
Ordinance - Tall Grass	0	0	0	0	17	13	19	49
2021 Total	51	66	83	96	115	101	120	632
2020 Total	109	121	97	80	156	123	114	800
2019 Total	141	99	148	116	205	197	173	1,079

Ordinance Violations / Code Enforcement Officers



Ordinance Violations / Year



September 13, 2021

TO: Honorable Mayor and Council through City Administrator

FROM: Anthony Turley, Finance Director

SUBJECT: **FY 2021-2022 Supplemental Budget Request for Acceptance of Grant Awards for Aware Food Bank Project, the Impact to the Building Fund of Increased Commercial Building Permit Activity and a Budget Transfer from the General Fund to the General Capital Construction Fund for an Upgrade to the Library HVAC System**

RECOMMENDATION:

Adopt the Resolution authorizing \$250,000 additional grant revenue and appropriation authority to Operating Expenses in the General Fund. Additional transfer authority from the general fund to the general capital construction fund in the amount of \$95,000. Increasing the Operating Revenue in the building inspection fund and Operating Expenditures by \$4,500,000 to account for increased activity in commercial building activity.

BACKGROUND:

Every year, after Council budget adoption, circumstances arise that were either unforeseen, unquantifiable, or discovered as errors. Oregon Budget Law, ORS 294.471(1) provides for changes to adopted budgets through a transfer resolution or supplemental budget process that notices the proposed changes. Transfers in excess of 15 percent of any fund's total expenditures, or supplemental budget changes in excess of 10 percent of any fund's total expenditures, require a public hearing to accept public testimony on the item under consideration.

Like the adopted budget, supplemental budget requests must be balanced; in other words, net revenue and net expense for the request must be equal. This can be accomplished by budgeting additional revenue or by reducing another expenditure category (such as contingencies).

DISCUSSION:

The City of Woodburn has received a CDBG grant through the State of Oregon for \$250,000. This additional revenue was not anticipated when the budget was adopted. This grant is intended to provide capital improvements to the Aware

Foodbank facility in Woodburn as presented to the City Council on March 8, 2021 prior to applying for the grant.

In addition, Building plan review for Project Basie (Amazon) will be completed by Clair Company, Inc. under the Project Basie (Amazon) Building Plan Review Services Agreement. The total amount of funds requested is \$4,500,000; to cover the cost of building plan review, project coordination, and administrative services required. The cost associated with the Building Plan Review Services Agreement will be funded directly from the fees that the building department will collect from the applicant through the adopted fee schedule. The \$4,500,000 budget request will be specifically funded by the building and fire/life/safety plan review fees, as well as, the numerous deferred submittal plan review fees collected by the applicant. The Clair Company, Inc. will receive 70 percent of the plan review fees collected by the City under the Service Agreement.

In addition, it has been discovered that the city budgeted appropriations in both the general fund and general capital construction fund for the aquatics center HVAC replacement. As the funds are already appropriated staff recommends using the additional budget to replace the HVAC system in the library. This requires a transfer of the appropriation authority from the general fund into the general capital construction fund in the amount of \$95,000. In addition to the transfer the project is eligible for a \$15,000 grant from the energy trust fund.

FINANCIAL IMPACT:

If the resolution is approved, the following changes will be made:

SUMMARY OF PROPOSED BUDGET CHANGES								
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED								
General Fund 001								
Resource	Original	Change	Revised	Requirement	Original	Change	Revised	
1 Revenue	24,369,920	250,000	24,619,920	1 Operating Expenses	24,369,920	250,000	24,619,920	
2				2 Operating Expenses	24,619,920	(95,000)	24,524,920	
				3 Operating Transfer Out	24,524,920	95,000	24,619,920	
Revised Total Fund Resources			24,619,920	Revised Total Fund Requirements			24,619,920	
<i>Comments: CDBG Grant for the AWARE Food Bank project & Transfer for Library HVAC project</i>								
SUMMARY OF PROPOSED BUDGET CHANGES								
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED								
Building Fund 123								
Resource	Original	Change	Revised	Requirement	Original	Change	Revised	
1 Revenue	2,630,100	4,500,000	7,130,100	1 Operating Expenses	2,630,100	4,500,000	7,130,100	
2				2				
Revised Total Fund Resources			7,130,100	Revised Total Fund Requirements			7,130,100	
<i>Comments: Increase in revenue & expense due to high building activity affecting associated fees</i>								
SUMMARY OF PROPOSED BUDGET CHANGES								
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED								
Gen Cap Construction Fund								
Resource	Original	Change	Revised	Requirement	Original	Change	Revised	
1 Revenue	384,790	110,000	494,790	1 Operating Expenses	384,790	110,000	494,790	
2				2				
Revised Total Fund Resources			494,790	Revised Total Fund Requirements			494,790	
<i>Comments: Increase in revenue & expense due to Library HVAC project</i>								

