

COUNCIL MEETING MINUTES

JULY 29, 2025

DATE LIBRARY SQUARE, 280 GARFIELD STREET, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JULY 29, 2025

CONVENED The meeting convened at 6:01 p.m. with Mayor Lonergan presiding.

ROLL CALL

Mayor Lonergan	Present
Councilor Cantu	Present
Councilor Cornwell	Present
Councilor Schaub	Present
Councilor Bravo	Present
Councilor Grijalva	Present
Councilor Wilk	Present

Staff Present: City Administrator Derickson, City Attorney Granum, Assistant City Administrator Row, Special Projects Director Wakely, Community Development Director Kerr, Community Services Director Cuomo, Police Chief Millican, Deputy Police Chief Shadrin, Public Works Director Stultz, Senior Planner Handel, Community Relations Manager Herrera, Public Affairs and Communication Manager Guerrero, City Recorder Pierson

ANNOUNCEMENTS

Mayor Lonergan made the following announcements:

- Community Connections Day will take place at Legion Park on August 2, 2025, from 10:00 a.m. to 2:00 p.m.
- National Night Out is August 5, 2025, and there are 20 different block parties registered.
- The Fiesta Mexicana Court Coronation and Show n' Shine Car Show will take place August 8, 2025, from 4:00 p.m.-7:30 p.m. at the Downtown Plaza. Meet the Fiesta Court and watch the crowning of the queen. The following members of the Fiesta Court AndreAna Lopez-Ruiz, Andrea Vasquez Eugenio, Karen Capetillo, and Ariel Zurita Mendoza. introduced themselves and shared their reasons for joining the court.

APPOINTMENT

Motion: Schaub/Cornwell... appoint Cristal Ramos to the Woodburn Library Board.

The Motion passed with the following vote: Councilors Schaub, Cornwell, Wilk, Bravo, Grijalva, and Cantu voting "aye." [6-0]

PRESENTATION

Nancy Kirksey Award – Mayor Lonergan presented Luis Molina with the Nancy Kirksey Award and added that this award goes to honor those that make a difference in the community. Fire Chief Walker thanked Luis Molina on behalf of the Woodburn Fire District for all he does not only for them but for the entire community. Police Chief Millican congratulated Luis Molina on receiving this award and thanked him for all he has done for the police department and the community. City Administrator

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Derickson stated that Luis Molina is a man who lives by his faith and consistently supports the community, emphasizing his significance both personally and to the community as a whole.

Mary Tennant Award- City Administrator Derickson presented Public Works Director Curtis Stultz with the Mary Tennant Award. He stated that Curtis has been with the City for many years, serving in various roles before becoming the Public Works Director. In addition to his official duties, Curtis has also contributed significantly to the City through his involvement outside of work. Curtis expressed his gratitude for the honor, stating that he could not have achieved it without the support of his family and the other employees at the City.

Recognition and thanks to Representative Muñoz – Mayor Lonergan recognized Representative Muñoz and thanked her for her efforts in getting \$2 million to help update Settlemier Park as well as her help in getting funding for Mid-Willamette Valley Community in Actions HeadStart Project. Eva with Mid-Willamette Valley Community in Action HeadStart, thanked Representative Muñoz for helping get \$950,000 in funding to help with old building.

Police Department Community Member Recognition – Police Chief Millican acknowledged the commendable actions of Gary Lee Bishop Jr., whose selfless conduct and courage significantly contributed to ensuring the safety of the community. In recognition of his exemplary service, Gary Lee Bishop Jr. was awarded the Woodburn Police Department Certificate of Appreciation.

Recognition of Public Works Employee Receiving Certifications – Public Works Director Stultz recognized the following employees: Jeff Baker, Heath Harmon and Roy Ramirez for earning their Right of Way Public Pesticide Applicator Licenses from the Oregon Department of Agriculture; Mike Avgi for obtaining his Wastewater Treatment Operator 1 certification; Jordan Garner for obtaining his Wastewater Treatment Operator 2 certification; and Yobani Lopez for passing his Wastewater Collection Operator 1 exam.

Oregon Building Officials Association - Building Inspector of the Year – Chris Kerr recognized that Brian Pascoe received the Building Inspector of the Year honor from the Oregon Building Officials Association.

Key to the City –Mayor Lonergan presented a Key to the City to Isabella Baldesseri in recognition of her many accomplishments, including her recent achievement of becoming Key Club International President. Sharon Schmidt spoke about Isabella’s numerous achievements and the positive impact she has made. John Zobrist noted that Isabella had served as an intern for the Woodburn Chamber of Commerce and expressed how impressed he was with her abilities. Isabella thanked the Woodburn Kiwanis, French Prairie Kiwanis, and the Woodburn community for their ongoing support.

CONSENT AGENDA

- A. Woodburn City Council minutes of July 14, 2025,
- B. Woodburn City Council Executive Session minutes of July 14, 2025,
- C. New Development Activity for June 2025,
- D. Traffic Photo Enforcement Quarterly Report,
- E. Traffic Photo Enforcement Report for April - June 2025.

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Motion: Schaub/Cantu... approve the consent agenda as presented.

The Motion passed with the following vote: Councilors Schaub, Cornwell, Wilk, Bravo, Grijalva, and Cantu voting “aye.” [6-0]

PUBLIC HEARINGS

Community Development Block Grant - CDBG CV for Non-construction Projects: AWARE Food Bank – Food Assistance Program

Mayor Lonergan opened the hearing at 6:45 p.m. for the purpose of hearing public input on the Community Development Block Grant - CDBG CV for Non-construction Projects: AWARE Food Bank – Food Assistance Program. Economic Development Director Johnk provided a staff report. No members of the public wished to speak in either support or opposition on the Community Development Block Grant - CDBG CV for Non-construction Projects: AWARE Food Bank – Food Assistance Program. Mayor Lonergan closed the hearing at 6:49 p.m.

Mayor Lonergan called for a roll call vote authorizing the City Administrator to execute any and all documents related to the grant application and to effectuate an award of the grant.

The item passed with the following vote: Councilors Schaub, Cornwell, Wilk, Bravo, Grijalva, and Cantu voting “aye.” [6-0]

COMMUNITY PROJECT GRANT AGREEMENT FOR LIBERTY HOUSE

City Administrator Derickson provided a staff report. Alison Kelley, Chief Executive Officer with Liberty House, provided information on their services and added that they are honored to be in the Woodburn community.

Motion: Schaub/Grijalva... authorize the City Administrator to enter into a Community Project Grant Agreement in the amount of \$5,000 annually for five (5) years for fiscal years 2025-26 through 2030-31 for services provided to Woodburn and residents.

The Motion passed with the following vote: Councilors Schaub, Cornwell, Wilk, Bravo, Grijalva, and Cantu voting “aye.” [6-0]

COUNCIL BRIEFING OF PLANNING COMMISSION APPROVAL OF A 4-LOT SUBDIVISION APPLICATION AT TAX LOT 051W08CC06100

The City Council declined to call this item up.

ADJOURNMENT

Motion: Cornwell/Bravo... move to adjourn.

The Motion passed with the following vote: Councilors Schaub, Cornwell, Bravo, Wilk, Grijalva, and

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Cantu voting “aye.” [6-0]

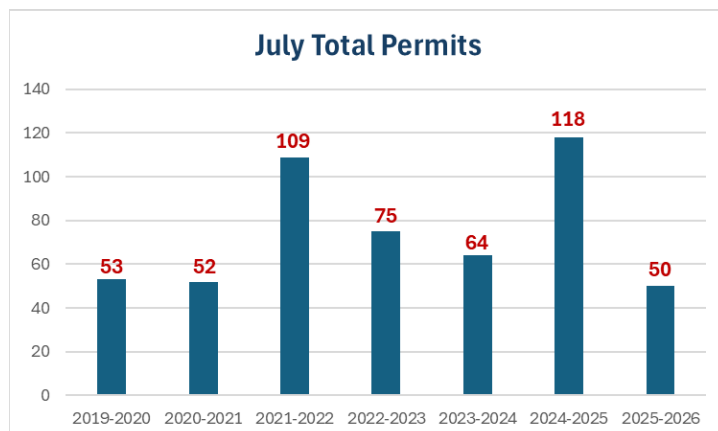
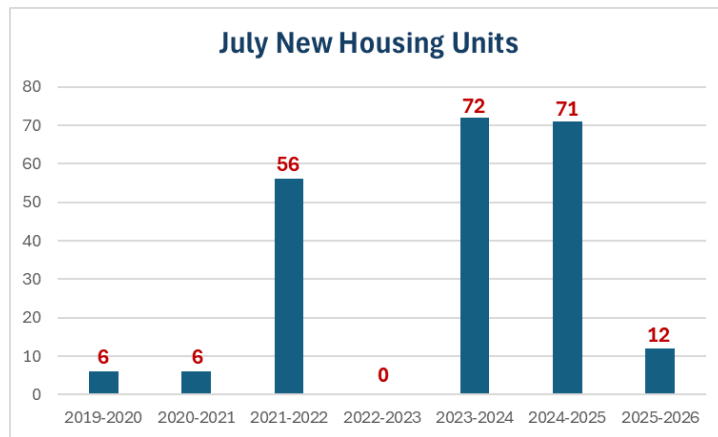
Mayor Loneragan adjourned the meeting at 6:53 p.m.

APPROVED _____
FRANK LONERGAN, MAYOR

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

DRAFT

City of Woodburn New Development Activity						
July- '25						
Month	Total Permits	New Single Family Home Permits	Residential Building Permit Valuation	Commercial Building Permit Valuation	Total Permit Valuation	New Housing Units
July '19	53	6	\$ 1,495,627	\$ 656,282	\$ 2,701,360	6
July '20	52	6	\$ 1,246,719	\$ 2,321,000	\$ 4,797,097	6
July '21	109	32	\$ 9,644,257	\$ 4,358,664	\$ 14,293,454	56
July '22	75	0	\$ 758,772	\$ 544,600	\$ 2,985,760	0
July '23	64	0	\$ 128,618	\$ 14,929,894	\$ 15,513,659	72
July '24	118	47	\$15,163,916	\$ 3,191,600	\$ 18,782,151	71
July '25	50	12	\$ 4,561,216	\$ 3,685,910	\$ 8,486,680	12
Fiscal Year Totals (July)						
2019-2020	53	6	\$ 1,495,627	\$ 656,282	\$ 2,701,360	6
2020-2021	52	6	\$ 1,246,719	\$ 2,321,000	\$ 4,797,097	6
2021-2022	109	32	\$ 9,644,257	\$ 4,358,664	\$ 14,293,454	56
2022-2023	75	0	\$ 758,772	\$ 544,600	\$ 2,985,760	0
2023-2024	64	0	\$ 128,618	\$ 14,929,894	\$ 15,513,659	72
2024-2025	118	47	\$15,163,916	\$ 3,191,600	\$ 18,782,151	71
2025-2026	50	12	\$ 4,561,216	\$ 3,685,910	\$ 8,486,680	12



August 11, 2025

TO: Honorable Mayor and City Council
FROM: Scott C. Derickson, City Administrator
SUBJECT: **Appointment of Administrator Pro Tem**

RECOMMENDATION:

Appoint Assistant City Administrator Jim Row as Administrator Pro Tem for the period of August 28, 2025, through September 9, 2025.

BACKGROUND:

Pursuant to Section 21(e) of the Woodburn Charter, the City Council shall appoint an Administrator Pro Tem as appropriate. Assistant City Administrator Jim Row has agreed to serve in this Pro Tem capacity from December 25, 2023 through January 24, 2024, unless terminated earlier at the discretion of the Mayor. The Pro Tem Administrator shall possess the powers and duties of the Administrator, as limited by the Charter.

FINANCIAL IMPACT:

There is no financial impact associated with the recommended action.

August 11, 2025

TO: Honorable Mayor and City Council through City Administrator

FROM: Jesse Cuomo, Community Services Director

SUBJECT: **Public Hearing, Ordinance Amendment, and Resolution to adopt an updated Parks and Recreation System Development Charges (SDC) Methodology and approve new SDC Fees**

RECOMMENDATION:

Conduct a public hearing and enact an ordinance amending Ordinance 2250 (The Parks and Recreation Systems Development Charges Methodology Ordinance) and approve a Resolution adopting new Parks and Recreation Systems Development Charges (SDCs), effective September 15, 2025.

BACKGROUND:

SDC legislation was first adopted by the State of Oregon in 1989. SDCs are fees that are charged to developers to fund the expansion of infrastructure for parks, streets, water, wastewater, or storm water management systems. By statute, SDCs can only be utilized to fund projects that add capacity to the system. These funds are not allowed for ongoing maintenance. The City of Woodburn has collected and utilized parks and recreation SDCs since 1992. The park's SDC methodology was most recently updated in 2016, following an update to the Parks and Recreation Master Plan in 2009.

The Parks and Recreation Master Plan was updated again in 2024, the City has chosen to also update its park's SDC methodology to correspond with the Capital Improvement Plan (CIP) identified by the updated park master plan.

DISCUSSION:

Although the current SDC methodology allows for an annual adjustment based on the *Engineering News Record (ENR) Northwest (Seattle, Washington)* Construction Cost Index, then adopted by the City Council. The current Park SDC methodology does not account for the cost of new projects that were not included in the 2016 Park CIP list. The SDC methodology that the Council is asked to consider adopting uses the CIP that was approved by the Recreation and

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

Parks Board and adopted by the City Council as part of the 2024 Park Master Plan.

State law has strict provisions that require a city to develop a formula, or “methodology”, which takes into account the value of existing or planned capacity in the infrastructure system to serve new development. Oregon law allows for both a “reimbursement fee” and an “improvement fee.” A “reimbursement fee” is based on the value of available reserve capacity for capital improvements already constructed or under construction. The methodology must consider the cost of existing facilities, prior contributions by existing users, the value of unused capacity, grants, and other relevant factors. The *improvement fee* is designed to recover all or a portion of the costs of planned capital improvements that add system capacity to serve future development. The methodology must be designed in a manner that SDCs will not exceed the growth-related costs from the CIP.

The ordinance presented for your consideration amends Ordinance 2250 (the Parks and Recreation SDC Ordinance) to do the following:

- Adopts an updated Methodology Report dated March 2025 as the statutory basis for increasing any SDCs.
- Maintains the language to require that the City Council approve annual rate adjustments, as opposed to them being authorized solely by the City Administrator.

The resolution presented for your consideration adopts and implements the new SDC fees based upon the updated Methodology, effective September 15, 2025.

FINANCIAL IMPACT:

The \$24,450 cost to update the Parks SDC Methodology is funded by the Parks SDC Fund.

The current residential SDCs are \$4,647 (all housing types), and non-residential SDCs are \$184 per employee. It is proposed that the residential SDC be increased to \$7,658 for all housing types. The non-residential SDC will increase from \$184 per employee to \$241 per employee. The increased revenues expected to result from the updated methodology and resulting fees are currently unknown.

Attachments:

- March 2025 Parks and Recreation SDC Methodology Update

Presented by:



March

2025

Parks SDC Methodology Update

Final Report

Prepared for:



Donovan Enterprises, Inc.
9600 SW Oak Street, Suite 335
Tigard, Oregon 97223-6596
☎ 503.517.0671



2025 Parks SDC Update



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Introduction/History of the Project

The City of Woodburn conducts periodic updates to its Comprehensive Plan and its various Public Facility Plans to provide orderly and sustainable growth of municipal infrastructure. A key component to funding these public facilities is the system development charge (SDC) program. SDCs are one-time charges for new development—designed to recover the costs of infrastructure capacity needed to serve new development. This section describes the policy context and project scope upon which the body of this report is based. It concludes with a numeric overview of the calculations presented in subsequent sections of this report for parks SDCs.