COUNCIL BILL NO. 3164

RESOLUTION NO. 2179

A RESOLUTION APPROVING TRANSFERS OF FY 2021-2022 APPROPRIATIONS AND APPROVING A SUPPLEMENTAL BUDGET

WHEREAS, ORS 294.463(1) permits "transfers of appropriations" within any fund "when authorized by official resolution or ordinance of the governing body"; and

WHEREAS, ORS 294.463(2) limits "transfers of general operating contingency appropriations to no more than fifteen (15) percent of the total appropriations of the fund" unless adopted pursuant to a supplemental budget; and

WHEREAS, transfers made pursuant to any of the above must state the need for the transfer, the purpose for the authorized expenditure, and the amount of the appropriation transferred; and

WHEREAS, ORS 294.471(1)(a) permits supplemental budgets when "an occurrence of condition which had not been ascertained at the time of the preparation of a budget for the current year or current budget period which requires a change in financial planning"; and

WHEREAS, ORS 294.473 requires the governing body to hold a public hearing on the supplemental budget when the estimated expenditures contained in the supplemental budget for fiscal year or budget period differ by ten (10) percent or more of any one of the individual funds contained in the regular budget for that fiscal year; and

WHEREAS, the transfers contained herein are made pursuant to ORS 294.463; and

WHEREAS, the supplemental budget contained herein is made pursuant to ORS 294.471; and

WHEREAS, a public hearing was held September 13, 2021 on the supplemental budget changes, **NOW, THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. That pursuant to the applicable ORS provisions cited above, the City Council hereby approves the transfers of appropriations and supplemental budget for FY 2021-22 in the amounts shown in the summary.

SUMMARY OF PROPOSED BUDGET CHANGES								
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED								
General Fund 001								
Resource	Original	Change	Revised	Requirement	Original	Change	Revised	
1 Revenue	24,369,920	250,000	24,619,920	1 Operating Expenses	24,369,920	250,000	24,619,920	
2				2 Operating Expenses	24,619,920	(95,000)	24,524,920	
				3 Operating Transfer Out	24,524,920	95,000	24,619,920	
Revised Total Fund Resources			24,619,920	Revised Total Fund Requirements			24,619,920	
Comments: CDBG Grant for the AWARE Food Bank project & Transfer for Library HVAC project								
SUMMARY OF PROPOSED BUDGET CHANGES								
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED								
Building Fund 123								
Resource	Original	Change	Revised	Requirement	Original	Change	Revised	
1 Revenue	2,630,100	4,500,000	7,130,100	1 Operating Expenses	2,630,100	4,500,000	7,130,100	
2				2				
Revised Total Fund Resources			7,130,100	Revised Total Fund Requirements			7,130,100	
Comments: Increase in revenue & expense due to high building activity affecting associated fees								
SUMMARY OF PROPOSED BUDGET CHANGES								
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED								
Gen Cap Construction Fund								
Resource	Original	Change	Revised	Requirement	Original	Change	Revised	
1 Revenue	384,790	110,000	494,790	1 Operating Expenses	384,790	110,000	494,790	
2				2				
Revised Total Fund Resources			494,790	Revised Total Fund Requirements			494,790	
Comments: Increase in revenue & expense due to Library HVAC project								

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

September 13, 2021
(Prepared September 10, 2021)

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *CK*

Subject: **UPDATE on Planning Commission hearing and decision for Project Basie ("Amazon")**

On September 9th, the Planning Commission unanimously voted to approve the proposed Amazon development with all of the conditions of approval proposed in the Staff Report. Public testimony was received from five ("5") individuals. The testimony generally involved questions related to storm drainage and traffic concerns. Staff and the applicant responded to the comments raised and the Commission determined that the conditions of approval satisfactorily addressed the comments received. The Final Decision was modified to correct a scrivener's error identified at the hearing.

The memo supplements Item 13A. on your September 13th Agenda, "*Call-up Briefing*" *Planning Commission decision of a Design Review associated application for Project Basie ("Amazon")*. That briefing memo has more details about the project.

The Council may call up this item for review if desired and, by majority vote, initiate a review of this decision.

RECOMMENDATION:

Staff recommends taking no action on this item (not calling the item up for review).

Agenda Item Review: City Administrator ___x___ City Attorney ___x___



Agenda Item

September 13, 2021

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *CK*

Subject: **Call-Up Briefing: Planning Commission decision of a Design Review associated application for Project Basie ("Amazon") at 450 S. Butteville Road (DR 21-07, EXCP 21-03, PAR 21-01, PLA 21-01, RCWOD 21-03, & VAR 21-02)**

DIRECTOR'S NOTE: Please be aware that this Memorandum was prepared prior to the September 9th Planning Commission hearing. Assuming the Commission makes a final decision on this matter on that date, a summary of the Commission's action will be provided to the Council during the Staff's presentation at your September 13th meeting after which the Council should consider calling up this action for review.