The city’s current schedule of parks SDCs were last reviewed and adopted by the City Council in August 2016. In October 2024, the City hired Donovan Enterprises, Inc. to review and update the SDC. With this review and update, the City has stated a number of objectives:

- Review the basis for charges to ensure consistency with the City’s proposed parks SDC methodology;
- Address specific policy, administrative, and technical issues which had arisen from application of the existing SDCs;
- Determine the most appropriate and defensible fees, ensuring that development is paying its way;
- Consider possible revisions to the structure or basis of the charges which might improve equity or proportionality to demand;
- Provide clear, orderly documentation of the assumptions and results, so that City staff could, by reference, respond to questions or concerns from the public.

This report provides the documentation of that effort and was done in close coordination with City staff and available facilities planning documents. The SDC updates comply with Woodburn Ordinance No. 2250 (Parks and Recreation SDC Methodology enabling ordinance).

Table 1 gives a component breakdown for the current and proposed SDCs for parks.

Table 1 - Component Breakdown of the Proposed Parks SDCs

Parks SDC Components	Proposed	Current	Difference
<i>Residential per dwelling unit:</i>			
Reimbursement fee	\$ 1,003	\$ 570	\$ 433
Improvement fee	6,655	4,077	2,578
Subtotal residential	\$ 7,658	\$ 4,647	\$ 3,011
<i>Commercial per FTE employee:</i>			
Reimbursement fee	\$ 32	\$ 22	\$ 10
Improvement fee	209	162	47
Subtotal residential	\$ 241	\$ 184	\$ 57

Analytical Process for the Updates

The essential ingredient in the development and calculation of an SDC is valid sources of data. For this project, the consultant team has relied on a number of data sources. The primary sources have been the newly formulated and adopted parks and recreation master plan. On February 12, 2024, the City Council

adopted this plan via Legislative Amendment 23-04. We have supplemented this data source with City planning department records, certified census data, and other documents that we deemed helpful, accurate, and relevant to this study. Table 2 contains a bibliography of the key documents/sources that we relied upon to facilitate our analysis and hence the resulting SDCs.

Table 2 - Data Sources for the Calculation of Parks SDCs

Master Plan Document and/or Corroborating Source Documentation											
<ul style="list-style-type: none"> City of Woodburn Parks and Recreation Master Plan; Conservation Technix, Inc.; January 2024 City of Woodburn Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2023 City of Woodburn Park System Fixed Asset Schedule; June 30, 2023; City Records City of Woodburn Parks System Construction Work in Progress Balances Work Papers; June 30, 2023; City Records City of Woodburn Housing Needs Analysis 2019; Ordinance No. 2576 City of Woodburn Ordinance No. 2250 (Parks SDC methodology) U.S. Census American Community Survey: <table border="1"> <tr> <td>DP03 – Selected Economic Characteristics</td><td>DP04 – Selected Housing Characteristics</td><td>DP05 – ACS Demographic and Housing Estimates</td></tr> <tr> <td>B08008 – Sex of Workers by Place of Work</td><td>B25024 – Dwelling Units in Building Structures</td><td>B25033 – Total Population in Occupied Housing Units</td></tr> <tr> <td>S0101 – Age and Sex of Population</td><td></td><td></td></tr> </table> 			DP03 – Selected Economic Characteristics	DP04 – Selected Housing Characteristics	DP05 – ACS Demographic and Housing Estimates	B08008 – Sex of Workers by Place of Work	B25024 – Dwelling Units in Building Structures	B25033 – Total Population in Occupied Housing Units	S0101 – Age and Sex of Population		
DP03 – Selected Economic Characteristics	DP04 – Selected Housing Characteristics	DP05 – ACS Demographic and Housing Estimates									
B08008 – Sex of Workers by Place of Work	B25024 – Dwelling Units in Building Structures	B25033 – Total Population in Occupied Housing Units									
S0101 – Age and Sex of Population											
<ul style="list-style-type: none"> City of Woodburn Economic Opportunities Analysis; January 2024; Ordinance No. 2619 Portland State University, Population Research Center City of Woodburn Buildable Lands Inventory 2023-2043; 											

The data sources shown in Table 2 were used to formulate the two (2) components of the parks SDCs. These components are the reimbursement and improvement fees. The City has been constructing the SDCs with these two components for over twenty years, and our analysis does not propose changing that methodology. A brief definition of the two components are:

- *The reimbursement fee* considers the cost of existing facilities, prior contributions by existing users of those facilities, the value of the unused/available capacity, and generally accepted ratemaking principles. The objective is future system users contribute no more than an equitable share to the cost of existing facilities. The reimbursement fee can be spent on capital costs or debt service related to the systems for which the SDC is applied.
- *The improvement fee* portion of the SDC is based on the cost of planned future facilities that expand the system's capacity to accommodate growth or increase its level of performance. In developing an analysis of the improvement portion of the fee, each project in the respective service's capital improvement plan is evaluated to exclude costs related to correcting existing system deficiencies or upgrading for historical lack of capacity. An example is a facility which improves system capacity to better serve current customers/park patrons. The costs for this type of project must be eliminated from the improvement fee calculation. Only capacity increasing/level of performance costs provide the basis for the SDC calculation. The improvement SDC is calculated as a function of the estimated number of additional equivalent residential units to be served by the City's facilities over the planning period. Such a fee represents the greatest potential for future SDC changes. The improvement fee must also provide a credit for construction of a qualified public improvement.

SDC Legal Authorization and Background

SDCs are authorized by Oregon Revised Statute (ORS) 223.297-314. The statute is specific in its definition of system development charges, their application, and their accounting. In general, an SDC is a one-time fee imposed on new development or expansion of existing development and assessed at the time of development approval or increased usage of the system. Overall, the statute is intended to promote equity between new and existing customers by recovering a proportionate share of the cost of existing and planned/future capital facilities that serve the developing property. Statute further provides the framework for the development and imposition of SDCs and establishes that SDC receipts may only be used for capital improvements and/or related debt service.

Finally, two cost basis adjustments are potentially applicable to both reimbursement and improvement fees: fund balance and compliance costs. In this study, the project team paid attention to this detail to align future infrastructure costs to those responsible for paying those costs. The reasons for this attention is as follows:

- *Fund Balances* - To the extent that SDC revenue is currently available in fund balance, that revenue should be deducted from its corresponding cost basis. For example, if the city has park improvement fees that it has collected but not spent, then those unspent improvement fees should be deducted from the park system's improvement fee cost basis to prevent charging twice for the same capacity.
- *Compliance Costs* - ORS 223.307(5) authorizes the expenditure of SDCs on "the costs of complying with the provisions of ORS 223.297 to 223.314, including the costs of developing system development charge methodologies and providing an annual accounting of system development

charge expenditures.” To avoid spending monies for compliance that might otherwise have been spent on growth-related projects, this report includes an estimate of compliance costs in its SDCs.

Reimbursement Fee

The reimbursement fee represents a buy-in to the cost, or value, of infrastructure capacity within the existing system. Generally, if a system were adequately sized for future growth, the reimbursement fee might be the only charge imposed, since the new customer would be buying existing capacity. However, staged system expansion is needed, and an improvement fee is imposed to allocate those growth related costs. Even in those cases, the new customer also relies on capacity within the existing system, and a reimbursement component is warranted.

In order to determine an equitable reimbursement fee to be used in conjunction with an improvement fee, two points should be highlighted. First, the cost of the system to the City’s customers may be far less than the total plant-in-service value. This is due to the fact that elements of the existing system may have been contributed, whether from developers, governmental grants, and other sources. Therefore, the net investment by the customer/owners is less. Second, the value of the existing system to a new customer is less than the value to an existing customer, since the new customer must also pay, through an improvement fee, for expansion of some portions of the system.

The method used for determining the reimbursement fee accounts for both of these points. First, the charge is based on the net investment in the system, rather than the gross cost. Therefore, donated facilities, typically including local facilities, and grant-funded facilities, would be excluded from the cost basis. Also, the charge should be based on investments clearly made by the current users of the system, and not already supported by new customers. Tax supported activities fail this test since funding sources have historically been from general revenues, or from revenues which emanate, at least in part, from the properties now developing. Second, the cost basis is allocated between used and unused capacity, and, capacity available to serve growth. In the absence of a detailed asset by asset analysis, it is appropriate to allocate the cost of existing facilities between used and available capacity proportionally based on the forecasted population growth as converted to equivalent dwelling units over the planning period. This approach reflects the philosophy, consistent with the City’s Updated Master Plans, that facilities have been sized to meet the demands of the customer base within the established planning period.

Improvement Fee

There are three basic approaches used to develop improvement fee SDCs: “standards driven,” “improvements-driven,” and “combination/hybrid” approaches. The “standards-driven” approach is based on the application of Level of Service (LOS) standards for facilities. Facility needs are determined by applying the LOS standards to projected future demand, as applicable. SDC-eligible amounts are calculated based on the costs of facilities needed to serve growth. This approach works best where level of service standards have been adopted but no specific list of projects is available. The “improvements-driven” approach is based on a specific list of planned capacity increasing capital improvements. The portion of each project that is attributable to growth is determined, and the SDC-eligible costs are calculated by dividing the total costs of growth-required projects by the projected increase in projected future demand, as applicable. This approach works best where a detailed master plan or project list is available, and the benefits of projects can be readily apportioned between growth and current users. Finally, the combination/hybrid-approach includes elements of both the “improvements driven” and “standards-driven” approaches. Level of Service standards may be used to create a list of planned capacity-increasing projects, and the growth required portions of projects are then used as the basis for

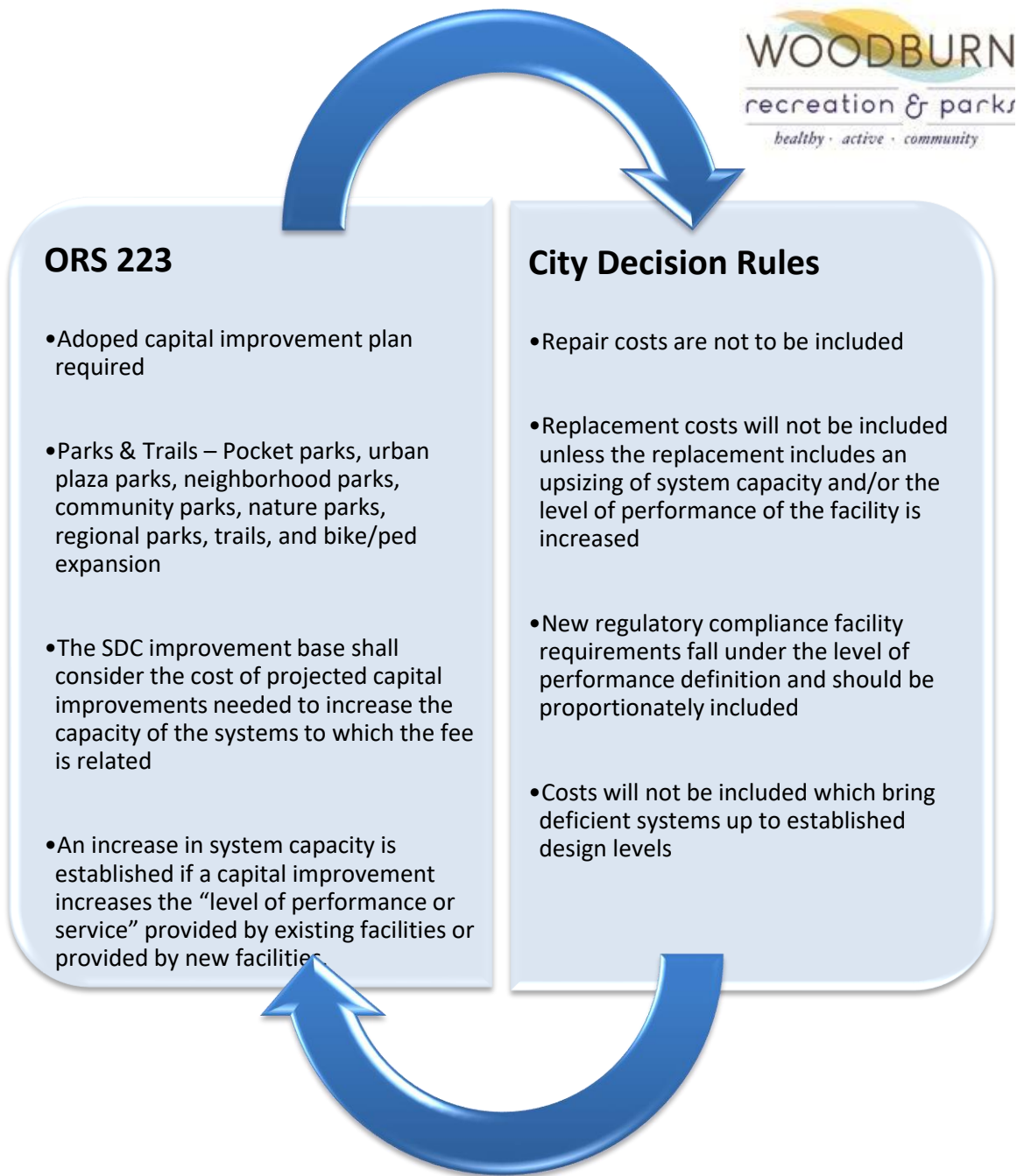
determining SDC eligible costs. This approach works best where levels of service have been identified, and the benefits of individual projects are not easily apportioned between growth and current users.

In the past, the City has utilized the LOS standards approach for parks. This study continues to use this method and has relied on the LOS standards prescribed in the 2024 parks and recreation master plan. Specifically, a LOS standard of 10.5 acres of parkland per 1,000 population.

For this SDC update, the improvement fee represents a proportionate share of the cost to expand the systems to accommodate growth. This charge is based on the newly adopted capital improvement plans established by the City for parks. The costs that can be applied to the improvement fees are those that can reasonably be allocable to growth. Statute requires that the capital improvements used as a basis for the charge be part of an adopted capital improvement schedule, whether as part of a system plan or independently developed, and that the improvements included for SDC eligibility be capacity or level of service expanding. The improvement fee is intended to protect existing customers from the cost burden and impact of expanding a system that is already adequate for their own needs in the absence of growth.

The improvement portion of the SDC is based on the proportional approach toward capacity and cost allocation in that only those facilities (or portions of facilities) that either expand the respective system's capacity to accommodate growth or increase its respective level of performance have been included in the cost basis of the fee. As part of this SDC update, City Staff and their parks planning consultants were asked to review the planned capital improvement lists in order to assess SDC eligibility. The criteria in Figure 1 were developed to guide the City's evaluation:

Figure 1 - SDC Eligibility Criteria



In developing the improvement fee, the project team in consultation with City staff evaluated each of its CIP projects to exclude costs related to correcting existing system deficiencies or upgrading for historical lack of capacity. Only capacity increasing/level of performance costs were used as the basis for the SDC calculation, as reflected in the capital improvement schedules developed by the City. The improvement

fee is calculated as a function of the estimated number of projected additional people over the planning horizon. Once the future costs to serve growth have been segregated (i.e., the numerator), they can be divided into the total number of new people that will use the capacity derived from those investments (i.e., the denominator).

Process for the Granting of Credits, Discounts, and Exemptions

SDC Credits Policy

ORS 223.304 requires that credit be allowed for the construction of a "qualified public improvement" which is required as a condition of development approval, is identified in the Capital Improvement Plan, and either is not located on or contiguous to property that is the subject of development approval or is located on or contiguous to such property and is required to be built larger or with greater capacity than is necessary for the particular development project. The credit for a qualified public improvement may only be applied against an SDC for the same type of improvement and may be granted only for the cost of that portion of an improvement which exceeds the minimum standard facility size or capacity needed to serve the particular project. For multi-phase projects, any excess credit may be applied against SDCs that accrue in subsequent phases of the original development project. In addition to these required credits, the City may, if it chooses, provide a greater credit, establish a system providing for the transferability of credits, provide a credit for a capital improvement not identified in the Capital Improvement Plan, or provide a share of the cost of an improvement by other means.

The City has adopted a policy for granting SDC credits and has codified this policy in the Woodburn Ordinance No. 2250. The adopted SDC credit policy consists of five (5) items as follows:

Ordinance No. 2250 Section 3(F)

(F) Credits for Developer Contributions of Qualified Public Improvements. The city shall grant a credit, not to exceed 100% of the applicable Parks and Recreation SDC, against the system development charges imposed pursuant to Section (3)(A) and (B) for the donation of land as permitted by Ordinance 1807, or for the construction of any qualified public improvements. Such land donation and construction shall be subject to the approval of the city.

- 1) The amount of developer contribution credit to be applied shall be determined according to the following standards of valuation:
 - a) The value of donated lands shall be based upon a written appraisal of fair market value by a qualified and professional appraiser based upon comparable sales of similar property between unrelated parties in a bargaining transaction; and
 - b) The cost of anticipated construction of qualified public improvements shall be based upon cost estimates certified by a professional architect or engineer.
- 2) Prior to issuance of a building permit or development permit, the applicant shall submit to the City Administrator a proposed plan and estimate of cost for contributions of qualified public improvements. The proposed plan and estimate shall include:
 - a) plan is being submitted. a designation of the development for which the proposed
 - b) a legal description of any land proposed to be donated pursuant to Chapter 39 of the Woodburn Zoning Ordinance, Ordinance 1807, and a written appraisal prepared in conformity with subsection (1)(a) of this section;

- c) a list of the contemplated capital improvements contained within the plan;
 - d) an estimate of proposed construction costs certified by a professional architect or engineer; and
 - e) a proposed time schedule for completion of the proposed plan.
- 3) The City Administrator shall determine if the proposed qualified public improvement is:
- a) Required as a condition of development approval;
 - b) Identified in the adopted capital improvement plan (CIP); and either
 - c)
 - i. Not located on or contiguous to property that is the subject of development approval; or
 - ii. Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related
- 4) The decision of the City Administrator as to whether to accept the proposed plan of contribution and the value of such contribution shall be in writing and issued within fifteen (15) working days of the review. A copy shall be provided to the applicant.
- 5) A proposed improvement which does not meet all three (3) of the criteria included in Section 3(F)(3) above shall not be considered a qualified public improvement and the city is not required ORS 223.297 - 223.314 to provide a credit for such an improvement. However, the city shall grant a credit, in an amount not to exceed fifty percent (50%) of the total amount of the applicable Parks and Recreation SDC, for certain other contributions of capital facilities under the following conditions:
- a) The capital facilities being contributed must exceed the city standard required for the specific type of development (i.e., residential, industrial, etc.); and
 - b) Only the value of the contribution which exceeds the city standard required for the specific type of development (i.e., residential, industrial, etc.) shall be considered when calculating the credit; and
- 6) Any applicant who submits a proposed plan pursuant to this section and desires the immediate issuance of a building permit or development permit, shall pay the applicable system development charges. Said payment shall be deemed paid under "protest" and shall not be construed as a waiver of any review rights. Any difference between the amount paid and the amount due, as determined by the City Administrator, shall be refunded to the applicant. In no event shall a refund by city under this subsection exceed the amount originally paid by the applicant.

SDC Discount Policy

The City, at its sole discretion, may discount the SDC rates by choosing not to charge a reimbursement fee for excess capacity, or by reducing the portion of growth-required improvements to be funded with SDCs. A discount in the SDC rates may also be applied on a pro-rata basis to any identified deficiencies, which must be funded from sources other than improvement fee SDCs. The portion of growth-required costs to

be funded with SDCs must be identified in the CIP. Because discounts reduce SDC revenues, they increase the amounts that must come from other sources, such as user fees or general fund contributions, in order to acquire the facilities identified in the Updated Master Plan(s).

Partial and Full SDC Exemption

The City may exempt certain types of development from the requirement to pay SDCs. Exemptions reduce SDC revenues and, therefore, increase the amounts that must come from other sources, such as user fees and property taxes. As in the case of SDC credits, the City has articulated a policy relative to partial and full SDC exemption. This SDC exemption policy is codified in Ordinance 2250, Section 3, subsection E and is as follows:

- (E) Exemptions. The following development shall be exempt from payment of the system development charges:
- 1) Alternations, expansion, or replacement of an existing dwelling unit where no additional dwelling units are created.
 - 2) The construction of accessory buildings or structures which will not create additional dwelling units, and which do not create additional demands on the city's capital improvements.
 - 3) The issuance of a permit for a mobile home on which applicable system development charges have previously been made as documented by receipts issued by the city for such prior payment.

Parks SDCs

Methodology

The methodology for calculating parks SDCs involves first determining the cost basis, which includes the total costs related to addressing the capacity needs due to growth. Next, the growth costs are divided by the projected growth units, such as population and employees, to determine the system-wide unit costs of capacity. Finally, an SDC schedule is created to outline how these system-wide costs will be allocated to individual development types.

Current and Future Demand for Parks and Recreation Services

Growth should be measured in units that most directly reflect the source of demand. In the case of parks, the most applicable units of growth are population and, where appropriate, employees (or new jobs). However, the units in which demand is expressed may not be the same as the units in which SDC rates are charged. Many SDCs, for example, are charged on the basis of new dwelling units. Therefore, conversion is often necessary from units of demand to units of payment. For example, using an average number of residents per household, the number of new residents can be converted to the number of new dwelling units.

Parks and recreation facilities benefit City residents, businesses, non-resident employees, and visitors. The methodology used to update the City's Parks and Recreation SDCs establishes the required connection between the demands of growth and the SDC by identifying specific types of park and recreation facilities and analyzing the proportionate need of residents and employees for each type of facility. The SDCs to be paid by a development meet statutory requirements because they are based on the nature of the development and the extent of the impact of that development on the types of park and recreation facilities for which they are charged. The Parks and Recreation SDCs are calculated based on the specific impact a development is expected to have on the City's population and employment.

Table 3 shows population and employment data from recent City planning documents for the SDC analysis. It uses the concept of equivalent population to measure park usage by residents and employees, with nonresidential development's equivalent population set at 4% of total employees. This reflects future park use by residents compared to employees (see Appendix A for details).

Table 3 - Existing and Future Demand Data

Item	U.S. Census	Existing	Projected		CAGR
	2022	2024	2029	2034	
Population	25,985	29,455	33,326	37,705	2.50%
Employment	12,110	13,500	15,274	17,281	2.50%
Equivalent Population	26,480	30,007	33,950	38,412	
Recent Growth (2024 vs 2022)		3,527			
Future Growth (2034 vs 2024)				8,405	

The 2024 Parks Master Plan Levels of Service and Capacity Analysis

In 2024, the City completed a parks and recreation master plan addressing needs until 2034. It uses levels of service (LOS) to assess current and future park adequacy. LOS standards measure public recreation parklands and facilities against established benchmarks. To determine needs, providers compare the ratio of existing developed park acres per 1,000 residents to the desired level. The gap reflects the required park acreage. As population grows, more acreage is needed to maintain the desired ratio. Through the Parks Master Plan, the City plans to acquire and develop parks according to the community's desired LOS. Funding for improvements will come from contributions by both new development and existing users, based on their needs as determined by planned LOS. The planned LOS specifies the quantity of future City-owned park acreage or facilities per 1,000 equivalent population served. The following equation shows the calculation of the planned LOS. This process was used by the City in the 2016 Parks and Recreation SDC methodology and is in use for this update.

$$\frac{\text{Existing } Q + \text{Planned } Q}{\text{Future Population Served}} = \text{Planned LOS}$$

Where:

Q = quantity (acres of parks, miles of trails, or number of facilities), and Future Population Served = projected 2034 equivalent population

Table 4 shows the existing and future LOS by park type and trails. The capacity requirements, or number of park acres or trail miles, needed for the existing population and for the growth population are estimated by multiplying the planned (future) LOS for each park type (from Table 4) by the equivalent population of each group (from Table 3). Table 5 shows this capacity analysis for each park type, and for the recreational trails network. Table 6 shows the capacity analysis for park and recreation facilities, amenities, and appurtenances.

Table 4 - Existing and Planned Levels of Service

Type	Units of Measure	Existing		Existing		Future		Future	
		Total Units	LOS	Developed Units	LOS	Total Units	LOS	Developed Units	LOS
<i>Parks and Open Space:</i>									
Pocket parks	Acres	2.75	0.09	2.75	0.09	2.75	0.07	2.75	0.07
Specialty use parks	Acres	0.30	0.01	0.30	0.01	0.30	0.01	0.30	0.01
Neighborhood parks	Acres	29.20	0.97	29.20	0.97	44.20	1.15	44.20	1.15
Community parks	Acres	51.00	1.70	51.00	1.70	51.00	1.33	51.00	1.33
Trails/linear parks	Acres	28.00	0.93	28.00	0.93	28.00	0.73	28.00	0.73
Nature parks/open space	Acres	23.80	0.79	-	-	23.80	0.62	-	-
Total Acres		135.05	4.50	111.25	3.71	150.05	3.91	126.25	3.29
<i>Recreation Trails:</i>									
Centennial park trail	Miles	1.00	0.03	1.00	0.03	1.25	0.03	1.25	0.03
Legion park trail	Miles	0.26	0.01	0.26	0.01	0.51	0.01	0.51	0.01
Mill creek greenway trail	Miles	1.34	0.04	1.34	0.04	3.03	0.08	3.03	0.08
Nelson park trail	Miles	0.22	0.01	0.22	0.01	0.47	0.01	0.47	0.01
Right-of-way route	Miles	0.57	0.02	0.57	0.02	0.82	0.02	0.82	0.02
Senior estates park trail	Miles	0.25	0.01	0.25	0.01	0.25	0.01	0.25	0.01
Smith creek trail	Miles	1.22	0.04	1.22	0.04	1.47	0.04	1.47	0.04
Other	Miles	0.17	0.01	0.17	0.01	0.17	0.00	0.17	0.00
Total Miles		5.03	0.17	5.03	0.17	7.97	0.21	7.97	0.21

Table 5 - Capacity Analysis and Project List Allocations for Parks and Trails

Park Type	Total Future Units	Existing Population		Growth Population			Project List Allocation (SDC eligibility)				Reimbursement		
		Total Need	(Surplus)/ Deficit	Total Need	From Existing Inventory	From Project List	Existing		Growth		Units	Percent	
							Units	Percent	Units	Percent			
Parks and Open Space:													
Pocket parks	2.75	2.15	(0.60)	0.60	0.60	-	-	0.0%	-	0.0%	0.60	21.88%	
Specialty use parks	0.30	0.23	(0.07)	0.07	0.07	-	-	0.0%	-	0.0%	0.07	21.88%	
Neighborhood parks	44.20	34.53	5.33	9.67	-	9.67	5.33	26.2%	15.00	73.8%	-	0.00%	
Community parks	51.00	39.84	(11.16)	11.16	11.16	-	-	0.0%	-	0.0%	11.16	21.88%	
Trails/linear parks	28.00	21.87	(6.13)	6.13	6.13	-	-	0.0%	-	0.0%	6.13	21.88%	
Nature parks/open space	23.80	18.59	(5.21)	5.21	5.21	-	-	0.0%	-	0.0%	5.21	21.88%	
Recreation Trails:													
Centennial park trail	1.25	0.98	(0.02)	0.27	0.02	0.25	-	0.0%	0.25	100.0%	0.02	2.35%	
Legion park trail	0.51	0.40	0.14	0.11	-	0.11	0.14	35.6%	0.25	64.4%	-	0.00%	
Mill creek greenway trail	3.03	2.37	1.03	0.66	-	0.66	1.03	37.8%	1.69	62.2%	-	0.00%	
Nelson park trail	0.47	0.37	0.15	0.10	-	0.10	0.15	37.1%	0.25	62.9%	-	0.00%	
Right-of-way route	0.82	0.64	0.07	0.18	-	0.18	0.07	22.0%	0.25	78.0%	-	0.00%	
Senior estates park trail	0.25	0.20	(0.05)	0.05	0.05	-	-	0.0%	-	0.0%	0.05	21.88%	
Smith creek trail	1.47	1.15	(0.07)	0.32	0.07	0.25	-	0.0%	0.25	100.0%	0.07	5.87%	
Other	0.17	0.13	(0.04)	0.04	0.04	-	-	0.0%	-	0.0%	0.04	21.88%	

Table 6 - Capacity Analysis and Project List Allocations for Facilities

Facility Type	Existing Inventory	Existing per Equivalent Population	Future Facilities	Planned per Equivalent Population	Existing		Growth			
					Need (each)	Project List %	Need (each)	Project List %	Reimb. Inventory	Reimb. %
Ballfield	4.00	7,502	6.00	6,402	0.69	34.36%	1.31	65.64%	-	0.00%
Ballfield complex	1.00	30,007	1.00	38,412	-	0.00%	0.22	N/A	0.22	21.88%
Basketball	2.50	12,003	5.50	6,984	1.80	59.89%	1.20	40.11%	-	0.00%
Loop walk	3.00	10,002	5.00	7,682	0.91	45.30%	1.09	54.70%	-	0.00%
Soccer fields	3.00	10,002	3.00	12,804	-	0.00%	0.66	N/A	0.66	21.88%
Open turf	13.00	2,308	13.00	2,955	-	0.00%	2.84	N/A	2.84	21.88%
Playgrounds	15.00	2,000	17.00	2,260	-	0.00%	3.72	100.00%	1.72	11.46%
Shelter	8.00	3,751	13.00	2,955	2.16	43.11%	2.84	56.89%	-	0.00%
Parcourse	1.00	30,007	1.00	38,412	-	0.00%	0.22	N/A	0.22	21.88%
Skate park	1.00	30,007	1.00	38,412	-	0.00%	0.22	N/A	0.22	21.88%
Tennis	2.00	15,004	3.00	12,804	0.34	34.36%	0.66	65.64%	-	0.00%
Splash pad/spray feature	1.00	30,007	2.00	19,206	0.56	56.24%	0.44	43.76%	-	0.00%
Sport court	5.00	6,001	7.00	5,487	0.47	23.42%	1.53	76.58%	-	0.00%
Exercise stations	1.00	30,007	1.00	38,412	-	0.00%	0.22	N/A	0.22	21.88%
Aquatic Center	1.00	30,007	1.00	38,412	-	0.00%	0.22	N/A	0.22	21.88%
Community center & System-Wide LOS	1.00	-	2.00	19,206	0.56	56.24%	0.44	43.76%	-	0.00%

As shown in Table 5, the City has varying degrees of excess (surplus) capacity in existing park and trails acreage; however, there are deficits – both in terms of total land owned and developed -- compared to the planning standard. For example, additional acreage included in the CIP is limited to 15 acres of neighborhood parks (both land purchase and development). Based on the planned LOS shown in Table 5, existing patrons require an additional 5.33 acres in this parks category. Based on capacity analysis, a total acreage need is $(5.33 + 15.00 = 20.33 \text{ acres})$. Since the City is only planning on adding an additional 15 acres, the improvement fee SDC eligibility is $(15.00 / 20.33 = 73.8\%)$.

The same logic applies to the City's recreational trail system. In the case of the Mill Creek greenway trail, the CIP is limiting the mileage alignment addition to 1.69 miles. Based on the LOS, there is an existing mileage deficiency of 1.03 miles. The current and future need therefore is $(1.03 + 1.69 = 2.72 \text{ miles})$. The calculated improvement fee SDC eligibility is then $(1.69 / 2.72 = 62.2\%)$

A separate capacity analysis (shown in Table 6) was conducted for parks and recreation facilities. Similar to the park land analysis, the capacity analysis for facilities is based on the planned LOS. As shown in Table 6, the planned LOS for facilities is shown as the equivalent population served per facility. In some cases, the additional planned investment will yield an enhanced LOS – meaning that the number of people served by a single facility is lower. In other cases, new facilities types are being added. For facilities with enhanced LOS – either existing or new facility types – a portion of the planned investment is needed to meet the needs of existing development. In other cases, where the planned LOS declines (meaning each facility will serve a higher equivalent population than currently), all of the new investment is needed for future development.