RECOMMENDATION:

Staff will provide a recommendation to the Council based on the decision made by the Planning Commission on September 9, 2021. Pursuant to Woodburn Development Ordinance (WDO) Section [4.02.02](#), the Council may call up this item for review if desired and, by majority vote, initiate a review of this decision.

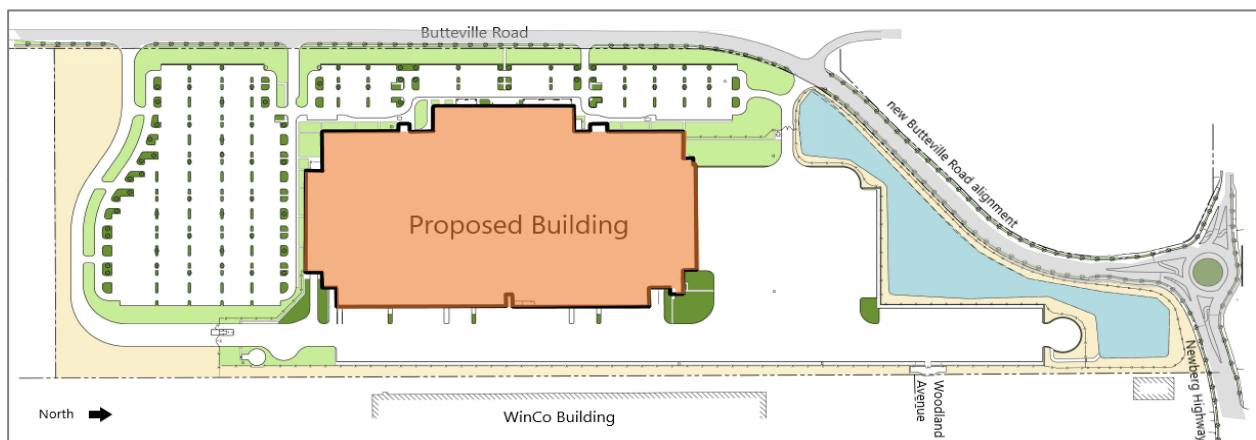
PROJECT BACKGROUND:

The project site is within the Southwest Industrial Reserve (SWIR) zoning district and the proposal is for an approximate 3.85 million square foot distribution and e-commerce facility, which is a permitted use in the SWIR zone. The proposed five-story building will be approximately 105 feet tall and centrally located on the site. Parking facilities will wrap around it, including parking for 1,811 cars and 483 semi-truck trailers. The applicant anticipates employment to be in two daily shifts of 937 people each. There are four driveways accessing Butteville Road on the west side of the property; the northern-most and southern-most driveways function as a truck loop for the site while the middle two driveways serve employees and

Agenda Item Review: City Administrator ___x___ City Attorney ___x___

visitors. Two guardhouses are proposed, one on either end of the truck loop, to control access into the trailer parking area. There are also two employee drop-off areas in front of the building and an emergency access is included from Woodland Avenue. Due to the significant increase in impervious area, the plans include a large on-site stormwater detention basin north of the trailer parking area.

As part of the proposal, the applicant will be partially realigning Butteville Road and Newberg Highway (OR 219) and constructing a new roundabout intersection.



Five variance requests, summarized below, are included with the proposal. The first two are the most consequential.

1. Maximum building height: The SWIR zone allows a building height of up to 45 feet, with features not used for habitation allowed up to 70 feet. The applicant is requesting to increase maximum building height to 105 feet. Because this request results in a larger and more intensive development proposal and associated visual impacts to surrounding properties, staff recommends several conditions of approval to help offset these impacts.
2. A request to not extend Woodland Avenue west to Butteville Road: City planning documents, including the Transportation System Plan, anticipate Woodland Avenue to extend west through the project site and intersect with Butteville Road. Because the applicant is requesting not to construct this street extension nor meet the associated street layout requirements, a variance is required.
3. Minimum separation between primary and accessory structures: The development ordinance requires at least six feet of separation between structures. Because the proposal includes covered patio structures

adjacent to (but detached from) the main building, the applicant is requesting to reduce this minimum separation distance.

4. Minimum number of loading spaces: The development ordinance requires a certain number of loading spaces based on total building square footage. The applicant states that the proposed development does not need the minimum requirement in order to be successful therefore the request is to reduce the minimum number required.
5. Minimum street improvements for portions of Newberg Highway (OR 219) and Butteville Road: Parcel 1 of the proposed partition encompasses the remaining land northwest of the Butteville Road realignment; the applicant is requesting to not construct minimum street improvements along the west (existing Butteville Road) and north (OR 219) frontages of this parcel. Parcel 3 has frontage along Butteville Road; the applicant is requesting to not construct minimum street improvements along this frontage. They will be completed when they are development.

Staff is recommending approval of the request with the conditions included in the Staff Report.