Costs

Improvement fee - The current Parks CIP (based on the Parks Master Plan) includes almost \$46 million in improvements to existing parks and facilities, and acquisition of additional land for Parks and Trails. Table 7 provides a listing of park improvements during the planning period, and an allocation of costs between existing development, and future development (growth). The SDC project list shown in Table 7 identifies the portion of planned capital project costs that are related to future development, for purposes of calculating the updated SDCs. Total SDC-eligible costs amount to \$26 million.

Reimbursement fee - The reimbursement fee cost basis is the sum of the value of the existing system inventory funded by City revenues that will serve growth. The capacity requirements for existing development and growth were developed in Tables 4 through 6 for the City's parks, trails, and facilities. Existing acreage and facilities that exceed the capacity requirement of existing development are available to meet the needs of growth. As Tables 5 and 6 indicate, the existing system has available (surplus) capacity in acreage for some parks, trails, and many facilities.

Table 9 shows the calculation of the reimbursement fee cost basis. The City's existing fixed asset records were used to determine the cost of prior investment in parks and facilities; the reimbursement allocation percentages from Tables 3 and 6 were then used to determine the cost of each line item eligible for reimbursement. As shown in Table 8, the reimbursement fee cost basis totals almost \$2.7 million.

Table 7 - Improvement Fee Cost Basis (2024 Parks Master Plan CIP)

Row Labels	Total MP Costs	Grants and Contributions	Other City Funding Sources	System Development Charges
Facility Projects	\$ 16,164,000	\$ 4,217,976	\$ 5,128,604	\$ 6,817,420
Ceiling repair & paint	54,000	-	54,000	-
Center construction	15,000,000	4,217,976	4,217,976	6,564,048
HVAC system upgrade	179,000	-	100,669	78,331
Pool re-plaster (multiple tanks)	208,000	-	208,000	-
Replace storefront doors/windows	45,000	-	45,000	-
Re-tile pool area	89,000	-	89,000	-
Roof repair & replacement	189,000	-	189,000	-
Spray features & water slides	400,000	-	224,959	175,041
Park Acquisitions	\$ 6,046,000	\$ -	\$ 1,584,879	\$ 4,461,121
Acquisition in E area (D)	1,338,000	-	350,739	987,261
Acquisition in NW area (E)	1,262,000	-	330,817	931,183
Acquisition in SE area (C)	1,594,000	-	417,846	1,176,154
Acquisition in SW area (A)	899,000	-	235,661	663,339
Acquisition in SW area (B)	953,000	-	249,816	703,184
Park Improvements	\$ 14,966,000	\$ -	\$ 6,048,119	\$ 8,917,881
ADA compliant picnic table & bench	14,000	-	7,874	6,126
Additional ADA improvements	150,000	-	84,360	65,640
Connecting paved pathway (Lexington ct. to Jamestown st.)	36,000	-	7,926	28,074
Destination/Boundless playground (inclusive)	947,000	-	532,590	414,410
Dog off-leash area (OLA) upgrades	133,000	-	74,799	58,201
Dog park (drinking fountain, shelter, play features, irrigation, fencing, concrete entry)	268,000	-	70,253	197,747
Exercise stations	80,000	-	20,971	59,029
Expand & improve parking areas	562,000	-	316,067	245,933
Expand parking lot	631,000	-	354,872	276,128
Improvement planning	11,000	-	6,186	4,814
Interactive play feature	119,000	-	31,194	87,806
Irrigation extension	80,000	-	20,971	59,029
Minor repairs & renovations	450,000	-	253,079	196,921
Park and playground improvements	133,000	-	74,799	58,201
Park development Phase I	477,000	-	125,039	351,961
Park development Phase II	1,195,000	-	313,253	881,747
Parking lot repairs	106,000	-	106,000	-
Paved interior loop trail & connecting pathway	101,000	-	26,476	74,524
Paved loop trail - connect all amenities and side entries	149,000	-	39,058	109,942

Table 7 - Improvement Fee Cost Basis (2024 Parks Master Plan CIP) - continued

Row Labels	Total MP Costs	Grants and Contributions	Other City Funding Sources	System Development Charges
Paved loop trail - connect all amenities to trail	25,000	-	6,553	18,447
Paved loop trail, plus connect all amenities & side entries	119,000	-	31,194	87,806
Paved pump track (small and large)	803,000	-	210,496	592,504
Paved trail upgrade	90,000	-	50,616	39,384
Picnic tables & benches (ADA compliant)	20,000	-	5,243	14,757
Play equipment upgrade & playground surfacing	286,000	-	74,971	211,029
Playground replacement & playground surfacing	466,000	-	-	466,000
Playground replacement, safety surfacing & improved access	454,000	-	-	454,000
Playground surfacing	161,000	-	42,204	118,796
Rebuild existing shelter	77,000	-	77,000	-
Replace shelter	387,000	-	154,844	232,156
Restroom & drinking fountain	953,000	-	249,816	703,184
Restroom replacement	757,000	-	425,734	331,266
Restroom upgrade	53,000	-	29,807	23,193
Riparian restoration	238,000	-	238,000	-
Security or low-level lighting	150,000	-	150,000	-
Shade trees & tree replacements	70,000	-	70,000	-
Skate park upgrade	631,000	-	631,000	-
Soccer field upgrade	54,000	-	54,000	-
Sport court	88,000	-	23,068	64,932
Sport court resurfacing	107,000	-	107,000	-
Sport court resurfacing & striping	108,000	-	26,802	81,198
Sports court complex (replaces ballfield)	1,578,000	-	369,559	1,208,441
Sports court resurfacing & lighting	379,000	-	88,760	290,240
Sports field improvements	1,136,000	-	390,324	745,676
Viewing platform access improvements	34,000	-	19,121	14,879
Wayfinding & signage	100,000	-	56,240	43,760
Trails	\$ 9,049,369	\$ 1,932,369	\$ 1,304,290	\$ 5,812,710
Acquisitions for alignment	476,000	-	-	476,000
Acquisitions for MCG trail alignment	600,000	-	226,799	373,201
Acquisitions or easements to support alignments	2,000,000	-	440,340	1,559,660
Add restrooms, lighting, drinking fountains, bike racks	500,000	-	188,999	311,001
Hermanson trail connections westward	400,000	-	88,068	311,932
Mill creek greenway OCP grant for trail construction	1,932,369	1,932,369	-	-
Pavement & surfacing repairs or rehabilitation	250,000	-	250,000	-
Trail construction	2,391,000	-	-	2,391,000
Trail construction (OCP funds)	500,000	-	110,085	389,915
Grand Total	\$ 46,225,369	\$ 6,150,345	\$ 14,065,892	\$ 26,009,132

Table 8 - Reimbursement Fee Cost Basis

Acquisition Date	Asset Category	Description	Park Category	Original Cost	Reimbursement		Allocation Basis
					Reimb. %	Reimb \$	
07/01/14	Land	Land Legion Park	Community Park	\$ 15,888	21.88%	\$ 3,476	Community Parks Reimbursement
07/01/47	Land	Land, Cowan Park	Neighborhood Park	1,129	0.00%	-	Neighborhood Parks Reimbursement
07/01/62	Land	Land Parks Maintenance shop	Facilities	5,501	18.23%	1,003	Facilities Reimbursement
07/01/69	Land	Land Settlemier Park	Community Park	13,698	21.88%	2,997	Community Parks Reimbursement
07/01/85	Land	Centennial Park Purchased	Community Park	116,333	21.88%	25,454	Community Parks Reimbursement
07/01/87	Land	Land - West Woodburn Park	Neighborhood Park	12,566	0.00%	-	Neighborhood Parks Reimbursement
06/30/05	Improvements	Centennial Park Ballfields	Community Park	28,490	21.88%	6,234	Community Parks Reimbursement
12/31/06	Improvements	centennial ballfield #3	Community Park	16,438	21.88%	3,597	Community Parks Reimbursement
06/30/07	Improvements	Motorola DP-2 Digital Patroller Cam	Community Park	5,036	21.88%	1,102	Community Parks Reimbursement
06/30/10	Improvements	Centennial Park	Community Park	930,914	21.88%	203,685	Community Parks Reimbursement
06/30/11	Rehabilitation	Pool Resurfacing	Facilities	9,229	21.88%	2,019	Facilities Reimbursement
06/30/12	Rehabilitation	Pool Resurfacing	Facilities	180,529	21.88%	39,500	Facilities Reimbursement
06/30/12	Rehabilitation	Pool Circulation Pump - AQUATICS	Facilities	24,218	21.88%	5,299	Facilities Reimbursement
06/30/12	Rehabilitation	Pool Roof	Facilities	108,894	21.88%	23,826	Facilities Reimbursement
06/30/13	Improvements	Security Cameras - Transit Vehicles	Facilities	14,756	21.88%	3,229	Facilities Reimbursement
06/30/13	Improvements	Tablet Interface Software Module -	Facilities	19,000	21.88%	4,157	Facilities Reimbursement
06/30/13	Improvements	Playground Equipment - Mastodon Dig	Community Park	15,875	21.88%	3,473	Community Parks Reimbursement
06/30/13	Improvements	Playground Equipment & Install - Va	Community Park	41,572	21.88%	9,096	Community Parks Reimbursement
06/30/13	Improvements	Interpretive Graphics & Metal Bases	Community Park	6,080	21.88%	1,330	Community Parks Reimbursement
06/30/13	Improvements	Greenway Park	Trails/Linear Park	483,879	0.00%	-	Trails Reimbursement
06/30/13	Improvements	Centennial Park Improvements	Community Park	336,853	21.88%	73,704	Community Parks Reimbursement
06/30/16	Improvements	centennial park playground	Community Park	72,114	21.88%	15,779	Community Parks Reimbursement
06/30/16	Rehabilitation	legion park rehabilitation	Community Park	657,542	21.88%	143,871	Community Parks Reimbursement
06/30/17	Rehabilitation	aquatic center - 2017 natatorium	Facilities	22,300	21.88%	4,879	Facilities Reimbursement
06/30/18	Rehabilitation	pool heater replacement 2017-18 -	Facilities	52,428	21.88%	11,471	Facilities Reimbursement
06/30/19	Improvements	community center design	Facilities	11,262	0.00%	-	Facilities Reimbursement
06/30/19	Rehabilitation	aquatic center water heater	Facilities	9,415	21.88%	2,060	Facilities Reimbursement
06/30/22	Improvements	park drinking fountain	Community Park	5,427	21.88%	1,187	Community Parks Reimbursement
06/30/22	Rehabilitation	alamo building roof mbwa3321	Facilities	17,507	21.88%	3,831	Facilities Reimbursement
06/30/23	Improvements	Community Center Design CBGF 1571	Facilities	9,663	0.00%	-	Facilities Reimbursement
06/30/23	Improvements	Senior Estates Park Shelter	Neighborhood Park	83,199	0.00%	-	Neighborhood Parks Reimbursement
06/30/23	Improvements	Centennial Park Dog Park	Community Park	1,332	21.88%	291	Community Parks Reimbursement
06/30/24	Improvements	Park Signs	Community Park	55,504	21.88%	12,144	Community Parks Reimbursement

Table 8 - Reimbursement Fee Cost Basis - continued

Acquisition Date	Asset Category	Description	Park Category	Original Cost	Reimbursement		Allocation Basis
					Reimb. %	Reimb \$	
06/30/24	Rehabilitation	Aquatic Center DX Recovery Unit CBG	Facilities	143,700	21.88%	31,442	Facilities Reimbursement
06/30/24	Improvements	legion park improvements -	Community Park	5,066,014	21.88%	1,108,452	Community Parks Reimbursement
06/30/24	Improvements	Boones crossing park gpgf1678	Neighborhood Park	18,886	0.00%	-	Neighborhood Parks Reimbursement
06/30/24	Improvements	Mill Creek Greenway Trail CPGF167	Trails/Linear Park	40,483	0.00%	-	Trails Reimbursement
06/30/24	Improvements	Centennial Dog Park CPGF1673	Community Park	97,716	21.88%	21,380	Community Parks Reimbursement
07/01/47	Land	Land, North Front St. Park	Neighborhood Park	1,304	0.00%	-	Neighborhood Parks Reimbursement
07/01/50	Improvements	Parks Utility Building Settlemier	Community Park	1,200	21.88%	263	Community Parks Reimbursement
07/01/50	Improvements	Cooking Unit and Shelter Settlemier	Community Park	4,400	21.88%	963	Community Parks Reimbursement
07/01/51	Land	Land Settlemier & Hayes	Community Park	1,001	21.88%	219	Community Parks Reimbursement
07/01/60	Improvements	Restroom Structure Settlemier	Community Park	40,880	21.88%	8,945	Community Parks Reimbursement
07/01/63	Improvements	Parks Dept Equipment Storage	Facilities	28,280	18.23%	5,156	Facilities Reimbursement
07/01/63	Improvements	Parks Dept Office	Facilities	32,411	18.23%	5,910	Facilities Reimbursement
07/01/65	Improvements	Ball Field Settlemier Park	Community Park	49,941	21.88%	10,927	Community Parks Reimbursement
07/01/67	Improvements	Restroom, Storage, Concession	Community Park	31,131	21.88%	6,812	Community Parks Reimbursement
02/25/78	Improvements	Drop In Center at Settlemier	Community Park	28,550	21.88%	6,247	Community Parks Reimbursement
01/01/80	Improvements	Museum/Theater 469 Front	Facilities	91,972	21.88%	20,124	Facilities Reimbursement
07/01/80	Improvements	Parks Pole Building	Facilities	6,488	18.23%	1,183	Facilities Reimbursement
07/01/94	Improvements	Legion Park Picnic Pavilion	Community Park	25,106	21.88%	5,493	Community Parks Reimbursement
07/01/95	Improvements	Aquatic Center	Facilities	2,500,957	21.88%	547,213	Facilities Reimbursement
05/23/03	Improvements	Centennial Park Restroom	Community Park	26,513	21.88%	5,801	Community Parks Reimbursement
11/01/03	Improvements	Cipriano Ferrel Center	Facilities	600,152	18.23%	109,429	Facilities Reimbursement
04/01/04	Improvements	Skate Park @ Settlemier	Community Park	211,447	21.88%	46,265	Community Parks Reimbursement
06/30/06	Rehabilitation	Pool Electrical Panel	Facilities	12,141	21.88%	2,656	Facilities Reimbursement
06/30/06	Rehabilitation	Pool Heater	Facilities	25,072	21.88%	5,486	Facilities Reimbursement
08/01/06	Improvements	Playground Equipment	Neighborhood Park	35,000	0.00%	-	Neighborhood Parks Reimbursement
07/10/07	Improvements	Playground Equipment	Neighborhood Park	25,000	0.00%	-	Neighborhood Parks Reimbursement
05/30/08	Improvements	Playground Equipment	Neighborhood Park	44,829	0.00%	-	Neighborhood Parks Reimbursement
06/30/08	Improvements	Software	Facilities	14,990	21.88%	3,280	Facilities Reimbursement
06/30/08	Improvements	Playground Equipment	Neighborhood Park	29,723	0.00%	-	Neighborhood Parks Reimbursement
06/30/10	Rehabilitation	Pool HVAC	Facilities	520,469	21.88%	113,879	Facilities Reimbursement
06/30/14	Improvements	Centennial Park-Outdoor Exercise Eq	Community Park	9,940	21.88%	2,175	Community Parks Reimbursement
06/30/15	Improvements	Flashcam Vandalism Deterrent Camera	Community Park	7,805	21.88%	1,708	Community Parks Reimbursement
06/30/15	Improvements	ADA related improvements	Community Park	24,816	21.88%	5,430	Community Parks Reimbursement
06/30/16	Improvements	Settlemier/west Lincoln	Community Park	4,815	21.88%	1,054	Community Parks Reimbursement
06/30/18	Improvements	centennial park splash pad -	Community Park	202,118	21.88%	44,224	Community Parks Reimbursement
06/30/19	Improvements	natatorium (pool) led lighting	Facilities	31,876	21.88%	6,975	Facilities Reimbursement
06/30/20	Improvements	Plaza Improvements	Pocket Park	25,075	21.88%	5,486	Pocket Parks Reimbursement
06/30/20	Improvements	Community Center Design	Facilities	603,926	0.00%	-	Facilities Reimbursement
06/30/21	Improvements	Community Center Design	Facilities	363,380	0.00%	-	Facilities Reimbursement
				\$ 14,414,078		\$ 2,743,271	

Compliance costs - Local governments are entitled to include in the SDCs, the costs associated with complying with the SDC statutes. Compliance costs include costs related to developing the SDC methodology and project list (i.e., a portion of planning costs), and annual budgeting and reporting. The estimated compliance costs over the 10-year planning period are \$170,000. A detailed breakdown of the projected component costs of compliance are shown below in Table 9.

Proposed Schedule of Parks SDCs

Unit Costs

To determine the SDC schedule, the system-wide unit costs of capacity are calculated as shown in Table 9. The calculations start with allocating the cost basis between residential and nonresidential development. For SDC purposes, park costs are divided based on each group's share of future equivalent population. According to Table 3, the total growth in equivalent population is estimated at 8,405, including 8,250 new residents (98 percent) and 155 nonresidential equivalents (2 percent). Accordingly, residential development is allocated \$27.6 million (combined reimbursement and improvement costs), and nonresidential development is allocated \$1.2 million of future growth-related park costs from Tables 7 and 8. Compliance costs are apportioned to each group proportional to the total capital costs.

The growth capacity units for both residential and nonresidential developments are measured by population; for residential, it is the total population, and for nonresidential, it is employment. The estimated growth in population and employment during the 10-year planning period is 8,250 and 3,781, respectively. Dividing the residential cost by the total growth in population results in improvement and reimbursement unit costs per person of \$2,248 and \$339, respectively. Similarly, the unit costs for nonresidential are \$209 (improvement) and \$32 (reimbursement) per employee.

Table 9 - Parks SDC Unit Cost Calculations

Line Item Description	Fee Basis	(-) SDC Fund Bal	Compliance*	Total	Future Demand		Fee - \$/Unit
					Units	Number	
Improvement fee:							
Residential	\$ 24,945,121	\$ 6,396,258	\$ -	\$ 18,548,864	Population	8,250	\$ 2,248
Non-residential	<u>1,064,011</u>	<u>272,826</u>	<u>-</u>	<u>791,185</u>	Employees	3,781	\$ 209
Total	\$ 26,009,132	\$ 6,669,084	\$ -	\$ 19,340,048			
Reimbursement fee:							
Residential	\$ 2,631,046	\$ -	\$ 163,045	\$ 2,794,092	Population	8,250	\$ 339
Non-residential	<u>112,225</u>	<u>-</u>	<u>6,955</u>	<u>119,179</u>	Employees	3,781	\$ 32
Total	\$ 2,743,271	\$ -	\$ 170,000	\$ 2,913,271			
Total							
Residential							\$ 2,587
Non-residential							\$ 241
<hr/>							
* Compliance Costs:							
Parks Master Plan update		\$ 85,000					
Parks SDC Methodology update		35,000					
Accounting, reporting		<u>50,000</u>					
Total		\$ 170,000					

Schedule of Parks SDCs

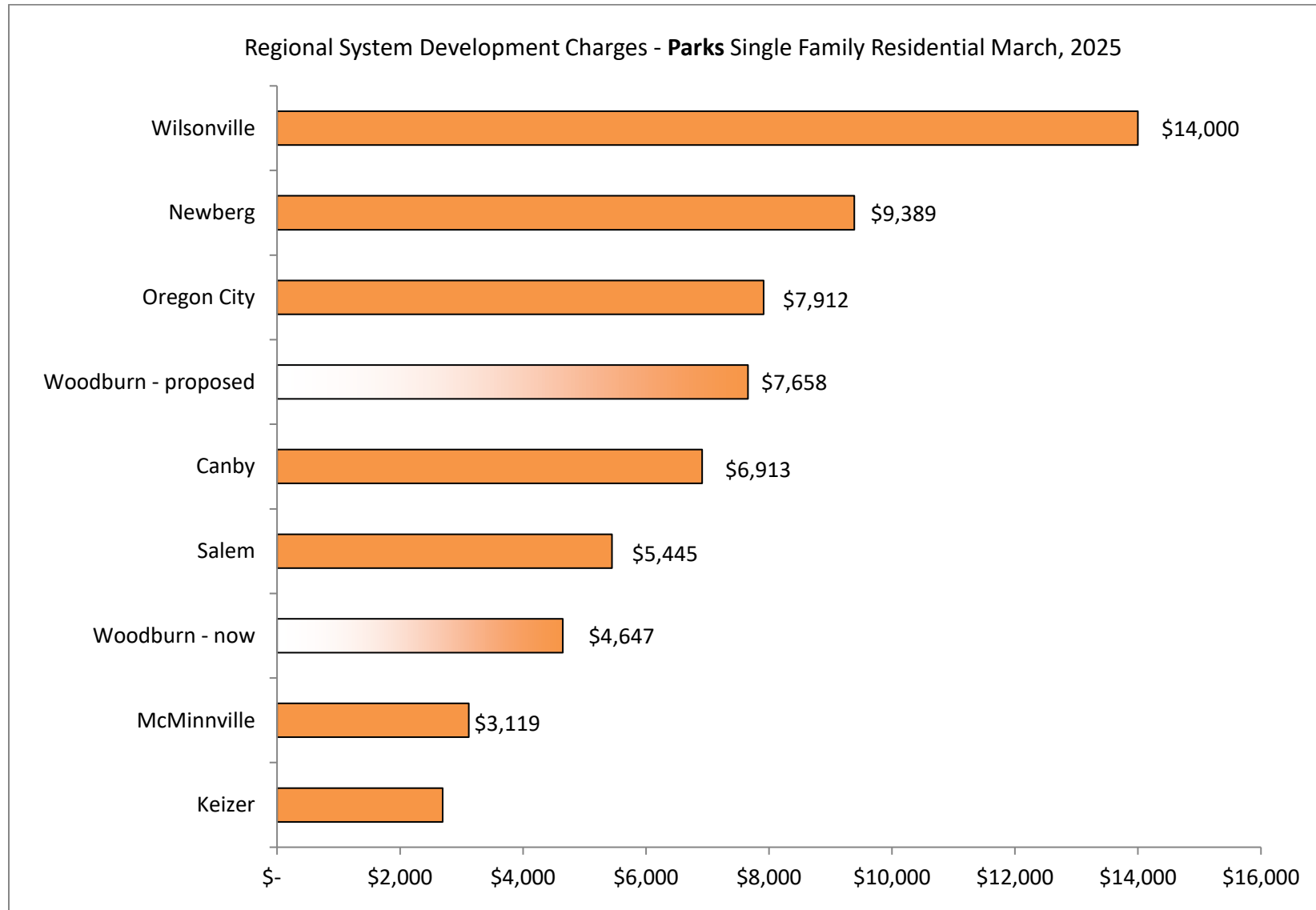
Parks SDCs are based on average dwelling occupancy and employee density. City data shows no significant difference in occupancy by dwelling type, so a uniform SDC of \$7,658 per unit (2.96 persons/household) is recommended, up from \$4,647. The updated nonresidential SDC per employee is \$241, compared to \$184 currently. For nonresidential development, SDC is based on employee estimates using employment density and building size. The proposed schedule of parks SDCs is shown below in Table 10.

Table 10 - Proposed Schedule of Parks SDCs

	Fee - \$/Unit of Demand	People Per Dwelling Unit	Parks SDC	
			Per DU	Per Employee
Residential				
Single-family	\$ 2,587	2.96	\$ 7,658	
Multifamily	\$ 2,587	2.96	\$ 7,658	
Non-Residential				
Employee	\$ 241			\$ 241

Parks SDC Components	Proposed	Current	Difference
<i>Residential per dwelling unit:</i>			
Reimbursement fee	\$ 1,003	\$ 570	\$ 433
Improvement fee	6,655	4,077	2,578
Subtotal residential	\$ 7,658	\$ 4,647	\$ 3,011
<i>Commercial per FTE employee:</i>			
Reimbursement fee	\$ 32	\$ 22	\$ 10
Improvement fee	209	162	47
Subtotal residential	\$ 241	\$ 184	\$ 57

Neighboring Communities' Parks SDCs



Appendix A – Residential/Non-Residential Demand Analysis

Parks Demand by Patron Classification	Resident				Non-Resident		Totals
	Non-Employed Adults	Children Ages 5 to 17	Adult Live In and Work In City	Adult Live In and Work Outside City	Adult Live Outside and Work Inside City		
Summer demand (June-September)							
Weekday hours:							
Before work	-	-	1.0	-	1.0		2.0
Meals/breaks	-	-	1.0	-	1.0		2.0
After work	-	-	2.0	-	2.0		4.0
Other leisure	12.0	12.0	2.0	2.0	-		28.0
Subtotal weekday hours	12.0	12.0	6.0	2.0	4.0		36.0
Number of summer, 2014 weekdays	87.0	87.0	87.0	87.0	87.0		87.0
Weekend hours:							
Leisure	12.0	12.0	12.0	12.0	-		48.0
Subtotal weekend hours	12.0	12.0	12.0	12.0	-		48.0
Number of summer, 2014 weekend days	35.0	35.0	35.0	35.0	35.0		35.0
Weighted average summer hours/day	12.00	12.00	7.72	4.87	2.85		39.44
Spring/Fall demand (April-May, October-November)							
Weekday hours:							
Before work	-	-	0.5	-	0.5		1.0
Meals/breaks	-	-	1.0	-	1.0		2.0
After work	-	-	1.0	-	1.0		2.0
Other leisure	10.0	4.0	2.0	2.0	-		18.0
Subtotal weekday hours	10.0	4.0	4.5	2.0	2.5		23.0
Number of spring/fall, 2014 weekdays	87.0	87.0	87.0	87.0	87.0		87.0
Weekend hours:							
Leisure	10.0	10.0	10.0	10.0	-		40.0
Subtotal weekend hours	10.0	10.0	10.0	10.0	-		40.0
Number of spring/fall, 2014 weekend days	35.0	35.0	35.0	35.0	35.0		35.0
Weighted average spring/fall hours/day	10.00	5.72	6.08	4.30	1.78		27.88

Parks Demand by Patron Classification	Resident				Non-Resident		Totals
	Non-Employed Adults	Children Ages 5 to 17	Adult Live In and Work In City	Adult Live In and Work Outside City	Adult Live Outside and Work Inside City		
Winter demand (December-March)							
Weekday hours:							
Before work	-	-	0.5	-	0.5		1.0
Meals/breaks	-	-	1.0	-	1.0		2.0
After work	-	-	0.5	-	0.5		1.0
Other leisure	8.0	2.0	1.0	1.0	-		12.0
Subtotal weekday hours	8.0	2.0	3.0	1.0	2.0		16.0
Number of winter, 2014 weekdays	87.0	87.0	87.0	87.0	87.0		87.0
Weekend hours:							
Leisure	8.0	8.0	8.0	8.0	-		32.0
Subtotal weekend hours	8.0	8.0	8.0	8.0	-		32.0
Number of winter, 2014 weekend days	34.0	34.0	34.0	34.0	34.0		34.0
Weighted average winter hours/day	8.00	3.69	4.40	2.97	1.44		20.50
Forecast of demand by parks patron group:							
Annual weighted average hours/day	10.01	7.15	6.07	4.05	2.03		
Census data on parks patrons	578	5,277	3,470	7,782	2,022		
Potential daily demand hours/day	5,783	37,705	21,072	31,490	4,097		100,148
Percentage of demand by parks patron class	5.77%	37.65%	21.04%	31.44%	4.09%		100.00%
Resident/Non-resident percentages	95.91%				4.09%		100.00%
	Resident				Non-Resident		Total

Sources and Credits:

Hourly parks demand forecast - Donovan Enterprises, Inc.; A Guide to Community Park and Recreation Planning for Oregon Communities, April, 2013; Oregon Department of Parks and Recreation

Census data - U.S. Census Bureau, 2022 American Community Survey 5-year estimates, Tables DP03, DP05, and S0101, American FactFinder tool

COUNCIL BILL NO. 3284

ORDINANCE NO. 2638

AN ORDINANCE AMENDING AND REPEALING SECTIONS OF ORDINANCE 2250 (THE PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGES ORDINANCE) BASED UPON A NEW METHODOLOGY REPORT DATED MARCH 2025 AND SETTING AN EFFECTIVE DATE

WHEREAS, ORS 223.297 – 223.314 authorizes local governments to impose System Development charges; and

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

WHEREAS, the City last updated the Parks and Recreation System Charges Methodology on July 11, 2016; and

WHEREAS, the City seeks to ensure that future growth contributes its fair share toward the cost of improvement and additions to parks and recreation facilities that are necessary to accommodate the needs of such growth; and

WHEREAS, on August 11, 2025, the City Council conducted a public hearing to consider adopting an updated Parks and Recreation System Development Charges Methodology and amendments to Ordinance No. 2250; and

WHEREAS, the City wants to adopt a an updated Methodology as the justification for new Parks and Recreation System Development Charges, **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. Section 3(B)(1) of Ordinance 2250 is amended to read as follows:

(B) Rates of Charges.

(1) The City hereby adopts and incorporates by reference the report entitled "Methodology Report - Parks and Recreation System Development Charges" dated March 2025, particularly the assumptions, conclusions and findings in such study as to the determination of anticipated costs of capital improvements required to accommodate growth and the rates for system.

Section 2. Section 6 of Ordinance 2250 is amended to read as follows:

Effective Date. This ordinance shall be legally effective on
September 15, 2025.

Approved as to form: _____
City Attorney Date

Approved: _____
Frank Lonergan, Mayor

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

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

COUNCIL BILL NO. 3285

RESOLUTION NO. 2254

A RESOLUTION SETTING AMOUNT OF THE PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGES PURSUANT TO RECENTLY UPDATED METHODOLOGY; AND SETTING AN EFFECTIVE DATE FOR IMPOSITION OF THE FEES AND CHARGES

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

WHEREAS, the City has adopted Ordinance No. 2250 establishing Parks and Recreation System Development Charges; and

WHEREAS, the City has adopted methodologies pursuant to Ordinance No. 2250 to justify the Parks and Recreation System Development Charges; and

WHEREAS, the City last updated the Parks and Recreation System Development Charges Methodology on September 12, 2016; and

WHEREAS, on August 11, 2025, the City Council conducted a public hearing to consider adopting an updated Parks and Recreation System Development Charges Methodology and amendments to Ordinance No. 2250; and

WHEREAS, Ordinance No. 2250 was thereafter amended and a March 2025 Parks and Recreation System Development Charges Methodology was adopted; and

WHEREAS, Ordinance No. 2250 provides that the amounts of the Parks and Recreation System Development Charges and an Alternative Rate Review Fee shall be set by resolution; **NOW, THEREFORE**,

THE CITY RESOLVES AS FOLLOWS:

Section 1. Parks & Recreation System Development Charges (SDCs).

The schedule of Parks and Recreation System Development Charges attached as Exhibit A, incorporated into this Resolution by reference, is hereby adopted.

All Parks and Recreation SDCs adopted by the City prior to this resolution and in conflict with the schedule shown in Exhibit A are hereby repealed.

Section 2. Alternative Rate Review Fee.

The minimum fee for review of an alternative rate review calculation shall be two hundred fifty dollars (\$250), to paid at the time the alternative rate calculation is submitted for review. If the City hires a consultant to assist in reviewing the information submitted, the cost of the consultant's review shall be shared equally by the City and the applicant, and the applicant shall pay its share of the cost of the consultant's review at the time the City decides whether or not to accept the alternative rate.

Section 3. Effective Date.

The effective date for imposition of the fees and charges identified in this Resolution shall be September 15, 2025.

Approved as to form: _____
City Attorney Date

Approved: _____
Frank Lonergan, 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

EXHIBIT A

PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGES SCHEDULE

Effective: September 15, 2025

DEVELOPMENT TYPE

SDC PER UNIT

Residential (all housing types)

\$ 7,658 / dwelling unit

Non-Residential

\$ 241 / employee

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

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

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

August 11, 2025

TO: Honorable Mayor and City Council

FROM: Scott Derickson, City Administrator
McKenzie Granum, City Attorney

SUBJECT: **Resolution Referring Charter Amendment Ballot Measure**

RECOMMENDATION:

Adopt a Resolution referring to the voters of the City of Woodburn, as part of the November 2025 regular election, a ballot measure for proposed amendments to the City of Woodburn Charter.

BACKGROUND:

On March 24, 2025, the Council voted to adopt Resolution No. 2248 to formally establish the City of Woodburn Charter Review Committee ("Committee").

The Committee consisted of Mayor Lonergan, three City Councilors (Mark Wilk, Sharon Schaub, and Alma Grijalva), former Mayor, Kathy Figley, and Woodburn Area Chamber of Commerce Executive Director, John Zobrist. Staff supporting the Committee included, City Administrator, Scott Derickson, City Attorney, McKenzie Granum, and City Recorder, Heather Pierson.

On April 12, 2025, the Charter Review Committee ("Committee") held its first meeting to review the current charter and begin discussions regarding proposed amendments to the current Woodburn City Charter.

On May 8, 2025, the Committee held a second meeting to review certain proposed amendments to the Charter in redline format and provide direction on the preparation of a final draft proposal of the Charter amendment package.

On May 30, 2025, the Committee held a third meeting to review a final version of proposed amendments to the Charter and voted unanimously to recommend the amendments to the City Council for referral to the voters at this November's election (with one noted exception, see Section 21 (A) below).

DISCUSSION:

At the Committee's direction, the proposed Charter Amendment package includes the following amendments and modifications:

- Qualifications of Officers (Section 12): Includes amended language for the qualification of elected officers and restricts from eligibility those who are either employed by the City or a spouse or immediate family member of a regular full-time employee of the City.
- Meetings (Section 13): Adds language related to emergencies and the inability of the Council to meet monthly. Also, specifies that Special Meetings of the Council will be called in accordance with the rules and laws of the State of Oregon.
- President of the Council (Section 18): Modifies language to make the election of the Council President the first meeting in January following the biennial election rather than December.
- Mayor (Section 20): Modifies certain authority under the Mayor's duties, which better complements the role and duty of the City Manager position. Clarifies that the Mayor's roles is as the political head of the City, but without administrative duties (reserved to the City Manager), and removes the previous emergency powers granted to the Mayor that would give the Mayor authority to take command of the police and other departments during times of public danger or emergency.
- City Administrator/Manager (Section 21):
 - Changes the City Administrator Officer position to a City Manager title and updates references throughout the Charter.
 - Under Qualifications, subsection (A), adds the Council's ability to waive the residency requirement for the City Manager. This proposed change was not unanimous by the Committee, but by majority agreement, with at least one committee member wanting to maintain the current residency requirement.
 - Updates the appointment language related to the Term of the manager under subsection (B), which more closely tracks with the LOC Model and provides greater clarity on appointments/removals.
 - Updates some specific powers/duties under subsection (C), including granting exclusive authority to the Manager to appoint, supervise, and remove any city employee (excepting the municipal judge and city attorney) without needing consent of the Council, and adding the duty/ability to organize city departments and the administrative structure of the City.

- Modifies certain authority of the “Manager Pro Tem” under subsection (E), including removing the limitation of employee appointment and removal authority.
- Under subsection (F), removes the last sentence related to an employee’s ability to secure/contribute money towards the election of candidates for municipal office, which is a topic regulated and governed under State elections laws.
- Municipal Judge (Section 22): Reformatted this Section for clarity.
- Multiple Sections
 - Updated or modernized current Charter text to the LOC Model Charter Text: Section 3 (Boundaries); 8 (Councilors); 13 (Meetings); 15 (Record of Proceeding); 25 (Regular Elections); 30 (What Creates a Vacancy); 31 (Filling Vacancies); 32 (Enacting Clause); 38 (Debt Limit); and 40 (Repeal).
 - Removed gender specific, exclusive or binary pronouns throughout Charter: Section 12 (x3 references); 13 (x1); 17 (x1); 20 (x4); 21 (x9); 22 (x4); 24 (x2); 31 (x2); 33 (x1).

Following discussion and deliberation by the Council on the proposed amendments, staff would ask that the Council adopt the Resolution that refers the package of Charter amendment(s) to the voters of the City of Woodburn at the November 2025 regular election.

The Resolution for Council's consideration contains the ballot measure referral authorization with proposed Ballot Title (e.g. Caption, Question, and Summary). The City Attorney has also drafted an impartial and understandable Explanatory Statement of 500 words or less that will be published in the associated November voter's guide.

Full text of the proposed Woodburn Charter amendments will be on file at Woodburn City Hall and online at the City's website.

If approved by the voters, the Charter amendments would take effect January 1, 2026.

FINANCIAL IMPACT:

None.

COUNCIL BILL NO. 3286

RESOLUTION NO. 2255

A RESOLUTION REFERRING TO THE ELECTORS OF THE CITY OF WOODBURN THE QUESTION OF AMENDING THE CITY OF WOODBURN CHARTER; ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT; AND AUTHORIZING ALL STEPS NECESSARY TO EFFECTUATE THIS RESOLUTION

WHEREAS, under Article XI, Section 2 of the Oregon Constitution, the City of Woodburn has "home rule" authority over the civil affairs of the City; and

WHEREAS, Article XI of the Oregon Constitution and ORS Chapters 250 and 251 authorize the City to refer a matter to voters to amend the City Charter; and

WHEREAS, on March 24, 2025, the Council voted to adopt Resolution No. 2248 to formally establish the City of Woodburn Charter Review Committee; and

WHEREAS, the Charter Review Committee met in several noticed public meetings to review the current Charter and deliberate on changes, updates, and modernization of the Woodburn Charter; and on May 30, 2025, the Committee then voted to recommend a package of amendments to the City Council for referral to the voters at the November 2025 election; and

WHEREAS, the Woodburn City Council would like to now refer the proposed Charter Amendment matter to the electors of Woodburn; **NOW, THEREFORE**,

THE CITY RESOLVES AS FOLLOWS:

Section 1. The Ballot Title attached in Exhibit A shall be referred to the legal voters of the City of Woodburn, Marion County, Oregon, at the election on Tuesday, November 4, 2025.

Section 2. The measure election hereby called shall be held in the City of Woodburn on the 4th day of November, 2025. The election shall be conducted by the Marion County Elections Department by mail and in conformance with ORS Chapter 254.

Section 3. The Explanatory Statement for the measure, attached in Exhibit B, shall be submitted for inclusion in the voters' pamphlet as provided in ORS 251.345.

Section 4. The Ballot Title and Explanatory Statement adopted by this Resolution shall be filed with the City Elections Officer. The City Elections Officer and staff are authorized and directed to take all necessary steps for and on behalf of the City to effectuate this Resolution, including providing public notice and submitting required materials to the County Elections Officer to cause the measure to appear on the ballot for the November 4, 2025, election and to otherwise carry out the intent and purpose of this Resolution.

Section 5. The Act, containing the full Charter amendment herein referred, is attached hereto as Exhibit C and incorporated into this Resolution by reference.

Approved as to form: _____
City Attorney Date

Approved: _____
Frank Lonergan, 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

EXHIBIT A

BALLOT TITLE

CAPTION (10-word maximum)

City of Woodburn Charter Modernization Amendment

QUESTION (20-word maximum)

Shall the City of Woodburn amend the existing Charter to modernize, update, and clarify Charter provisions?

SUMMARY (175-word maximum)

The Woodburn Charter establishes the governmental structure for the City. This measure amends the City of Woodburn Charter of 1982.

Amendments to the Charter would be as follows:

- Change the City Administrator title to City Manager, modify certain powers and duties allocated between the Manager and Mayor, authorize the Council to waive the City Manager residency requirement, and grant appointment and removal authority to the Manager Pro Tem;
- Change the election of the Council President to the first meeting in January following the biennial election;
- Add an emergency contingency for regular Council meetings;
- Add a restriction that to qualify for elected office, such person cannot be a spouse or immediate family member of a regular full-time City employee;
- Modernize text to closely mirror the current League of Oregon Cities Model Charter;
- Remove sections that are not legally enforceable or are covered by state statute; and
- Remove gender specific or binary pronouns.

This measure was referred to the voters by the Woodburn City Council based on the recommendation of the Charter Review Committee.

EXHIBIT B

EXPLANATORY STATEMENT

(500 word maximum)

The City of Woodburn Charter sets out the organizational structure, powers, functions, and procedures of the city government. The Oregon Constitution grants "the legal voters of every city and town ... [the] power to enact and amend their municipal charter." The Woodburn Charter was last reviewed and amended in 1982.

The Woodburn City Council convened a Charter Review Committee to provide input on proposed changes and updates for the Charter. The Committee was comprised of six members, including current and past elected officials of the City and the Executive Director for the Woodburn Area Chamber of Commerce. The Committee met several times in noticed public meetings to develop its recommendations. As part of its work, the Committee studied other city charters, as well as model charters from the League of Oregon Cities and the National Civic League.

The Charter Review Committee recommended that the foundational pieces of Woodburn's current city government remain the same; keeping the same form of government and number of city councilors, maintaining the councilor ward system, and making no change in how laws are passed.

If passed, the proposed Charter amendments would generally include:

- Changing the City Administrator title to City Manager (Section 21 and references throughout the Charter);
- Modifying certain powers and duties allocated between the City Manager, Mayor, and City Council, including granting the City Manager the exclusive duty of appointing, supervising, and removing all City employees, except the municipal judge and city attorney, and distinguishing the Manager's administrative role from the Mayor's role as the political head of the City (Sections 20 and 21);
- Giving the City Council authority to waive the City Manager residency requirement (Section 21);
- Granting appointment and removal authority of city employees to the Manager Pro Tem (Section 21);
- Changing the election of the Council President from the first meeting in December to the first meeting in January following the biennial election (Section 18);
- Adding contingency language for emergencies that prevent the Council from holding its regular monthly meeting (Section 13);

- Adding a restriction that to qualify for elected office, such person cannot be a spouse or immediate family member of a regular full-time City employee (Section 12);
- Updating and modernizing text throughout the Charter to closely mirror the current League of Oregon Cities Model Charter (Sections 3, 8, 13, 15, 25, 30, 31, 32, 38, 40);
- Removing or modifying sections in the Charter that are not enforceable or are covered by state statute, including state public records and meetings, elections, and budget law (Section 13, 21, 38, 40); and
- Removing gender specific, exclusive, or binary pronouns in the Charter and when possible, replacing the pronoun with the title or position from the same sentence or section (Sections 12, 13, 17, 20, 21, 22, 24, 31, and 33).

If the ballot measure does not pass, Woodburn would retain its current city charter.

Full text of the proposed Woodburn Charter amendment is on file at Woodburn City Hall and is available at: <https://woodburn-or.gov>.

EXHIBIT C

WOODBURN CHARTER AMENDMENT COMPLETE MEASURE TEXT

If a majority of eligible voters vote "yes" on the herein referred measure, the City of Woodburn Charter will be amended as follows, with ~~strike through~~ text deleted, and **bold** text added. These amendments would take effect January 1, 2026.

WOODBURN CHARTER

CHAPTER I

NAMES AND BOUNDARIES

Section 1. TITLE OF ENACTMENT. This enactment may be referred to as the City of Woodburn Charter of ~~1982~~ **2026**.

Section 2. NAME OF CITY. The municipality of the City of Woodburn, Marion County, Oregon, shall continue to be a municipal corporation with the name "City of Woodburn."

Section 3. BOUNDARIES. The city shall include all territory ***within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries*** encompassed by its boundaries ~~as they now exist or hereafter are modified by voters, by the council or any other agency with legal power to modify them. The recorder shall keep in his or her office at the city hall at least two copies of this charter, in each of which he or she shall maintain an accurate, up to date description of the boundaries. The copies and descriptions shall be available for public inspection at any time during regular office hours of the recorder.~~

CHAPTER II

POWERS

Section 4. POWERS OF THE CITY. The city shall have all powers which the constitutions, statutes, and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers.

Section 5. CONSTRUCTION OF CHARTER. In this charter, no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all

powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state laws and to the municipal home rule provisions of the state constitution.

CHAPTER III **FORM OF GOVERNMENT**

Section 6. WHERE POWERS VESTED. Except as this charter provides otherwise, all powers of the city shall be vested in the council.

Section 7. COUNCIL. The council shall be composed of six councilors. The city shall be apportioned into six wards for nomination and election of councilors. The Council of Woodburn shall alter the ward boundaries to maintain an equal population distribution not less than once every ten years.

Section 8. COUNCILORS. ~~The councilors in office at the time this charter is adopted shall continue in office, each until the end of his or her term of office as fixed by the charter of the city in effect at the time this charter is adopted. At each biennial general election after this charter takes effect, three councilors shall be elected, each for a term of four years.~~ ***The term of a councilor in office when this charter is adopted is the term for which the councilor was elected. At each biennial general election after the adoption, three councilors will be elected for four-year terms.***

Section 9. MAYOR. At each biennial general election, a mayor shall be elected from the city at large for a term of two years.

Section 10. ADMINISTRATOR MANAGER, JUDGE, CITY ATTORNEY, AND OTHER OFFICERS. Additional officers of the city shall be a ~~city administrator~~ **city manager**, a municipal judge, and a city attorney, each of whom the council shall appoint, and such other officers as the council deems necessary. The council may combine any two or more appointive offices, except the offices of ~~city administrator~~ **city manager** and judge, or the offices of city attorney and judge. The municipal judge shall not be subject in judicial functions to supervision by any other officer.

Section 11. SALARIES. The compensation for the services and legitimate expenses of the mayor and councilors and each city officer and employee shall be the amount fixed by the council.

Section 12. QUALIFICATION OF OFFICERS. No person shall be eligible for an elective office of the city unless at the time of ~~his or her~~ election, ~~he or she~~ **the person** is a qualified elector within the meaning of the state constitution and has resided in the city during the twelve months immediately preceding the election.

Persons shall not be eligible for election as councilor unless at the time of **his or her** election, the person is a resident of the ward from which ~~he or she is~~ **they are** elected. The council shall be the final judge of the qualifications and the election of the mayor and its own members. **No person who is an employee of the city of Woodburn, nor is a spouse or immediate family member of a regular full-time city employee,** shall hold elective office of the city ~~while an employee of the city.~~ No former mayor or councilor may be employed by the city in any capacity for at least one (1) year after leaving office.

CHAPTER IV **COUNCIL**

Section 13. MEETINGS. The council shall hold a regular meeting at least once each month in the city at a time and at a place which it designates, **unless an emergency or other extenuating circumstance prevents the council from meeting.** It shall adopt rules for the government of its members and proceedings. The mayor upon ~~his~~ **their** own motion may, or at the request of three members of the council shall, ~~by giving notice thereof to all members of the council then in the city,~~ call a special meeting of the council **in accordance with the rules and laws of the State of Oregon** ~~for a time not earlier than three nor later than forty-eight hours after the notice is given. Special meetings of the council may also be held at any time by the common consent of all the members of the council.~~

Section 14. QUORUM. A majority of the incumbent members of the council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.

Section 15. RECORD OF PROCEEDINGS. ~~The council shall cause a record of its proceedings to be kept. Upon request of any of its members, ayes and nays upon any question before it shall be taken and entered into the record.~~ **A record of council meetings must be kept in a manner prescribed by the council rules and the laws of the state of Oregon.**

Section 16. PROCEEDINGS TO THE PUBLIC. No action by the council shall have legal effect unless the motion for the action and the vote by which it is disposed of take place at proceedings open to the public.

Section 17. MAYOR'S FUNCTIONS AT COUNCIL MEETINGS. The mayor shall be chairman of the council and preside over its deliberations. The mayor shall vote only in case of a tie. The mayor shall have the authority to preserve order, enforce rules of the council, and determine the order of business under the rules of the council.

Section 18. PRESIDENT OF THE COUNCIL. At its first **regular** meeting **of the**

~~year after this charter takes effect and thereafter at its first regular meeting in the month~~ following a biennial general election, the council by ballot shall elect a president from its membership. In the mayor's absence from a council meeting, the president shall preside over it. Whenever the mayor is unable to perform the functions of office, the president shall act as mayor. In any event, the president of the council shall retain the right to vote as a councilor.

Section 19. VOTE REQUIRED. Except as this charter otherwise provides, the concurrence of a majority of the members of the council present at a council meeting shall be necessary to decide any question before the council.

CHAPTER V

POWERS AND DUTIES OF OFFICERS

Section 20. MAYOR. ~~The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of writs and other legal actions, however, this shall not be construed as conferring upon the office of mayor any powers or functions in conflict with other provisions of this charter.~~ **The mayor serves as the political head of the city government but shall have no administrative duties.** The mayor shall appoint the committees of the council as provided by the rules of the council. The mayor shall appoint **or remove** the members of the boards, committees, and commissions as provided by ordinance. The mayor shall sign all records of proceedings approved by the council. After the council approves a bond of a city officer or a bond for license, contract, or proposal, the mayor shall endorse the bond. ~~In time of public danger or emergency, if so authorized by council, the mayor shall take command of the police and other departments of the city to maintain law and enforce order.~~ The mayor shall, from time to time, communicate to the council such information and recommend such measures as, in ~~his or her~~ **their** opinion, may tend to the improvement of the finances, the protection, the health, the security, the ornament, the comfort, the administrative management and the general welfare and prosperity of the city. The mayor shall establish a cooperative arrangement to interact between the council and the ~~administrator~~ **manager**, to assist in the interpretation of the council's objectives so that the implementation of the council's actions will derive the greatest benefit to the city. This does not preclude the ~~administrator~~ **manager** discussing problems with council members. All ordinances and resolutions shall, before they take effect, be presented to the mayor. If the mayor approves thereof, ~~he or she~~ **the mayor** shall sign the same, and such as ~~he or she~~ **the mayor** shall not sign shall be returned to the council with written objections thereto, by depositing the same with the city recorder to be presented to the council at their next regular meeting thereafter. Upon the return of any ordinance or resolution by the mayor, the vote by which the same was passed shall be deemed to have been reconsidered and the questions shall again be put upon the passage of same notwithstanding the objections of the

mayor; and if, upon such vote, the council shall pass the same by a majority vote of the incumbent members of the council, it shall have the same effect as if approved by the mayor. If any ordinance or resolution shall not be returned to the city recorder by the mayor within five working days after it shall have been presented to him or her, the same shall have the same force and effect as if approved by the mayor. It shall be the duty of the city recorder to endorse upon each ordinance or resolution upon the records of the proceedings of the council the time when such ordinance or resolution was delivered to the mayor, and the time when the same shall be returned to the recorder's office by the mayor.

Section 21. CITY ADMINISTRATOR MANAGER.

(A) Qualifications. The ~~city administrator~~ **city manager** shall be the administrative head of the government of the city. The ~~administrator~~ **manager** shall be chosen by the mayor and the council, collectively, and as a group, without regard to political considerations and solely with reference to ~~his or her~~ **the manager's** executive and administrative qualifications. The ~~administrator~~ **manager** need not be a resident of the city or of the state at the time of appointment but promptly thereafter shall become and during ~~his or her~~ **their** tenure remain a resident of the city, **unless otherwise agreed by the city council**. Before taking office, ~~he or she~~ **the manager** shall give a bond in such amount and with such surety as may be approved by the council. The premiums on such bond shall be paid by the city.

(B) Term. The ~~administrator~~ **manager** shall be appointed for an **definite** or indefinite term and may be removed at ~~the pleasure of the mayor and~~ **any time by a majority of the council**, collectively and as a group. Upon any vacancy occurring in the office of ~~administrator~~ **manager** after the first appointment pursuant to this charter, the council **shall fill the office by appointment as soon as practicable**, at its next meeting, shall adopt a resolution of its intention to appoint another administrator.

(C) Powers and Duties: The ~~powers and duties of the administrator~~ **city manager** shall be as follows:

(1) ~~He or she shall~~ **Devote his or her** **their** entire time to the discharge of official duties, attend all meetings of the council unless excused therefrom by the council or mayor, keep the council advised at all times of the affairs and needs of the city and make reports annually or more frequently if requested by the council, of all the affairs and departments of the city.

(2) ~~He or she shall~~ **See** that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are observed.

(3) Appoint, supervise, and remove city employees. ~~He or she shall appoint and may remove a City Recorder, Police Chief, Fire Chief, Director of Finance, Director of Public Works, Library Director and Director of Recreation and Parks. Such appointment or removal shall be with the consent of the council. The administrator shall appoint and may remove all other city officers and employees except as this charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. He or she shall supervise the departments to the end of obtaining the utmost efficiency in each of them. he or she~~ **The manager** shall have no control, however, over the mayor, the council, or the judicial activities of the municipal judge.

(4) Organize city departments and administrative structure.

(5) ~~He or she shall a~~ **Act** as purchasing agent for all departments of the city. All purchases shall be made by requisition signed by him or her or a designee.

(6) ~~He or she shall b~~ **Be** responsible for preparing and submitting to the budget committee the annual budget estimates and such reports as that body requests.

(7) ~~He or she shall s~~ **Supervise** the operation of all public utilities owned and operated by the city and shall have general supervision over all city property.

(8) ~~He or she may d~~ **Delegate** certain management powers to any department head; however, the final responsibility for all management actions shall rest with the administrator **manager**.

(D) Seats at Council Meetings. The administrator **manager** and such other officers as the council designates shall be entitled to sit with the council but shall have no vote on questions before it. The administrator **manager** may take part in all council discussions.

(E) administrator Manager Pro Tem. Whenever the administrator **manager** is absent from the city, is temporarily disabled from acting as administrator **manager**, or whenever his or her **the manager** office becomes vacant, the council shall appoint an administrator **manager** pro tem, who shall possess the powers and duties of the administrator **manager**. ~~No administrator pro tem, however, may appoint or remove a city officer or employee except with the approval of the majority of the incumbent members of the council. No~~

~~administrator~~ **manager** pro tem shall hold ~~his~~ **the** position as such for more than four months, and no appointment of an ~~administrator~~ **manager** pro tem shall be renewed more than one time.

(F) Interference in Administration and Elections. No member of the council shall directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the ~~administrator~~ **manager** in the making of any appointment or removal of any officer or employee or in the purchase of supplies; or attempt to exact any promise relative to any appointment from any candidate for ~~administrator~~ **manager**; or discuss directly or indirectly with ~~him~~ **the manager** the matter of specific appointments to any city office or employment. A violation of the foregoing provisions of this section shall be grounds for forfeiture of the office of the offending member of the council. Nothing in this section shall be construed, however, as prohibiting the council, while in session, from fully and freely discussing with or suggesting to the ~~administrator~~ **manager** anything pertaining to city affairs or interest of the city. ~~No employee of the city shall take part in securing, or contributing any money toward, the nomination or election of any candidate for a municipal office.~~

(G) Ineligible Persons. Neither the ~~administrator~~ **manager's** spouse nor any person related to the ~~administrator~~ **manager** or ~~his or her~~ **their** spouse by consanguinity with affinity within the third degree may hold any appointive office or employment within the city.

Section 22. MUNICIPAL JUDGE.

(A) The municipal judge shall be the judicial officer of the city. ~~He or she~~ **They** must be a member of the Oregon State Bar. ~~He or she must be~~ **and** a resident of the State of Oregon, but need not be a resident of the city.

(B) ~~He or she~~ **The municipal judge** shall hold within the city a court known as the municipal court for the city of Woodburn, Marion County, Oregon. The court shall be open for the transaction of judicial business at times specified by the council. All area within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined and made punishable by ordinances of the city and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by ordinances of the city.

(C) ~~He or she~~ **The municipal judge** shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city, to commit any such person to jail or admit ~~him or her~~ **them** to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before the court, to compel obedience to such subpoenas, to

issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court.

(D) When not governed by ordinances or this charter, all proceedings in the municipal court for violation of a city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Section 23. RECORDER. The recorder shall serve ex-officio as clerk of the council, attend all its meetings unless excused therefrom by the council, keep an accurate record of its proceedings, and sign all orders on the treasury. In the recorder's absence or inability to perform duties of office, the ~~administrator~~ **manager** shall appoint a recorder pro tem, who while acting in that capacity, shall have all the authority and duties of the recorder.

Section 24. CITY ATTORNEY. The City attorney shall perform all professional services incidental to the office, and shall appear and conduct all suits, prosecutions, and proceedings, civil or criminal, in which the City of Woodburn is directly or indirectly interested; and shall, when required, furnish opinions upon any subject pertaining to the affairs of the said city submitted by the council or its committees.; ~~he or she~~ **The city attorney** shall also advise with and counsel all city officers in respect to their official duties and attend the regular meetings of the council and of such committees and boards as shall request ~~his or~~ assistance.

CHAPTER VI

ELECTIONS

Section 25. REGULAR ELECTIONS. ~~City elections shall be held in accordance with applicable state election laws. The recorder, pursuant to directions from the council, shall give at least ten days' notice of each city election by posting notice thereof at a conspicuous place in the city hall and in two other public places within the city. The notice shall state the officers to be elected, the ballot title of each measure to be voted upon, and the time and place of the election~~ **City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan.**

Section 26. TIE VOTES. In the event of a tie vote for candidates for elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the council.

Section 27. COMMENCEMENT OF TERMS OF OFFICE. The term of office of a person elected at a regular city election shall commence with the first regular council meeting in the month following the election.

Section 28. OATH OR AFFIRMATION. All elective officers, the municipal judge, the city administrator **city manager**, and the city attorney, before entering upon the duties of their offices, shall subscribe and file with the head of the department in charge of city records, an oath or affirmation of office. The oath shall read: "I _____, do solemnly swear that I will support the constitution of the United States and of the State of Oregon, uphold the charter and ordinances of the City, and that I will, to the best of my ability, faithfully perform the duties of _____ during my continuance therein, so help me God." If the person affirms, instead of the last clause of the oath, there shall be stated: "And this I do affirm under the pains and penalties of perjury."

Section 29. NOMINATION. Nomination of a candidate for an elective office shall be in a manner prescribed by ordinance.

CHAPTER VII

VACANCIES IN OFFICE

Section 30. WHAT CREATES A VACANCY. ~~An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his or her office, or unlawful destruction of public records; resignation; recall from office; in the case of elected officers or the city administrator, discontinuance of residency within the city limits or the ward in which he or she was elected; or ceasing to possess the qualifications for the office; upon the failure of the person elected or appointed to the office to qualify therefor within ten days after the time for his or her term of office to commence; or in the case of a mayor or councilor, upon his or her absence from the city for 30 calendar days without the consent of the council or upon his or her absence from meetings of the council for 60 calendar days without consent, and upon a declaration by the council of the vacancy.~~ **The mayor or a council office becomes vacant:**

(A) Upon the incumbent's:

- (1) Death;**
- (2) Resignation;**
- (3) Adjudicated incompetence; or**
- (4) Recall from the office.**

(B) Upon declaration by the council after the incumbent's:

- (1) Failure to qualify for the office within 10 days of the time the term of office is to begin;**
- (2) Absence from the city for 30 days or from all council meetings within a 60-day period without council consent;**
- (3) Ceasing to reside within the boundaries of the city or the ward in which they were elected;**

- (4) ***Ceasing to be a qualified elector under state law;***
- (5) ***Conviction of a felony crime; or***
- (6) ***Removal under Section 21 (F).***

Section 31. FILLING OF VACANCIES. Vacant elective offices in the city shall be filled by appointment by the mayor. A majority vote of the council shall be required to approve the appointment. ***As little as a single council member may constitute a majority for purposes of filling vacant council seat(s), if all other council seats are vacant.*** The appointee's term of office shall begin immediately upon ~~his or her~~ appointment and shall continue throughout the unexpired term of ~~his or her~~ ***their*** predecessor.

CHAPTER VIII

ORDINANCES

Section 32. ENACTING CLAUSE. ~~The enacting clause of all ordinances hereafter enacted shall be, "The City of Woodburn ordains as follows:."~~ ***The council will exercise its legislative authority by adopting ordinances. The enacting clause for all ordinances must state "The City of Woodburn ordains as follows."***

Section 33. MODE OF ENACTMENT

(1) Except as the second and third paragraphs of this section provide to the contrary, every ordinance of the council shall, before being put upon its final passage, be fully and distinctly read in open council meeting on two different days.

(2) Except as the third paragraph of this section provides to the contrary, an ordinance may be enacted at a single meeting of the council by unanimous vote of all council members present, upon being first read in full and then by title.

(3) Any of the readings may be by title only if no council member present at the meeting requests to have the ordinance read in full or if a copy of the ordinance is provided for each council member and three copies are provided for public inspection in the office of the city recorder not later than one week before the first reading of the ordinance and if notice of their availability is given forthwith upon the filing, by written notice posted at the city hall and two other public places in the city or by advertisement in a newspaper of general circulation in the city. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open council meeting as finally amended prior to being approved by the council.

(4) Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered in the record of proceedings.

(5) Upon the enactment of an ordinance, the recorder shall sign it with the date of its passage and his or her **the recorder's** name and title of office.

Section 34. WHEN ORDINANCES TAKE EFFECT. An ordinance enacted by the council shall take effect on the thirtieth day after its enactment. When the council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of emergency, it may take effect immediately.

CHAPTER IX

PUBLIC IMPROVEMENTS

Section 35. CONDEMNATION. Any necessity of taking property for the city by condemnation shall be determined by the council and declared by a resolution of the council describing the property and stating the uses to which it shall be devoted.

Section 36. IMPROVEMENTS. The procedure for making, altering, vacating, or abandoning a public improvement shall be governed by general ordinance or, to the extent not so governed, by the applicable general laws of the state. Action on any proposed public improvement, except a sidewalk or except an improvement unanimously declared by the council to be needed at once because of an emergency, shall be suspended for six months upon a remonstrance thereto by the owners of a majority of the land to be specially assessed therefor. In this section, "owner" shall mean the record holder of legal title, or where land is being purchased under a land sale contract recorded or verified to the recorder in writing by the record holder of legal title to the land, the purchaser shall be deemed the "owner."

Section 37. SPECIAL ASSESSMENTS. The procedure for levying, collecting, and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall be governed by ordinance.

Section 38. DEBT LIMIT. ~~Except by the consent of the voters, the city's voluntary floating indebtedness shall not exceed \$5,000.00 at any one time except as permitted by State Law. For purposes of calculating the limitation, however, the legally authorized debt of the city in existence at the time this charter takes effect shall not be considered. The council shall have the authority to issue bonds in an amount that has been approved by a majority of the voters at an election held for that purpose. All City officials and employees who create~~

~~or officially approve any indebtedness in excess of this limitation shall be jointly and severally liable for the excess. **City indebtedness may not exceed debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.**~~

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 39. EXISTING ORDINANCE CONTINUED. All ordinances of the city consistent with this charter and in force when it takes effect shall remain in effect until amended or repealed.

Section 40. REPEAL OF PREVIOUSLY ENACTED PROVISIONS. All charter provisions of the city enacted prior to the time that this charter takes effect are hereby repealed. ~~except the provision of Chapter IV, Section 25 of the previous charter as added by amendment adopted at an election held on May 17, 1946, and an amendment adopted at an election held on May 18, 1962, as follows:~~

~~"Section 25. POWER TO LEVY TAX. The common council shall have power to assess, levy, and collect taxes for general municipal purposes upon all property both real and personal which is taxable by law for state and county purposes; provided, in addition thereto, the council may annually assess, levy, and collect a tax not to exceed three mills on the dollar of such taxable property to provide for and maintain a public library, provided further, in addition to the taxes above provided for, the council may at any time the city shall have outstanding bonds, assess, levy, and collect annually, a tax not to exceed one-tenth of such outstanding bonds, and annual interest thereon, for the purpose of redeeming such bonds and the payment of the interest thereon."~~

~~And the provision of Chapter X, Section 11, of the previous charter as added by amendment adopted at an election held on March 26, 1948, as follows:~~

~~Section 11. In addition to all other taxes authorized by the charter of the City of Woodburn and provided for in the budget of said city, the common council shall levy a tax of 5 mills upon each dollar of taxable property within the corporate limits of the City of Woodburn in the fiscal year 1948-49 for the purpose of providing necessary or expedient maintenance for and supervision of the parks, playgrounds, and other public recreational facilities of said city, and authorizing the common council to include in its budget for fiscal years succeeding the fiscal year 1948-49 a special levy not exceeding 5 mills for such purpose. The funds derived from such tax shall be turned over by the common council to a~~

~~board known as the Woodburn Recreation and Park Board, which board shall be appointed by the mayor under the provisions of an ordinance covering such appointment, which shall have been or shall be passed by the council."~~

August 11, 2025

TO: Honorable Mayor and City Council

FROM: Scott Derickson, City Administrator
McKenzie Granum, Assistant City Attorney

SUBJECT: **National Opioid Litigation - Participation in Purdue Pharma and Sackler Family Settlement and Second-Tier Manufacturer Settlement**

RECOMMENDATION:

Approve the City's participation in- and authorize the City Administrator to sign participation forms and associated releases for the Purdue Pharma and Sackler Family settlement and the Second-Tier Manufacturer Settlement as part of the National Opioid Litigation Settlement process.

BACKGROUND:

In 2021, nationwide settlements were reached to resolve all Opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J"). At that time the City joined the State of Oregon and other local governments to opt-into those settlements and begin receiving an allocated portion of the State's \$332 million share of the settlement funds.

Since 2021, the City has also joined or agreed to participate in further settlements with other commercial distributors including, Kroger Co., Walmart, CVS, and Walgreens, and pharmaceutical manufacturers, Teva and Allergan, pursuant to the terms and conditions outlined in the previously adopted Oregon Intrastate Allocation Agreement.

Funds received by the City through these settlements are reserved in a dedicated fund for opioid abatement purposes per the national settlement

agreements (Approved Abatement Uses).¹ The City's current fund balance of opioid settlement funds is \$75,800. Just this spring, the Council directed a budgeted amount of \$120,000 to go to Bridgeway Community Health to provide outpatient substance use treatment at the Woodburn Family Resource Center. Annually, the City also delivers a report to the Oregon DOJ regarding how it has expended settlements funds during the previous fiscal year and certifies that funds are expended in compliance with the settlement agreements.

In addition to the settlements already authorized above, the City recently received notice of two new nationwide settlements:

- Purdue Pharma and Sackler Family Settlement; being implemented in connection with Purdue's bankruptcy proceedings, and consists of, among other things, a settlement of Purdue's claims against the Sacklers (Oregon's share of the settlement will be up to approximately \$66 million, received over 9 years); and
- Second-Tier Manufacturer Settlement (involves 8 defendants, with Oregon's share of the settlement being up to \$10.1 million in all).
 - Alvogen Inc. to immediately pay;
 - Amneal Pharmaceuticals Inc. to pay over 10 years, and provide either its generic version of the drug Narcan or up to an additional amount of cash;
 - Apotex Inc. to immediately pay;
 - Hikma Pharmaceuticals USA, Inc. to immediately pay;
 - Indivior Inc. to pay over five years, a portion of which, at the election of the state, could be paid in the form of Indivior's branded buprenorphine and/or nalmefene products;
 - Mylan Pharmaceuticals Inc. to pay over nine years;
 - Sun Pharmaceutical Industries, Inc. to immediately pay; and
 - Zydus Pharmaceuticals (USA) Inc. to immediately pay.

DISCUSSION:

Woodburn has been identified as an eligible local government to participate in both the Purdue Pharma and Second-Tier Manufacturer settlements. The Oregon DOJ is recommending that local government subdivisions sign on to both

¹ The settlement agreements allow for funds to be directed toward a broad range of approved abatement uses by state and local governments. Developed in consultation with the nation's leading public health experts, the list of pre-approved uses includes a wide range of intervention, treatment, education, and recovery services so that state and local governments can decide what will best serve their communities.

settlements as soon as possible in order to be considered for initial participation calculations and aid the State in earning the maximum potential payment under the Settlements.

The allocation of Opioid Settlement Funds to be derived from these settlements will be distributed to Woodburn under the same terms and conditions the City previously agreed to in the Oregon Intrastate Allocation Agreement (authorized and signed in 2021). Substantive terms and conditions of that agreement include:

Allocation of Funds

- 45% of total settlement funds go directly to the State ("State Fund")
- 55% of total settlement funds go directly to Local Governments ("Local Government Fund")
 - Funds will be allocated amongst identified cities and counties based upon a population metric that has been set by the litigating parties

Use of Local Government Funds

- Local Governments must direct all funds for approved opioid abatement purposes
- Local Governments shall maintain detailed records of expenditures and comply with certain reporting requirements

Release of Claims

- All parties agree to release all claims and to participate in the associated settlement agreements

Given the City's size and more limited resources, it is both practical and reasonable to join these settlements and agree to the proposed release of claims in exchange for the given financial award because the City would likely have no other recourse or ability to bring its own lawsuit against Purdue Pharma and the named second-tier manufacturers. Should the City decline to participate at this time, it would be foregoing the initial settlement window that provides the greatest incentive for increased funds for the City and State under the agreements.

FINANCIAL IMPACT:

By signing onto the settlements and executing the associated releases, Woodburn would become a participating subdivision that would receive direct payments from Purdue Pharma and the Second-Tier Manufacturers.

The exact dollar amounts the City should expect to receive is based on the allocation metric that is part of the Intrastate Allocation Agreement (See Attachment). All future settlement dollars the City receives will be set aside in their own fund to be used only as permitted by the settlement agreements.

ATTACHMENTS:

OR Participating Subdivision and Local Allocations Table

Exhibit A
OR PARTICIPATING SUBDIVISIONS
AND LOCAL ALLOCATIONS

Participating Subdivision	Percentages
Albany City	1.1574421234%
Ashland City	0.5725593238%
Astoria City	0.1859283065%
Baker County	0.4771636205%
Beaverton City	0.9709676029%
Bend City	0.9443519043%
Benton County	1.0219885306%
Canby City	0.1716812437%
Central Point City	0.1718730043%
Clackamas County	7.7713142577%
Clatsop County	1.1423692099%
Columbia County	1.0096699413%
Coos Bay City	0.2538945929%
Coos County	1.5633002470%
Cornelius City	0.0949750265%
Corvallis City	0.6633711425%
Cottage Grove City	0.0910229575%
Crook County	0.3513229911%
Curry County	0.7612961295%
Dallas City	0.1606964683%
Deschutes County	2.2569753600%
Douglas County	2.5689481047%
Eugene City	2.7611039932%
Forest Grove City	0.2522169415%
Gladstone City	0.1181360032%
Grants Pass City	0.8232581895%
Gresham City	0.9831942718%
Happy Valley City	0.0103506009%
Hermiston City	0.1316304314%
Hillsboro City	1.5083519364%
Hood River County	0.3553687498%
Independence City	0.0808970601%
Jackson County	4.0769510640%
Jefferson County	0.3674692915%
Josephine County	1.6536523798%

Exhibit A

Keizer City	0.1916558451%
Klamath County	1.2169628601%
Klamath Falls City	0.3209275214%
La Grande City	0.2715648669%
Lake Oswego City	0.6934160342%
Lane County	6.3326808234%
Lebanon City	0.3269345282%
Lincoln County	1.5190343268%
Linn County	1.8185376689%
Malheur County	0.5014027023%
Marion County	4.1636475308%
McMinnville City	0.4803592635%
Medford City	1.5540758598%
Milwaukie City	0.2113647118%
Monmouth City	0.0706960930%
Morrow County	0.1351544937%
Multnomah County	13.9643815662%
Newberg City	0.4093257361%
Newport City	0.1908392623%
Ontario City	0.1869780182%
Oregon City	0.2765040475%
Pendleton City	0.3521049458%
Polk County	0.7074299681%
Portland City	8.2736702858%
Prineville City	0.0924861843%
Redmond City	0.1550311086%
Roseburg City	0.6370799877%
Salem City	3.0438221421%
Sandy City	0.0775015682%
Sherwood City	0.1404204928%
Silverton City	0.0775630731%
Springfield City	1.1667234659%
St. Helens City	0.1964453077%
The Dalles City	0.1723418738%
Tigard City	0.5049875956%
Tillamook County	0.9001228870%
Troutdale City	0.0899929610%
Tualatin City	0.1551565618%
Umatilla County	0.9738633884%

Exhibit A

Union County	0.4153841374%
Wasco County	0.4116278731%
Washington County	7.2167622210%
West Linn City	0.1600504983%
Wilsonville City	0.1383351396%
Woodburn City	0.2069349266%
Yamhill County	1.4120246444%

August 11, 2025

TO: Honorable Mayor and City Council (Acting as the Local Contract Review Board) through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Award a Contract for Preliminary Design for the Evergreen Road Intersection Improvements at Stacy Allison Way, W Hayes Street, and Harvard Drive Project to Harper Houf Peterson Righellis Inc (HHPR).**

RECOMMENDATION:

Award a contract for Preliminary design work for the Evergreen Road Intersection Improvements to Stacy Allison Way, W Hayes Street, and Harvard Drive project to Harper Houf Peterson Righellis Inc. (HHPR) in the amount of \$271,770.70 and authorize the City Administrator to sign the contract.

BACKGROUND:

Staff utilized a Request for Proposals (RFP) process to solicit engineering and design services for the proposed project, and 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 review committee recommended Harper Houf Peterson Righellis, Inc. as the highest-ranking proposer. City staff proceeded to negotiate a scope of work and fee for services to complete the preliminary design and bid package work.

Harper Houf Peterson Righellis, Inc. is a well-qualified firm and familiar and experienced with intersection improvements projects throughout Oregon. The negotiated contract for preliminary design work for this project is in the amount of \$271,770.70

DISCUSSION:

The scope of work includes preliminary design to reconfigure and or modify the traffic control at the intersections of Evergreen Road and Stacy Allison Way,

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Evergreen Road and W Hayes Street, and Evergreen Road and Harvard Drive, as well as improving the existing street cross-section of Stacy Allison Way between Evergreen Road and Hooper Street to meet current City standards for a minor arterial roadway. Design services for the Evergreen intersections with Stacy Allison Way and W Hayes Street will include developed preliminary design with options that we may consider, such as having a roundabout at each intersection, having a roundabout at one intersection and a traffic signal at the other, or a traffic signal at each intersection when warranted. The Evergreen Road and Harvard Drive intersection service will include design concepts, based on recommended improvements to the intersections of Evergreen Road and Stacy Allison Way and Evergreen Road and W Hayes Street.

The 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. Staff recommend the contract be awarded to the highest ranked proposer.

FINANCIAL IMPACT:

The Personal Services Contract will be funded from the City's Transportation SDC and Street & Storm capital constructions funds.

August 11, 2025

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

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Modification of Award Amount of Construction Contract for the 2025 Pavement Maintenance Project**

RECOMMENDATION:

Modify the award amount for the construction contract for the 2025 Pavement Maintenance Project to the lowest responsible bidder, Knife River Corporation Northwest, in the amount of \$449,052.00 and approve an additional \$60,000 for this project as a contingency for potential change orders that may arise during construction.

BACKGROUND:

The subject Project is identified in the approved budget for fiscal year 2025-2026. This project enhances pedestrian safety within the Washington Elementary School Zone and performs maintenance of existing pavement at various locations within the City.

Bids for the Project were publicly opened June 25, 2025. Twenty (20) bids were received, and the results are as follows:

Knife River Corporation Northwest	\$449,052.00
Jesse Rodriguez Construction LLC	\$489,086.00
K & E Paving Inc., DBA H & H Paving	\$497,695.69
Roy Houck Construction LLC	\$508,246.10
North Santiam Paving Co.	\$517,572.50

The Engineer's Estimate for the project was: \$534,938.10

DISCUSSION:

This was awarded at the July 14, 2025, meeting to Knife River Corporation Northwest in the amount of \$392,109.75. However, the award amount was incorrect.

FINANCIAL IMPACT:

The subject project is identified in the adopted fiscal year 2025/26 Budget and funded by the Street Fund (Fund 140) and DOT Fund Exchange (Fund 140).

August 11, 2025

TO: Mayor and City Council (acting as the local contract review board)

THROUGH: Jason Millican, Chief of Police

FROM: Andy Shadrin, Deputy Chief

SUBJECT: **Leasing Specialists, LLC. Contract Award**

RECOMMENDATION:

Award a police vehicle contract in the amount of \$179,476.00 (Total estimated contract price over the next four years) to Leasing Specialists, LLC., with an additional contingency of \$20,000 authorized to account for increases in the final outfitting costs and financing of the vehicles, and authorize the City Administrator or his designee to sign the lease agreement

BACKGROUND:

The Police Department currently has two marked patrol vehicles assigned to the patrol division that are now over five years old and due for replacement because of the mileage and additional service needs. The Police Department wants to lease two replacement patrol vehicles, either two Dodge Durangos or two Ford Explorer SUV's or a combination thereof.

DISCUSSION:

Pursuant to ORS 279A.215, the City may utilize a price agreement established through a permissive cooperative procurement to award a contract for goods and services. This process is in lieu of the City pursuing its own formal competitive selection process.

Employing the Oregon Cooperative Purchasing Program, which provided established competitive price quotes for Ford and Dodge vehicle leases, the City identified Leasing Specialists, LLC., as a suitable vendor for leasing police vehicles. Leasing Specialists, LLC., was able to offer the vehicle lease to the City at the

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Oregon State contracted price with a competitive interest rate and stipulate to the ability to take delivery and make the first payment during the 2025/2026 fiscal year. The Police Department will be leasing two vehicles (2 Dodge Durangos or 2 Ford Explorers or a combination thereof) through this program. The pricing also includes all the necessary equipment for outfitting the vehicles mentioned.

The overall lease agreement for the two vehicles is based on financing vehicles, outfitting costs, and leasing terms that are only valid for thirty days. Due to the delay in manufacturing and delivery of any ordered vehicles, vehicle outfitting cost estimates will have to be resubmitted upon delivery of the vehicle orders and will undoubtedly be higher in cost. Financing terms are also subject to market conditions and will also need to be resubmitted within thirty days of delivery of the vehicle orders and therefore the lease contract amount above is subject to and expected to change.

This staff report is to authorize the Police Department to enter into a lease agreement for the 25/26 fiscal year and to also provide the necessary purchase agreements to Dodge Manufacturing and/or Ford Manufacturing to secure the order of the above-described police vehicles.

FINANCIAL IMPACT:

The City will pay a total vehicle lease rate estimate of at least \$44,869.00 per year for the next four years (\$179,476.00, total contract price [subject to change upon final outfitting costs and lease agreements finalization]). The Police Department's existing budget will cover the expenses.